

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. 58 Wednesday, June 22, 2005 and Thursday, June 23, 2005 Fifty-eighth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:12 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, June 16, 2005 proceedings is read in part.

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

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 measures:

Senate Bill No. 1163**BY** Senator Paiva-Weed**ENTITLED**, AN ACT RELATING TO THE TOWN OF JAMESTOWN.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1164**BY** Senator Felag**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS - TOWN OF WARREN (establish a business registration fee for businesses in the town of Warren).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 887 SUB A**BY** Senators Sosnowski**ENTITLED**, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD (collection of seasonal rental of taxes by board)

Read and ordered to be placed on the Calendar

Also:

Reappointment of Barbara Fields Karlin (Community Development Intermediary) of Providence to the Rhode Island Housing Resources Commission for a term expiring January 31, 2008.

Read and ordered to be placed on the Calendar

COMMITTEE ON FINANCIAL SERVICES, TECHNOLOGY AND REGULATORY ISSUES

Senator Walaska, from the Committee on Financial Services, Technology and Regulatory Issues, reports back, with recommendation of passage of the following measures:

House Bill No. 5205 SUB B**BY** Kennedy, San Bento, Coderre E, Picard, Winfield**ENTITLED**, AN ACT RELATING TO INSURANCE -- CLAIMS ADJUSTERS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5307 SUB B**BY** Handy, Ginaitt, Gallison, Long, Lewiss**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ENERGY AND CONSUMER SAVINGS ACT OF 2005 (efficiency standards)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5508**BY** Lewiss, Schadone, Anguilla, Carter, San Bento**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- OPTOMETRISTS

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation of passage of the following measure:

House Bill No. 5623**BY** Story**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and ordered to be place on the Consent Calendar.

COMMITTEE ON LABOR

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

Senate Bill No. 699 SUB A**BY** Senator Badeau**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS (reduction in weekly compensation shall not be delayed for more than 90 days after maximum medical improvement)

Read and ordered to be placed on the Calendar

REPORTS OF COMMITTEES**TRANSFER OF BILLS**

Senator Walaska, for the Committee on Financial Services, Technology, and Regulatory Issues reports back the following measure, with recommendation of transfer to the Committee on Commerce, Housing, and Municipal Government:

House Bill No. 5494 SUB A as amended

BY Moura, Corvese, Schadone, Long, McCauley

ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT (declare the refusal to honor a direction to pay to be an unfair claims practice)

Read and ordered to be placed Senate Committee on Commerce, Housing and Municipal Government.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 772 SUB B (Lieutenant Governor)

BY Senators Blais, Walaska, Bates, Breene, Algieri

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION -- SMALL BUSINESS ADVOCATE (create a small business advocate at the economic development corporation)

Read and ordered to be placed on the Senate Calendar.

Also:

House Bill No. 6567

BY Lally, Caprio D

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO ADOPT A TAX CLASSIFICATION .

Read and ordered to be placed on the Senate Calendar.

Also:

House Bill No. 6549 SUB A

BY Naughton, Costantino, McNamara, Corvese, Kennedy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY QUALITY MONITORING AND EARLY INTERVENTION FOR RESIDENT SAFETY

Read and ordered to be placed on the Senate Calendar.

Also:

Senate Bill No. 345 SUB A

BY Senators Ciccone, Lanzi, Connors, Tassoni, Ruggerio

ENTITLED, AN ACT RELATING TO LABOR - PRIVACY PROTECTION (prevent employers from secretly recording audio or video of employees)

Read and ordered to be placed on the Senate Calendar.

Also:

Senate Bill No. 1004 as amended

BY Senators Breene, Blais, Sosnowski

ENTITLED, AN ACT RELATING TO TAX EXEMPTION OF CERTAIN PROPERTY IN THE TOWN OF RICHMOND.

Read and ordered to be placed on the Senate Calendar.

Also:

House Bill No. 6568

BY Long

ENTITLED, AN ACT RELATING TO THE TOWN OF JAMESTOWN.

Read and ordered to be placed on the Senate Calendar.

Also:

House Resolution No. 6552 SUB A

BY Gemma, Kennedy, McNamara, Rice, Naughton

ENTITLED, JOINT RESOLUTION REQUESTING A COMPREHENSIVE ASSESSMENT OF LONG-TERM CARE SERVICE NEEDS AND FINANCING OPTIONS IN RHODE ISLAND PURSUANT TO AN ACT RELATING TO HEALTH AND SAFETY -- LONG-TERM CARE REFORM ACT OF 2005

Read and ordered to be placed on the Senate Calendar.

Also:

House Bill No. 5012

BY Carter, San Bento, Moffitt, Gallison, Malik

ENTITLED, AN ACT RELATING TO JOINT COMMITTEE ON NAMING STATE CONSTRUCTIONS (Joseph T. Corrente Memorial Bridge)

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

NEW BUSINESS

Senate Bill No. 1184

BY Senator Alves

ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX.

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 1185

BY Senators Raptakis, Goodwin, Ciccone, Alves, McBurney

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS.

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 1186**BY** Senators Pichardo, Ciccone**ENTITLED**, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS.

Read and referred to the Senate Committee on Education.

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** Reappointment of **Joseph Caffey** (Representative of a Community Development Corporation) of Providence to the Rhode Island Housing Resources Commission for a term expiring January 31, 2008.
- 2** Reappointment of **James R. Carlson** (Public Member) of Foster to the State Building Codes Standards Committee for a term expiring May 1, 2007.
- 3** Reappointment of **Robert E. DeBlois, Jr.** of Warwick to the State Building Codes Standards Committee for a term expiring May 1, 2008.
- 4** Reappointment of **Allen P. Durand** (Representing Rhode Island Building Trades Council) of Fiskville to the State Building Codes Standards Committee for a term expiring May 1, 2008.
- 5** Reappointment of **Donald Gagnon** (Representing Minimum Housing Inspectors) of Woonsocket to the State Building Codes Standards Committee for a term expiring May 1, 2008.
- 6** Reappointment of **John D. Gaskell, P.E.** (Representing Electrical Engineers) of Warwick to the State Building Codes Standards Committee for a term expiring May 1, 2008.
- 7** Reappointment of **Angela V. Lovegrove** (Representative of Fair Housing) of Rumford to the Rhode Island Housing Resources Commission for a term expiring January 31, 2007.
- 8** Reappointment of **Mark Lowenstein** (Representing persons with disabilities) of Barrington to the State Building Codes Standards Committee for a term expiring May 1, 2006.
- 9** Reappointment of **John Maloney** (Building Official - under 20,000) of Middletown to the State Building Codes Standards Committee for a term expiring May 1, 2007.
- 10** Reappointment of **Stephen C. Turner** of Providence to the State Building Codes Standards Committee for a term expiring May 1, 2008.

11 Reappointment of **Gordon Preiss** of Westerly (Mechanical Engineers) of Westerly to the State Building Codes Standards Committee for a term expiring May 1, 2007.

12 **2005-S 1180**

BY Gibbs

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

13 **2005-S 1181**

BY Connors

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

14 **2005-S 1182**

BY DaPonte

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

GUESTS

Upon suggestion of Senators Perry, Ciccone, Goodwin and Pichardo and by unanimous consent, the Honorable President welcomes to the Chamber members of Save our Schools (SOS), a grassroots organization of over 300 parents, students, education and community members advocating for quality education for all RI children, John Day with his children Nicole and Natasha, Rebecca Waggnar, James Jones with children George and Noah, Michelle McKenzie with children Liliana, Kathy Szantor, Tom Schmeling with daughter Alex, Claudia Cambero with children Yamil and Yuvi, Jorge Cardenas with grandson Joe.

CALENDAR

In order for the day is taken up as follows:

- 1 Appointment of **Patricia Martinez** of Pawtucket VICE Jay G. Lindgren, Jr. as Director of the Department of Children Youth and Families.

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

Senator McCaffrey, seconded by Senators Perry, Tassoni, Goodwin, McBurney, Raptakis, Issa, Roberts, Doyle, Sheehan, Gibbs, Pichardo, Metts, Algieri, Breene, Blais, Damiani, Polisena and many others.

The advice and consent of the Senate is given this appointment, 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, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

GUESTS

Upon suggestion of Senators Doyle and McBurney and by unanimous consent, the Honorable President welcomes to the Chamber Patricia Martinez of Pawtucket, newly confirmed Director of the Department of Children Youth and Families, along with Blanca Ortiz, Marielena Ortiz, Stella Carrier, the Honorable John Barry and the Honorable Mary Bray both members of the Pawtucket City Council.

Upon suggestion of Senators Pichardo, Metts and Ciccone and by unanimous consent, the Honorable President welcomes to the Chamber Jorge Cardenas, Lourdes Pichardo, Gabriel Martinez, Lenny Martinez, Daniel Martinez.

CALENDAR

2 Appointment of **Jametta O. Alston** of Warwick VICE Laureen D'Ambra of Child Advocate for a term expiring February 1, 2010.

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

Senator McCaffrey, seconded by Senators Pichardo, Metts, Polisena, Algieri, Blais, Damiani and others.

Senator Metts discusses the appointment.

The advice and consent of the Senate is given this appointment, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President welcomes to the Chamber Kametta O'Alston of Warwick, newly confirmed Child Advocate, along with her daughter Theresa.

3 2005-S 277 SUB A

BY DaPonte

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

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

Senator Badeau moves passage, seconded by Senators Ciccone, Pichardo, DaPonte, Ruggerio, Goodwin, Tassoni and others.

Senators DaPonte and Raptakis discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Blais, Breene,

4 2005-S 920

BY Ruggerio

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, June 23, 2005

6 2005-S 290 SUB A

BY Tassoni

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Ordered on the Calendar

Senator Tassoni moves passage, seconded by Senators Cote and Fogarty.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7 2005-S 1131

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senators Ruggerio.

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, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 2005-S 1137 SUB A as amended

BY Tassoni

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE
LONG-TERM CARE REFORM ACT OF 2005 -- NURSING
FACILITIES RECEIVERSHIP ACT

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

Senator Tassoni moves passage, seconded by Senators Roberts, Felag, Gibbs and Metts.

Senator Roberts discusses the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, 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 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 2005-H 5420 SUB B

BY Lima

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

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 Tassoni, Metts, Ruggerio and Ciccone.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Bates, Blais, Breene.

14 2005-H 5849 as amended

BY Moura

ENTITLED, AN ACT RELATING TO LABOR - PRIVACY PROTECTION

Committee on Judiciary recommends passage as amended in concurrence.

Senator McCaffrey moves passage, seconded by Senators Felag, Ciccone, Polisen and Sheehan.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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, McCaffrey, Metts, Paiva Weed, Pichardo, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

15 2005-H 6061

BY Mumford

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Blais and Polisen.

The act is read and passed, by unanimous consent, 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, McCaffrey, Metts, Paiva Weed, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President welcomes to the Chamber members of the Battle of the Books Literacy Program, Sponsored by Volunteers in Providence Schools; The Winning Team from Webster Avenue School- Daryl Mazza, Eileen Biancuzzo, Javellys Polanco, Ysidra Polanco, Brianna Worthington, Johnny Worthington, Fadcanor Sainristil, Jean Sainristil, Ashley Konze and Mike and Tina Konze.

CALENDAR

5 2005-S 242 SUB B**BY Perry****ENTITLED, AN ACT RELATING TO LIBRARIES -- STATE AID TO LIBRARIES**

Ordered on the Calendar

Senator Perry moves passage, seconded by Senators Polisen, Damiani and McCaffrey.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, 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, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Polisen, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16 2005-H 6126**BY Jackson****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Blais and Polisen.

The act is read and passed, by unanimous consent, in concurrence, 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, McCaffrey, Metts, Paiva Weed, Perry, Polisen, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

17 2005-H 6213**BY Trillo****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Polisen.

The act is read and passed, by unanimous consent, in concurrence, 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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

19 2005-H 6279

BY Moura

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Polisena.

The act is read and passed, by unanimous consent, in concurrence, 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, McCaffrey, Metts, Paiva Weed, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

20 2005-H 6361

BY Sullivan

ENTITLED, AN ACT RELATING TO TAXATION -- WEST GREENWICH

Ordered on the Calendar

Senator Breene moves passage, seconded by Senator Blais.

Senator Breene seconded by Senator Blais, offers the following written motion to amend.

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

AN ACT RELATING TO TAXATION -- WEST GREENWICH

Mr. President:

I hereby move to amend 2005 -- H 6361, entitled "AN ACT RELATING TO TAXATION -- WEST GREENWICH", as follows:

(1) By deleting all of the language after the enactment clause, and inserting in lieu thereof the following:

"SECTION 1. Chapter 44-5 of the General Laws entitled "Levy and Assessment of Local Taxes" is hereby amended by adding thereto the following section:

44-5-11.11. Residential real estate classification – West Greenwich. – Notwithstanding any provision within section 44-5-11.8 to the contrary, the town of West Greenwich may adopt a separate tax classification and tax rate for unimproved residentially zoned real property excepting property assessed pursuant to section 44-27-1; and provided, further that the rate applicable to this class shall not be the standard rate against which the maximum rate applicable to another class shall be determined.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,
SENATOR BREENE

The motion to amend prevails 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, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Breene moves passage of the act, as amended, seconded by Senator Bates.

The act is read and passed, by unanimous consent, as amended, 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, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

21 2005-H 6436 as amended

BY McManus

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Polisena.

The act is read and passed, by unanimous consent, in concurrence, 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, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

22 2005-H 6457

BY Pacheco

ENTITLED, AN ACT RELATING TO TAXATION -- GLOCESTER

Ordered on the Calendar

Upon suggestion of Senator Paiva Weed, and without objection, ordered to be placed at the bottom of the Calendar.

23 2005-H 6509

BY Lima

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Badeau.

The act is read and passed, by unanimous consent, in concurrence, 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, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

25 2005-H 6553

BY Dennigan

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Senator DaPonte moves passage, seconded by Senators McCaffrey and Damiani.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: 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, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Upon Suggestion of Senator Paiva Weed, and without objection, the following acts will be considered in one vote:

- 10 2005-H 5170 SUB A as amended**
BY Fox
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
OPEN MEETINGS
- 11 2005-H 5350 SUB A**
BY Williams
ENTITLED, AN ACT RELATING TO ADOPTION OF CHILDREN
- 12 2005-H 5500 SUB B**
BY Lewiss
ENTITLED, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS
- 13 2005-H 5631 SUB A**
BY Lewiss
ENTITLED, AN ACT RELATING TO PROPERTY -- POWERS
- 18 2005-H 6216**
BY Carter
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS
- 24 2005-H 6550 SUB A**
BY McNamara
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE
LONG-TERM CARE REFORM ACT OF 2005 -- NURSING
FACILITY QUALITY IMPROVEMENT
- 26 2005-H 5881**
BY Anguilla
ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS
- 27 2005-H 5569 SUB B**
BY Slater
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
NURSING SERVICE AGENCIES
- 28 2005-H 5883 SUB A**
BY Kennedy
ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL
SERVICE CORPORATIONS

Senator Ruggerio moves passage, seconded by Senator Polisenia.

The acts are read and passed, by unanimous consent, upon a roll call vote with 37 Senator voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: 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, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

SUSPENSION OF THE RULES

Upon suggestion of Senator Paiva Weed, seconded by Senator Breene, and without objection, the Senate Rules are suspended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: 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, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CONTINUOUS CALENDAR

Upon suggestion of Senator Paiva Weed, seconded by Senator Algieri, and without objection, the Senate will operate on a Continuous Calendar, upon a voice vote.

FROM THE DESK

Upon suggestion of Senator Ruggerio, and without objection, the following act is removed from the desk and placed on the Calendar:

Senate Bill No. 1111

BY Senators Ruggerio, Alves, Lanzi, Tassoni, Badeau

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - COMPOSITION OF THE SENATE (amend the composition of the Fifteenth and Seventeenth Senate Districts).

Read and ordered to be placed on the Calendar.

ANNOUNCEMENTS

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Roberts announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Lenihan announces that the Committee on Government Oversight will meet Thursday, June 23, 2005, at the rise of the Senate, in Room 212 of the State House.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

Senate Bill No. 275 as amended

BY Senators Alves, Goodwin, Polisena, Blais, McBurney

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT (establish informed consent procedures for women seeking abortions).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 820 SUB A

BY Senators Gallo, Tassoni, Walaska

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1123 SUB A

BY Senator Badeau

ENTITLED, AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS -- ELECTRONIC REPORTING

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5050

BY Amaral, Loughlin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5503 SUB B (Attorney General)

BY Kennedy, Crowley, Jackson, Rice, Lewiss

ENTITLED, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT (purchaser's ability to cancel a contract and extend the rescission period to 10 days)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5634**BY** Lewiss, Anguilla, Rice, Jackson, Scott**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE (estates representative to deny a claim against).

Read and ordered to be placed on the Calendar

TRANSMITTAL

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

RECESS

Upon motion of Senator DaPonte, and by unanimous consent, the Senate stands at recess at 5:04 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Thursday, June 23, 2005, at 4:21 o'clock P.M.

GUESTS

Upon suggestion of Senators Doyle and McBurney and by unanimous consent, the Honorable President welcomes to the Chamber from Tolman High School in Pawtucket the 2005 Rhode Island Interscholastic League Girls Slow-Pitch Softball Division I State Champions, and 2005 Rhode Island Interscholastic League Boys Baseball Division I State Champions "Tigers" - Spring Slowpitch Softball (Varsity) Principal: Mrs. Marcia F. McGovern Athletic Director: Mr. John L Scanlon Jr., McKayla Narkawich, Trisha Grasso (Cptn), Christie Hoffer, Kayla Mendonca, Kerry Martinez (Cptn), Brittany Olson (Cptn), Mallory Mooney, Alexandra Gustarson, Meaghan Therriault, Amanda Tremblay, Danielle Gard, Emily Sharkey, Stephanie Phillips, Shana Girouard, Brenda Parker, Maritza Rivera, Lindsay Gray, Rebecca Estrella, Head Coach: Mr. Tom Vecoli, Assistant Coach: Mr. Kevin Lipsett, Tolman High School "Tigers" - Spring Baseball (Varsity), Donovan Rabbitt, Chad Warnock, Jeff Costa, Eric D'Oliveira, Jack Tobin, Kyle M Dumont, Michael Pirtle, Nick Birchall, Joshua Hutton, Michal Watkins, Thomas Larivee, Cory Parker, Matthew DaCosta, Head Coach: Mr. Patrick Sullivan, Assistant Coach: Mr. Steve Clarke, Mr. Walter Clarke, Mr. Theo Murray.

REPORTS OF COMMITTEES**COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

Senator Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measures:

Senate Bill No. 771 SUB A**BY** Senators Polisena, Damiani**ENTITLED**, AN ACT RELATING TO PARKS AND RECREATIONAL

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 1162

BY Senators Sosnowski, Ruggerio, Montalbano J, Walaska, Tassoni

ENTITLED, AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5992 SUB A (Environmental Management)

BY Long, Moffitt

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

Read and ordered to be placed on the Calendar.

COMMITTEE ON CONSTITUTIONAL AND GAMING ISSUES

Senator Goodwin, from the Committee on Constitutional and Gaming Issues, reports back, with recommendation of passage of the following measures:

Senate Bill No. 376

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES (farmer winery license).

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 890 SUB A (by request)

BY Senators Goodwin, Paiva-Weed

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (plates for Providence city council members)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 1039

BY Senators Fogarty P, Gallo, Levesque C, Walaska

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

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 1141

BY Senators Montalbano J, Goodwin, McBurney, Damiani, Bates

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

Read and ordered to be placed on the Calendar.

Also:

Senate Resolution No. 1166**BY** Senators Connors, Pichardo, DaPonte, Lanzi, Sosnowski**ENTITLED**, JOINT RESOLUTION REINSTATING THE LIFE AND EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY TRANSIT SERVICE IN THE STATE OF RHODE ISLAND.

Read and ordered to be placed on the Calendar.

Also:

Senate Resolution No. 1167**BY** Senators Raptakis, Revens, Lenihan, Blais, Alves**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE KENT COUNTY WATER AUTHORITY.

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

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

Senate Bill No. 801 SUB A**BY** Senators Paiva-Weed, Gibbs, Alves, Roberts**ENTITLED**, AN ACT RELATING TO HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS (establish a managed health care program for adults with disabilities)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 838 SUB A**BY** Senators Gallo, Fogarty P, Walaska**ENTITLED**, AN ACT RELATING TO INSURANCE - AUTHORIZING HEALTH CARE PROVIDERS TO DISCUSS WITH HEALTH CARE INSURERS AND PROVIDING FOR THE POWERS AND DUTIES OF THE HEALTH INSURANCE COMMISSIONER

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1174 SUB A as amended**BY** Senators Perry, Goodwin, Cote, Bates, Roberts**ENTITLED**, AN ACT RELATING TO LEAD HAZARD MITIGATION

Read and ordered to be placed on the Calendar

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:

Reappointment of G. Thomas Chabot (Class "A" Electrician's License Holder) of West Warwick to the State Building Codes Standards Committee for a term expiring May 1, 2007.

Read and ordered to be placed on the Consent Calendar

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 267 SUB B

BY Senators Alves, DaPonte

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSING SERVICE AGENCIES (nursing pool licensure and provide new provisions)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 384 SUB A

BY Senators Perry, Goodwin, Gallo, Sosnowski, Ciccone

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL CARE (spaying or neutering of dogs or cats subject to adoption)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 423 SUB B

BY Senators Cote, Paiva-Weed, Montalbano J, Perry, Badeau

ENTITLED, AN ACT RELATING TO INSURANCE -- EARLY INTERVENTION SERVICES

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 483 SUB A (Attorney General)

BY Senators Felag, Walaska, Caprio F, Goodwin, Connors

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- CONSUMER ENFORCEMENT OF MOTOR VEHICLE WARRANTIES

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 495 as amended

BY Senator Doyle

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES.

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 682 as amended

BY Senators Goodwin, Montalbano J, Paiva-Weed

ENTITLED, AN ACT RELATING TO THE OFFICE OF THE STATE MEDICAL EXAMINERS (state medical examiners to maintain accreditation by the National Association of Medical Examiners)

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5812 SUB A as amended

BY Coderre E, Fox, Ajello, Naughton, Diaz

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 1187

BY Senators Pichardo, Ciccone

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY PREDATORY MORTGAGE LENDING PRACTICES.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 1188

BY Senators Sheehan, Lenihan, Breene

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING GOVERNOR CARCIERI TO REASSESS THE USE OF THE BIG RIVER RESERVOIR AREA AS THE PROPOSED SITE FOR THE NEW STATE POLICE HEADQUARTERS.

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

Also:

Senate Resolution No. 1189

BY Senators Perry, Lenihan, Pichardo, McBurney, Doyle

ENTITLED, SENATE RESOLUTION CONGRATULATING JOHN M. MURPHY ON RECEIVING AN HONORARY DOCTOR OF HUMAN LETTERS DEGREE FROM THE UNIVERSITY OF RHODE ISLAND.

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 1190

BY Senators Alves, Goodwin

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE TAX EXEMPT STATUS OF INSTITUTIONS OF HIGHER LEARNING IN THE STATE OF RHODE ISLAND.

Read and referred to the Committee on Finance

Also:

Senate Resolution No. 1191 SUB A

BY Senator DaPonte

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS {LC3519/1/A}

Read and referred to the Committee on Finance

Also:

Senate Resolution No. 1192 as amended

BY Senator Alves

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ENTIRE SALARY STRUCTURE AT THE COMMUNITY COLLEGE OF RHODE ISLAND (CCRI).

Read and referred to the Committee on Finance

Also:

Senate Resolution No. 1193

BY Senators Perry, Lenihan, Lanzi, Gibbs

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE AND AMENDING THE MEMBERSHIP OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE BENEFITS AND SUPPORT SYSTEM FOR ADOPTIONS IN THE STATE OF RHODE ISLAND.

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

Also:

Senate Bill No. 1194

BY Senator Felag

ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS.

Read and referred to the Committee on Finance

Also:

Senate Bill No. 1195**BY** Senator Alves**ENTITLED**, AN ACT RELATING TO HEALTH INSURANCE COVERAGE -- MANDATED HEARING AID COVERAGE.

Read and referred to the Committee on Health and Human Services

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 Reappointment of **Barbara Fields Karlin** (Community Development Intermediary) of Providence to the Rhode Island Housing Resources Commission for a term expiring January 31, 2008.

2 2005-H 5623**BY** Story**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**CALENDAR**

In order for the day is taken up as follows:

1 2005-S 275 as amended**BY** Alves**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT

Committee on Judiciary recommends passage as amended.

Upon suggestion of Senator Ruggiero, and without objection, ordered to be placed on the Calendar for Tuesday, June 28, 2005.

3 2005-S 699 SUB A**BY** Badeau**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS

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

Senator Badeau moves passage, seconded by Senators Ruggiero, Ciccone, Connors, Damiani and Bates.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5 2005-S 820 SUB A

BY Gallo

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS
AND INFORMATION ACT**

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

Senator Gallo moves passage, seconded by Senators Fogarty, McCaffrey and Pichardo.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: 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, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6 2005-S 887 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD

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

Senator Sosnowski moves passage, seconded by Senators Lenihan, Paiva Weed, Damiani and Sheehan.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: 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, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7 2005-S 920**BY Ruggiero****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage.

Senator Ruggiero moves passage, seconded by Senators Polisen, Doyle, Goodwin and Damiani.

The act is read and passed, upon a roll call vote with 27 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Ruggiero, Sheehan, Sosnowski, Tassoni.

NAYS- 5: Senators Algieri Bates, Blais, Breene, Gibbs.

8 2005-S 1004 as amended**BY Breene****ENTITLED,** AN ACT RELATING TO TAX EXEMPTION OF CERTAIN
PROPERTY IN THE TOWN OF RICHMOND

Ordered on the Calendar

Senator Breene moves passage, seconded by Senators Sosnowski and Felag.

The act is read and passed, by unanimous consent, as amended, 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, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggiero, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 2005-S 1111**BY Ruggiero****ENTITLED,** AN ACT RELATING TO THE GENERAL ASSEMBLY -
COMPOSITION OF THE SENATE

Committee on Judiciary recommends passage.

Upon suggestion of Senator Ruggiero, and without objection, ordered to be placed at the bottom of the Calendar.

10 2005-S 1123 SUB A**BY Badeau****ENTITLED,** AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS --
ELECTRONIC REPORTING

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

Senator McCaffrey moves passage, seconded by Senators Goodwin, Blais, Badeau and others.

Senators Perry, DaPonte and Sheehan discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 3 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, McBurney, McCaffrey, Metts, Paiva Weed, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Lenihan, Perry, Roberts.

11 2005-S 1163

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO THE TOWN OF JAMESTOWN

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, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12 2005-S 1164

BY Felag

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS - TOWN OF WARREN

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Felag moves passage, seconded by Senator Sheehan.

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

13 2005-H 5050**BY Amaral****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Goodwin.

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, Alves, Badeau, Bates, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16 2005-H 5503 SUB B**BY Kennedy****ENTITLED, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT**

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

Senator McCaffrey moves passage, seconded by Senators Perry, McBurney, Metts, Polisena and Damiani.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, 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, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

17 2005-H 5508**BY Lewiss****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- OPTOMETRISTS**

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

Senator Walaska moves passage, seconded by Senators Gallo, Polisena, Damiani.

Senator Sheehan discusses the act.

The act is read and passed, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Metts, Sheehan.

18 2005-H 5634

BY Lewiss

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Damiani and Polisena.

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

NAYS- 0:

20 2005-H 5777 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES

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

Senator Doyle moves passage, seconded by Senators Tassoni, Walaska, Damiani and Metts.

Senator Doyle seconded by Senators Felag, Tassoni and McBurney, offers the following written motion to amend.

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

AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES

Mr. President:

I hereby move to amend 2005 -- H 5777 SUBSTITUTE A, entitled "AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES", as follows:

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

"SECTION 1. Section 6-13-12 of the General Laws in Chapter 6-13 entitled "Unfair Sales Practices" is hereby amended to read as follows:

6-13-12. Sales of gift certificates. -- "Gift certificate" means a record evidencing a promise, made for monetary consideration, by the seller or issuer for the record that goods or services will be provided to the owner of the record to the value shown in the record and includes, but is not limited to, a record that contains a microprocessor chip, magnetic strip or other means of storage of information that is pre-funded and for which the value is decremented upon each use, a gift card, an electronic gift card, stored-value card or certificate, a store card, a prepaid telephone card used solely for nonwireless, long distance telephone service, or a similar record or card. Any person, firm, or corporation that sells gift certificates for any product or merchandise sold by the person, firm, or corporation, shall be required to record the sales and keep an accurate and complete record of each gift certificate sold. The record shall include the date of sale, the full value of the certificate, the identification number assigned by the retailer to the certificate, and the state in which the sale of the certificate took place. The retailer shall further be required to give to the purchaser of gift certificates exceeding fifty dollars (\$50.00) a written and numbered receipt evidencing the sale of the certificate. It shall be unlawful for any person, firm, or corporation of any kind to charge additional monthly or annual service or maintenance fees on gift certificates or to limit the time for the redemption of a gift certificate or to place an expiration date upon the gift certificate. No gift certificate or any agreement with respect to such gift certificate may contain language suggesting that an expiration date may apply to the gift certificate. Any person, firm, or corporation that shall violate the provisions of this section shall be punished by a fine of not more than two hundred dollars (\$200). Due to the unlimited redemption period, the division of taxation shall not escheat the funds paid for those unredeemed gift certificates. Any unused portion of a redeemed gift certificate shall be afforded to the consumer by reissuing the gift certificate for the unused amount or providing cash where the balance due the consumer is less than one dollar (\$1.00). This section shall not apply to the following:

~~(a) General use prepaid cards issued by a third party prepaid card issuer which shall mean plastic cards or other electronic payment devices which are: (1) usable at multiple, unaffiliated, merchants or service providers and/or at automatic teller machines ("ATMs"); (2) issued in a requested amount which amount may be, at the option of the issuer, increased to value or reloaded if requested by the holder; (3) purchased and/or loaded on a prepaid basis by a consumer and shall not include debit cards linked to a deposit account, or cards purchased by a business entity; and (4) honored upon presentation by merchants for goods or services, or at ATMs.~~

~~(b) (a)~~ Gift certificates that are distributed to a consumer pursuant to an awards, loyalty or promotional program without any money or other thing of value being given in exchange for the gift certificate by the consumer. Any restrictions or limitations which such gift certificates may be subject to must be disclosed to the consumer, in writing, at the time the gift certificates are distributed to the consumer.

~~(c) (b)~~ Cards used for prepaid wireless telephone services will not be subject to this section until January 1, 2006. Prepaid wireless telephone service or prepaid wireless telephone card. "Prepaid wireless telephone service" means wireless telephone service that is activated in advance by payment for a finite dollar amount of service or for a finite set of minutes that terminate either upon use by a customer and delivery by the wireless provider of an agreed-upon amount of service corresponding to the total dollar amount paid in advance or within a certain period of time following the initial purchase or activation, unless additional payments are made. SECTION 2. This act shall take effect upon passage."

Respectfully submitted,
SENATOR DOYLE

The motion to amend prevails 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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Doyle moves passage of the act, as amended, seconded by Senator Metts.

The act is read and passed, by unanimous consent, as amended, 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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

21 2005-H 6101 SUB A

BY Kilmartin

ENTITLED, AN ACT RELATING TO UNFAIR SALES PRACTICES

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

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed at the bottom of the Calendar.

22 2005-H 6369 SUB A

BY Lima

ENTITLED, AN ACT RELATING TO LEAD HAZARD REDUCTION

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

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

27 2005-H 6457

BY Pacheco

ENTITLED, AN ACT RELATING TO TAXATION -- GLOCESTER

Ordered on the Calendar

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed at the bottom of the Calendar.

30 2005-S 384 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY
-- ANIMAL CARE**

Ordered on the Calendar

Senator Perry moves passage, seconded by Senator Felag.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, 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, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

29 2005-S 376**BY Goodwin****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES**

Committee on Constitutional & Gaming Issues recommends passage.

Senator Goodwin moves passage, seconded by Senator Polisena.

The act is read and passed, by unanimous consent, upon a roll call vote with 22 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 22: The Honorable President Montalbano and Senators Alves, Ciccone, Connors, Cote, Doyle, Fogarty, Gallo, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Ruggerio, Tassoni, Walaska.

NAYS- 7: Senators Algieri, Bates, Breene, Damiani, Gibbs, Sheehan, Sosnowski.

34 2005-S 682 as amended**BY Goodwin****ENTITLED, AN ACT RELATING TO THE OFFICE OF THE STATE MEDICAL
EXAMINERS**

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senator Damiani and others.

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

Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

35 2005-S 771 SUB A

BY Polisena

ENTITLED, AN ACT RELATING TO PARKS AND RECREATIONAL

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

Senator Polisena moves passage, seconded by Senators Damiani and Sosnowski.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

36 2005-S 890 SUB A

BY Goodwin

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES**

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 Calendar for Tuesday, June 28, 2005.

37 2005-S 1039

BY Fogarty P

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

Committee on Constitutional & Gaming Issues recommends passage.

Senator Fogarty moves passage, seconded by Senators Perry and Goodwin.

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: Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

38 2005-S 1141

BY Montalbano J

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

Committee on Constitutional & Gaming Issues recommends passage.

Senator Goodwin moves passage, seconded by Senators Damiani, Bates, Ruggerio.

Senators Gibbs and Goodwin discuss the act.

The act is read and passed, upon a roll call vote with 32 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Gibbs, Metts

39 2005-S 1162

BY Sosnowski

**ENTITLED, AN ACT RELATING TO MERCURY REDUCTION AND
EDUCATION**

Committee on Environment & Agriculture recommends passage.

Senator Sosnowski moves passage, seconded by Senators Damiani and Polisena

Senator Sosnowski seconded by Senators Ruggerio, Polisena and Damiani, offers the following written motion to amend.

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

AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION

Mr. President:

I hereby move to amend 2005 -- S 1162, entitled "AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION", as follows:

(1) On page 1, line 8, by deleting the word "July" and inserting in place thereof the word "January".

(2) On page 3, line 7, by deleting the word "July" and inserting in place thereof the word "January".

(3) On page 4, line 12, by deleting the word "After" and inserting in place thereof the following language: "Except as otherwise provided for in this chapter, after".

(4) On page 4, by inserting the following language between lines 11 and 12:

"(d) The restrictions on the disposal of mercury-added components in motor vehicles shall be as set forth in subsection (a) of this section effective January 1, 2006, and shall be implemented as provided for in subsection (c)(2) of this section and subsection 23-24.9-10(b)(2)."

(5) On page 4, line 12, by deleting the word "July" and inserting in place thereof the word "January".

(6) On page 4, line 20, by inserting the following language after the period ".":

"Mercury-added components in motor vehicles shall be collected and recycled as provided for in subsection (b)(2) of this section."

(7) On page 4, by deleting lines 21 through 26.

(8) On page 4, line 27, by deleting the designation "(c)" and inserting in place thereof the designation "(b)".

(9) On page 4, by inserting the following language between lines 30 and 31:

"SECTION 2. Chapter 23-24.9 of the General Laws entitled "Mercury Reduction and Education Act" is hereby amended by adding thereto the following section:

23-24.9-10.1. Resource recovery corporation option. -- The department and the Rhode Island Resource Recovery Corporation shall establish a statewide network for the collection of mercury-added products when the household consumer is finished with them. Manufacturers of mercury-added products, except motor vehicle manufacturers subject to the provisions of subsection 23-24.9(10)(b)(2), may satisfy their obligations, as set forth in subsection 23-24.9-10(a), by entering into a written agreement with those agencies to support the statewide program including, but not limited to, advertisement, education and/or funding through a system established in regulation.

23-24.9-20.1. Effective dates for implementation. -- Notwithstanding the effective date of this act of January 1, 2006, set forth in subsections 23-24.9-7(a)(1), 23-24.9-8(a), and 23-24.9-10(a), the initial deadline for complying with the requirements of these subsections shall be January 1, 2006, or ninety (90) days after the effective date of regulations adopted by the department in order to effectuate the purposes of the subsections, whichever date is the later."

(10) On page 4, line 31, by deleting the number "2" immediately after the word "SECTION" and inserting in place thereof the number "3".

(11) On page 16, line 1, by deleting the number "3", immediately after the word "SECTION" and inserting in place thereof the number "4".

Respectfully submitted,
SENATOR SOSNOWSKI

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin,

Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Sosnowski moves passage of the act, as amended, seconded by Senators Polisena and Damiani.

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

40 2005-S 1166

BY Connors

ENTITLED, JOINT RESOLUTION REINSTATING THE LIFE AND EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY TRANSIT SERVICE IN THE STATE OF RHODE ISLAND

Committee on Constitutional & Gaming Issues recommends passage.

Senator Connors moves passage, seconded by Senators Ciccone, Damiani, Lanzi, Felag, Fogarty.

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

41 2005-S 1167

BY Raptakis

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE KENT COUNTY WATER AUTHORITY

Committee on Constitutional & Gaming Issues recommends passage.

Senator Raptakis moves passage, seconded by Senator Sheehan.

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin,

Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

42 2005-H 5812 SUB A as amended

BY Coderre E

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

Ordered on the Calendar

Upon suggestion of Senator Paiva Weed and without objection, ordered to be placed at the bottom of the Calendar.

44 2005-S 801 SUB A

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS

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

Senator Paiva Weed moves passage, seconded by Senators Roberts, Metts, Badeau.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

45 2005-S 838 SUB A

BY Gallo

ENTITLED, AN ACT RELATING TO INSURANCE - AUTHORIZING HEALTH CARE PROVIDERS TO DISCUSS WITH HEALTH CARE INSURERS AND PROVIDING FOR THE POWERS AND DUTIES OF THE HEALTH INSURANCE COMMISSIONER

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

Senator Gallo moves passage, seconded by Senators Fogarty, Gibbs and Roberts.

Senator Roberts discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

46 2005-S 1174 SUB A as amended

BY Perry

ENTITLED, AN ACT RELATING TO LEAD HAZARD MITIGATION

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

Upon suggestion of Senator Perry and without objection, ordered to be placed at the bottom of the Calendar.

Upon Suggestion of Senator Paiva Weed, and without objection, the following acts will be considered in one vote:

2 2005-S 345 SUB A

BY Ciccone

ENTITLED, AN ACT RELATING TO LABOR - PRIVACY PROTECTION

4 2005-S 772 SUB B

BY Blais

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- ECONOMIC DEVELOPMENT CORPORATION -- SMALL
BUSINESS ADVOCATE

14 2005-H 5205 SUB B

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- CLAIMS ADJUSTERS

15 2005-H 5307 SUB B

BY Handy

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
ENERGY AND CONSUMER SAVINGS ACT OF 2005

19 2005-H 5770

BY Kennedy

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE
-- UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY

23 2005-H 6549 SUB A**BY Naughton****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY QUALITY MONITORING AND EARLY INTERVENTION FOR RESIDENT SAFETY**24 2005-H 6552 SUB A****BY Gemma****ENTITLED,** JOINT RESOLUTION REQUESTING A COMPREHENSIVE ASSESSMENT OF LONG-TERM CARE SERVICE NEEDS AND FINANCING OPTIONS IN RHODE ISLAND PURSUANT TO AN ACT RELATING TO HEALTH AND SAFETY -- LONG-TERM CARE REFORM ACT OF 2005**25 2005-H 6567****BY Lally****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO ADOPT A TAX CLASSIFICATION PLAN**26 2005-H 6568****BY Long****ENTITLED,** AN ACT RELATING TO THE TOWN OF JAMESTOWN**28 2005-S 267 SUB B****BY Alves****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSING SERVICE AGENCIES**31 2005-S 423 SUB B****BY Cote****ENTITLED,** AN ACT RELATING TO INSURANCE -- EARLY INTERVENTION SERVICES**32 2005-S 483 SUB A****BY Felag****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- CONSUMER ENFORCEMENT OF MOTOR VEHICLE WARRANTIES**33 2005-S 495 as amended****BY Doyle****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES**43 2005-H 5992 SUB A as amended (Environmental Management)****BY Senators Long, Moffitt****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- DAM MANAGEMENT DISTRICTS

Senator Paiva Weed moves passage, seconded by Senator Algieri.

The acts are read and passed, by unanimous consent, upon a roll call vote with 34 Senator 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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 211 of the State House.

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

Senator Paiva Weed announces that the Senate will meet on Monday, June 27, 2005 at 4:00 P.M.

TRANSMITTAL

By unanimous consent, all Senate matters, all House matters that have been amended by the Senate and 2005-H 5170, 2005-H 5759, 2005-H 5827, 2005-H 5849, 2005-H 5881, 2005-H 6061, 2005-H 6126, 2005-H 6213, 2005-H 6216, 2005-H 6233, 2005-H 6279, 2005-H 6405, 2005-H 6436, 2005-H 6509, 2005-H 6553 on the secretary's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

RECESS

Upon motion of Senator DaPonte, and by unanimous consent, the Senate stands at recess at 5:42 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Monday, June 27, 2005, at 4:53 o'clock P.M.

REPORTS OF COMMITTEES COMMITTEE ON FINANCE

Senator Alves, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

Senate Bill No. 48 SUB A (Lieutenant Governor)

BY Senators Raptakis, Paiva-Weed, Issa, Polisena, Algieri

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD (National Guard members/life insurance policy)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 399 SUB A as amended (Lieutenant Governor)

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD (eligible for 5 courses per semester)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1102 SUB A

BY Senators Walaska, Alves, Perry

ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- COMMUNITY MENTAL HEALTH SERVICES

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1103

BY Senators Connors, Badeau, Issa

ENTITLED, AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE CONSTRUCTION OF ADDITIONS, RENOVATIONS, IMPROVEMENTS, ALTERATIONS AND REPAIRS TO THE HIGH SCHOOL IN THE TOWN, THE EQUIPPING AND FURNISHING THEREOF AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE IN SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1184

BY Senator Alves

ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1185

BY Senators Raptakis, Goodwin, Ciccone, Alves, McBurney

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 656 SUB A

BY Senators Perry, Sosnowski, Goodwin, McBurney, Roberts

ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 827

BY Senator Montalbano J

ENTITLED, AN ACT RELATING TO TAXATION

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1043 SUB A

BY Senators Felag, Algieri, Gibbs

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL SECURITY INFRASTRUCTURE SUPPORT FUND (establish a national security infrastructure support fund).

Read and ordered to be placed on the Calendar

Also:

Senate Resolution No. 1190

BY Senators Alves, Goodwin

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE TAX EXEMPT STATUS OF INSTITUTIONS OF HIGHER LEARNING IN THE STATE OF RHODE ISLAND.

Read and ordered to be placed on the Calendar

Also:

Senate Resolution No. 1191 SUB A

BY Senator DaPonte

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS {LC3519/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Resolution No. 1192 as amended

BY Senator Alves

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ENTIRE SALARY STRUCTURE AT THE COMMUNITY COLLEGE OF RHODE ISLAND (CCRI).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1194**BY** Senator Felag**ENTITLED**, AN ACT RELATING TO VETERANS' AFFAIRS.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5344**BY** Flaherty, Fox**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - JUSTICES OF SUPREME, SUPERIOR, AND FAMILY COURTS (any retiring supreme court justice perform such services as an associate justice of the supreme court as the chief justice).

Read and ordered to be placed on the Calendar

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 40 SUB A**BY** Senators Walaska, Alves**ENTITLED**, AN ACT RELATING TO INSURANCE (joint study commission to study workers' compensation)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5386 SUB A**BY** Lally**ENTITLED**, AN ACT RELATING TO CHILDREN (suspension of a retail tobacco dealer for selling to children)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6274 SUB A as amended**BY** Moura**ENTITLED**, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS (amend the policy for the use of road salt within the Scituate reservoir water shed)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5677**BY** San Bento, Schadone, Jacquard, Corvese, Shanley**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- TAXATION AND TOBACCO -- DELIVERY AND SALE OF TOBACCO PRODUCTS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6389**BY** Naughton, Malik, Gallison, Ginaitt, Carter**ENTITLED**, AN ACT RELATING TO AQUACULTURE (the state to award aquaculture permits for a period of twenty (20) years with ten (10) year renewals).

Read and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 5259 SUB A**BY** Fox, Gallison, Rice, Jackson, Long**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL SECURITY INFRASTRUCTURE SUPPORT FUND (funding)

Read and referred to the Senate Committee on Finance

Also:

House Bill No. 6164 SUB B as amended**BY** Coderre E, Crowley, Almeida, Gemma, Kilmartin**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS) {LC2689/1/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 568 SUB A**BY** Senators Polisena, Damiani, Raptakis**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- EMERGENCY MEDICAL TRANSPORTATION SERVICES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6625**BY** Watson**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE ACADEMY PLAYERS.

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6624

BY Watson

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5075 SUB A as amended

BY San Bento, Flaherty, Kennedy, Gemma, Coderre E

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6194 SUB A as amended

BY Lima, Picard, Smith

ENTITLED, AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE (school would be authorized to withdraw the student If the parent or guardian fails to respond)

Read and referred to the Senate Committee on Education

Also:

House Bill No. 6370

BY Ginaitt

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6276 as amended

BY Jacquard, San Bento

ENTITLED, AN ACT RELATING TO THE OFFICE OF THE STATE MEDICAL EXAMINERS.

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 5845

BY Fox, Gallison

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION ON DEFENSE ECONOMY PLANNING.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5803 SUB A

BY Gallison, Lewiss, Carter, San Bento

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --OFFICE OF THE STATE MEDICAL EXAMINERS (complete all reports relative to pending autopsies within ninety days)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6483 SUB A

BY Costantino, Carter, Slater

ENTITLED, AN ACT RELATING TO HEALTH CARE SERVICES -- UTILIZATION REVIEW ACT (amend the certification requirements, application process and review/appeals requirement)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6583

BY Ginaitt

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - - COASTAL RESOURCES MANAGEMENT COUNCIL.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6589

BY Landroche, Ginaitt, Carter

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BUILDING AND FIRE SAFETY CODE (implementation of the provisions of the National Fire Prevention Association Code).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6052 SUB A as amended

BY Slater, Watson, Diaz, Faria, Costantino

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS MEDICAL MARIJUANA ACT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6323 SUB A as amended

BY Coderre E, Kilmartin, Ginaitt, Lima, Williamson

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT

Read and referred to the Senate Committee on Government Oversight

Also:

House Bill No. 6539 as amended

BY Coderre E, Crowley, Kilmartin

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from the R Economic Development Corp).

Read and referred to the Senate Committee on Government Oversight

Also:

House Bill No. 6378 SUB A as amended

BY Coderre E, Gemma, Almeida, Crowley, Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

Read and referred to the Senate Committee on Government Oversight

Also:

House Bill No. 6598 SUB A as amended

BY Ginaitt, Anguilla, Naughton

ENTITLED, AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6548 SUB A as amended

BY Moffitt, Scott, Story, Mumford, Kennedy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY LICENSURE

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6477 SUB A as amended

BY Coderre E, Ginaitt, Naughton, Crowley, Almeida

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and referred to the Senate Committee on Government Oversight

Also:

House Bill No. 6590 SUB A as amended

BY Kennedy, Lally, Lewiss, Singleton, Petrarca

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING (various technical changes to the Rhode Island housing laws)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6551 SUB A (Attorney General)

BY Jackson, Corvese, Faria, McNamara, Kennedy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITIES RECEIVERSHIP ACT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6577 SUB A

BY Fox, Anguilla, Ajello, Handy, Moura

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- PUBLIC RADIO STATIONS

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

Also:

House Bill No. 6452 SUB A

BY Carter, Lewiss, Gallison, Sullivan, Malik

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6566

BY Ajello, Savage, Crowley, Melo, Shanley

ENTITLED, AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT (extend the reporting deadline).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 44 SUB B as amended

BY Senator Montalbano J

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 710 SUB B

BY Senators Perry, Polisena, Damiani, McCaffrey, Sosnowski

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 916 SUB B

BY Senators Goodwin, Perry, Paiva-Weed, Pichardo, Roberts

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- DOMESTIC ASSAULT (restrict possession of firearms in cases of domestic violence)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 917 SUB B

BY Senators Goodwin, Perry, Paiva-Weed, Pichardo, Roberts

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION (relinquish firearms pursuant to issuance of domestic abuse protective order)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5262 SUB A as amended

BY Lewiss, Fox, Crowley, Pacheco

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES (create the anti-camcorder piracy act)

Read and ordered to be placed on the Calendar

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator DaPonte, the Senate adjourns at 4:54 o'clock P.M. in memory of Louis E. Starsiak, of North Port, Florida, and formerly of Rumford. He was a World War II Army Veteran and awarded the Purple Heart. He is survived by his longtime Companion, Marilyn Furfaro and daughter Gail Desautels of Ft. Myers Beach, Florida.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR J. MICHEAL LENIHAN

Dear God, keep alive our faith in You and our patience with each other as we endeavor to perform our duties in order to ensure a better state of Rhode Island. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR MONDAY, JUNE 27, 2005:

1 Reappointment of **G. Thomas Chabot** (Class "A" Electrician's License Holder) of West Warwick to the State Building Codes Standards Committee for a term expiring May 1, 2007.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

2 **2005-H 6625**

BY Watson

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE ACADEMY PLAYERS

Ordered to be placed on the Consent Calendar

Raymond T. Hoyas, Jr.
Secretary of the Senate

Thursday, June 23, 2005

Appendix**CALENDAR****IN ORDER FOR MONDAY, JUNE 27, 2005:****1 2005-S 40 SUB A****BY Walaska****ENTITLED, AN ACT RELATING TO INSURANCE**

Ordered on the Calendar

2 2005-S 48 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
NATIONAL GUARD**

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

3 2005-S 275 as amended**BY Alves****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S
RIGHT TO KNOW ACT**

Committee on Judiciary recommends passage as amended.

4 2005-S 399 SUB A as amended**BY Goodwin****ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
NATIONAL GUARD**

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

5 2005-S 568 SUB A**BY Polisena****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --
EMERGENCY MEDICAL TRANSPORTATION SERVICES**

Ordered on the Calendar

6 2005-S 890 SUB A**BY Goodwin****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES**

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

7 2005-S 1102 SUB A**BY Walaska****ENTITLED,** AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- COMMUNITY MENTAL HEALTH SERVICES

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

8 2005-S 1103**BY Connors****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE CONSTRUCTION OF ADDITIONS, RENOVATIONS, IMPROVEMENTS, ALTERATIONS AND REPAIRS TO THE HIGH SCHOOL IN THE TOWN, THE EQUIPPING AND FURNISHING THEREOF AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE IN SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

9 2005-S 1111**BY Ruggiero****ENTITLED,** AN ACT RELATING TO THE GENERAL ASSEMBLY - COMPOSITION OF THE SENATE

Committee on Judiciary recommends passage.

10 2005-S 1174 SUB A as amended**BY Perry****ENTITLED,** AN ACT RELATING TO LEAD HAZARD MITIGATION

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

11 2005-S 1184**BY Alves****ENTITLED,** AN ACT RELATING TO PERSONAL INCOME TAX

Committee on Finance recommends passage.

12 2005-S 1185**BY Raptakis****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS

Committee on Finance recommends passage.

13 2005-S 44 SUB B as amended**BY Montalbano J****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES**

Ordered on the Calendar

14 2005-S 710 SUB B**BY Perry****ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT**

Ordered on the Calendar

15 2005-S 916 SUB B**BY Goodwin****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- DOMESTIC ASSAULT**

Ordered on the Calendar

16 2005-S 917 SUB B**BY Goodwin****ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION**

Ordered on the Calendar

17 2005-H 5075 SUB A as amended**BY San Bento****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Ordered on the Calendar

18 2005-H 5386 SUB A**BY Lally****ENTITLED, AN ACT RELATING TO CHILDREN**

Ordered on the Calendar

19 2005-H 5677**BY San Bento****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TAXATION AND TOBACCO -- DELIVERY AND SALE OF TOBACCO PRODUCTS**

Ordered on the Calendar

20 2005-H 5803 SUB A**BY Gallison****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY --
OFFICE OF THE STATE MEDICAL EXAMINERS

Ordered on the Calendar

21 2005-H 5812 SUB A as amended**BY Coderre E****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC
ABUSE PREVENTION

Ordered on the Calendar

22 2005-H 5845**BY Fox****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION ON DEFENSE ECONOMY PLANNING

Ordered on the Calendar

23 2005-H 6052 SUB A as amended**BY Slater****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O.
HAWKINS MEDICAL MARIJUANA ACT

Ordered on the Calendar

24 2005-H 6101 SUB A**BY Kilmartin****ENTITLED,** AN ACT RELATING TO UNFAIR SALES PRACTICESCommittee on Commerce, Housing & Municipal Government recommends indefinite
postponement of the original bill and passage of Substitute A in concurrence.**25 2005-H 6164 SUB B as amended****BY Coderre E****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

26 2005-H 6274 SUB A as amended**BY Moura****ENTITLED,** AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND
MAINTENANCE OF STATE ROADS

Ordered on the Calendar

27 2005-H 6276 as amended**BY Jacquard****ENTITLED,** AN ACT RELATING TO THE OFFICE OF THE STATE MEDICAL EXAMINERS

Ordered on the Calendar

28 2005-H 6370**BY Ginaitt****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

Ordered on the Calendar

29 2005-H 6452 SUB A**BY Carter****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES

Ordered on the Calendar

30 2005-H 6457**BY Pacheco****ENTITLED,** AN ACT RELATING TO TAXATION -- GLOCESTER

Ordered on the Calendar

31 2005-H 6483 SUB A**BY Costantino****ENTITLED,** AN ACT RELATING TO HEALTH CARE SERVICES -- UTILIZATION REVIEW ACT

Ordered on the Calendar

32 2005-H 6548 SUB A as amended**BY Moffitt****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY LICENSURE

Ordered on the Calendar

33 2005-H 6551 SUB A**BY Jackson****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITIES RECEIVERSHIP ACT

Ordered on the Calendar

34 2005-H 6566**BY Ajello****ENTITLED,** AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT

Ordered on the Calendar

35 2005-H 6583**BY Ginaitt****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION - - COASTAL RESOURCES MANAGEMENT COUNCIL

Ordered on the Calendar

36 2005-H 6589**BY Landroche****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- BUILDING AND FIRE SAFETY CODE**37 2005-H 6590 SUB A as amended****BY Kennedy****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING

Ordered on the Calendar

38 2005-H 6598 SUB A as amended**BY Ginaitt****ENTITLED,** AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION

Ordered on the Calendar

39 2005-H 6624**BY Watson****ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH

Ordered on the Calendar

40 2005-H 5262 SUB A as amended**BY Lewiss****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES

Ordered on the Calendar

41 2005-S 656 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX**

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

42 2005-S 827**BY Montalbano J****ENTITLED, AN ACT RELATING TO TAXATION**

Committee on Finance recommends passage.

43 2005-S 1043 SUB A**BY Felag****ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
NATIONAL SECURITY INFRASTRUCTURE SUPPORT FUND**

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

44 2005-S 1190**BY Alves****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY ALL ASPECTS OF THE TAX EXEMPT
STATUS OF INSTITUTIONS OF HIGHER LEARNING IN THE
STATE OF RHODE ISLAND**

Committee on Finance recommends passage.

45 2005-S 1191 SUB A**BY DaPonte****ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY
CERTAIN CLAIMS**

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

46 2005-S 1192 as amended**BY Alves****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE ENTIRE SALARY STRUCTURE AT
THE COMMUNITY COLLEGE OF RHODE ISLAND (CCRI)**

Committee on Finance recommends passage as amended.

47 2005-S 1194

BY Felag

ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS

Committee on Finance recommends passage.

48 2005-H 5344

BY Flaherty, Fox

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS –
JUSTICES OF SUPREME, SUPERIOR, AND FAMILY COURTS**

Committee on Finance recommends passage in concurrence.

Raymond T. Hoyas, Jr.
Secretary of the Senate

Thursday, June 23, 2005