

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 third day of January in the year of Our Lord two thousand and six.

Volume 133, No. 7

Tuesday, January 24, 2006

Seventh Legislative 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, Polisenia, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal's for the fifth and sixth Legislative Day's of the 2006 proceedings are read in part.

Upon suggestion of Senator Tassoni, and by unanimous consent, further reading of the Journal's are dispensed with and the Journal's approved as recorded.

APPOINTMENTS BY THE GOVERNOR

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

January 24, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Brenda Dann-Messier of East Greenwich

VICE
Jose Gonzalez

for a term expiring January 31, 2008.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Education.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No. 6876

BY Fox, Watson

ENTITLED, JOINT RESOLUTION INVITING HIS HONOR, THE PRESIDENT OF THE SENATE, AND THE HONORABLE SENATE TO JOIN THE HOUSE OF REPRESENTATIVES IN JOINT SESSION FOR THE PURPOSE OF RECEIVING THE STATE OF THE STATE ADDRESS OF HIS EXCELLENCY THE GOVERNOR

Senator Paiva Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Paiva Weed moves passage, seconded by Senator Breene.

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

NEW BUSINESS**Senate Resolution No. 2116****BY** Senators Sheehan, Levesque C, Lenihan, Issa, Pichardo**ENTITLED**, SENATE RESOLUTION SUPPORTING THE UPCOMING CONGRESSIONAL HEARINGS ON THE PRACTICE OF WIRETAPPING THE E-MAIL AND PHONE CONVERSATIONS OF UNITED STATES CITIZENS WITHOUT LEGALLY OBTAINED WARRANTS

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sheehan moves passage, seconded by Senator Levesque and Issa.

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

Also:

Senate Bill No. 2117**BY** Senator Algieri**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RENEWABLE RESOURCES, INC.

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Bill No. 2118**BY** Senator Sosnowski**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF VIEIRA MARINE CONSTRUCTION, INC..

Read and ordered to be placed on the Senate Consent Calendar

ANNOUNCEMENTS

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

Senator Ciccone announces that the Committee on Labor will meet on Thursday, January 26, 2006, at 3:00 o'clock P.M. in Room 212 of the State House.

Senator Paiva Weed announces that the Senate will meet on Wednesday, January 25, 2006 at 6:00 o'clock P.M.

TRANSMITTAL

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

RECESS

Upon suggestion of Senate DaPonte and by unanimous consent the Senate stands at recess at 4:17 o'clock P.M. until the call of the chair and that the desk shall remain open to receive new business.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Wednesday, January 25, 2006, at 6:12 o'clock P.M.

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. 2059**BY** Senators Sosnowski**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2065**BY** Senators Bates, McCaffrey, Algieri, Ciccone, Blais**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2068 (Attorney General)**BY** Senators Polisena, Damiani, Algieri, McCaffrey, Sosnowski**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLE OFFENSES (peace officer to request search warrant)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2070

BY Senators Paiva-Weed

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Bill No. 2119

BY Senators Tassoni, Cote, Fogarty P

ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION (North Smithfield, sixty-five or older)

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

Also:

Senate Bill No. 2120

BY Senators Blais, Paiva-Weed

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES (rebate)

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

Also:

Senate Bill No. 2121

BY Senators Ciccone, Badeau, Walaska, Lanzi, DaPonte

ENTITLED, AN ACT RELATING TO PARKING FACILITIES AND PRIVILEGES (renewal of disability placard).

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

Also:

Senate Bill No. 2122

BY Senators Tassoni, Cote, Badeau, Ruggerio

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES (leave restaurant with partially consumed bottle of wine)

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

Also:

Senate Resolution No. 2123

BY Senators Fogarty P, Gallo, Tassoni, Breene, Walaska

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE GOVERNOR OF THE STATE OF RHODE ISLAND EXEMPT RHODE ISLAND'S CITIES AND TOWNS FROM PAYING ALL FUEL TAXES

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

Also:

Senate Bill No. 2124

BY Senators Badeau, Ciccone, Lanzi, Tassoni, Ruggerio

ENTITLED, AN ACT RELATING TO RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS (post retirement employment)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2125

BY Senators Badeau, Ruggerio

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT OF MUNICIPAL EMPLOYEES (exempt firefighters and police officers from 75 day rule as it applies to reemployment of retired members .

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2126

BY Senators Tassoni, Badeau, Ruggerio, Fogarty P

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

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2127

BY Senators Badeau, Ciccone, Lanzi, Cote, Tassoni, Ruggerio

ENTITLED, AN ACT RELATING TO THE SALES TAX (sales tax holiday in August of 2006)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2128

BY Senators Fogarty P, Gallo, Tassoni, Breene, Blais
ENTITLED, AN ACT RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL
SUPPORT (no child left behind)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2129

BY Senators Raptakis, Lenihan, Blais, Cote, Walaska
ENTITLED, AN ACT RELATING TO EDUCATION -- MANDATES

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2130

BY Senators Raptakis, Issa, Walaska, Caprio F, Doyle
ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2131

BY Senators Lanzi, Ciccone, Gallo, Badeau, Ruggerio
ENTITLED, AN ACT RELATING TO DISABLED AMERICAN VETERANS -- EDUCATIONAL
BENEFITS (extend space available)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2132

BY Senators Badeau, Tassoni, Ruggerio
ENTITLED, AN ACT RELATING TO RELIEF OF FIREFIGHTERS AND POLICE OFFICERS

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2133

BY Senators Badeau, Ciccone, Lanzi, Tassoni, Ruggerio
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- OPTIONAL RETIREMENT FOR
POLICE AND FIREFIGHTERS

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2134

BY Senators Blais, Paiva-Weed

ENTITLED, AN ACT RELATING TO SCHOOL AND MUNICIPAL PLAYGROUND SAFETY

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2135

BY Senators Fogarty P, Tassoni, Cote, Blais, Breene

ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2136

BY Senators Ciccone, Tassoni, Lanzi, DaPonte, Walaska

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

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2137

BY Senators Blais, Damiani, Polisena

ENTITLED, AN ACT RELATING TO MEDICAL MALPRACTICE

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

Also:

Senate Bill No. 2138

BY Senators Connors, Perry, Polisena, McCaffrey

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 2139

BY Senators Lenihan, Blais, Paiva-Weed

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 2140

BY Senators Lenihan, Metts, Damiani, Bates, Breene

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 2141

BY Senators Sosnowski, Paiva-Weed, Raptakis, Gibbs, Breene

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 2142

BY Senators Gallo, Paiva-Weed, Tassoni, Ruggerio

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS -- EDUCATION

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 2143

BY Senators Roberts, Walaska, Levesque C

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES BOARD

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 2144

BY Senators Connors, DaPonte, Ruggerio

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

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 2145 (Attorney General)

BY Senators Damiani, Polisena

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES --HOMICIDE

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2146 (Attorney General)

BY Senators Polisena, Damiani, Raptakis

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - LEAVING SCENE OF ACCIDENTS

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2147 (Attorney General)

BY Senators Lanzi, Ciccone, Gallo, Badeau, Ruggerio

ENTITLED, AN ACT RELATING TO DOMESTIC VIOLENCE PREVENTION ACT

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2148 (Attorney General)

BY Senators Damiani, Polisena

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2149

BY Senators Perry, Levesque C, Sosnowski, Pichardo, Gibbs

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- PERSONS ELIGIBLE TO MARRY

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2150

BY Senators Tassoni, Badeau, Perry

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- SPOUSAL NOTICE FOR ABORTION.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2151

BY Senators Walaska, Bates, Ciccone

ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDANT CHILDREN

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2152

BY Senators Doyle, Tassoni, McBurney, Ruggerio

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RADON CONTROL

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2153

BY Senator McBurney

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION COURT

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2154

BY Senators Blais, Damiani, Polisena

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

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2155 (Lieutenant Governor)

BY Senators Sheehan, Tassoni, Lenihan, Paiva-Weed, Algieri

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

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2156

BY Senators Raptakis, Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2157**BY** Senator Lanzi**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2158**BY** Senator Cote**ENTITLED**, AN ACT RELATING TO THE SOLEMNIZATION OF MARRIAGES

Read and referred to the Senate Committee on Judiciary

Senate Resolution No. 2159**BY** Senator Cote**ENTITLED**, SENATE RESOLUTION CONGRATULATING KEITH R. DESJARDIN, JR. ON ATTAINING THE RANK OF EAGLE SCOUT

Senator Cote requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Cote moves passage, seconded by the entire Senate.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senator Damiani, seconded by Senator Connors, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

1 2006-S 2117**BY** Algieri**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RENEWABLE RESOURCES, INC.**2 2006-S 2118****BY** Sosnowski**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF VIEIRA MARINE CONSTRUCTION, INC.

CALENDAR

Upon suggestion of Senator Ruggiero and without objection, the calendar is deferred to Thursday, January 26, 2006.

TRANSMITTAL

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

ADJOURNMENT

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the Senate adjourns at 6:17 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JOHN J. TASSONI Jr.

Almighty God, we ask that you aid us in putting forth our best efforts as leaders of our State, as we attempt to make Rhode Island a better place for our people to live. Amen.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, JANUARY 26, 2006:****1 2006-S 2009 SUB A****BY Badeau****ENTITLED, AN ACT RELATING TO INSURANCE -- WORKERS'
COMPENSATION INSURANCE FUND**

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

IN ORDER FOR TUESDAY, JANUARY 31, 2006:**1 2006-S 2059****BY Sosnowski****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE**

Committee on Judiciary recommends passage.

2 2006-S 2065**BY Bates****ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD
SUPPORT ENFORCEMENT**

Committee on Judiciary recommends passage.

3 2006-S 2068**BY Polisena****ENTITLED, AN ACT RELATING TO MOTOR VEHICLE OFFENSES**

Committee on Judiciary recommends passage.

4 2006-S 2070**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

Raymond T. Hoyas, Jr.
Secretary of the Senate

PROCEEDINGS IN JOINT SESSION

Wednesday, January 25, 2006

The Honorable President of the Senate, Joseph A. Montalbano, in the Chair.

CALLED TO ORDER

The Joint Session is called to order at 6:48 o'clock P.M.

Upon suggestion of the Honorable President, and by unanimous consent, the reading of the roll of the Senate and the roll of the House of Representatives is dispensed with, there being a quorum of the Senate and a quorum of the House of Representatives present, therefore a quorum of the Joint Session.

Upon suggestion of the Honorable President, and by unanimous consent, the reading of the Resolution (06-H 6876) of invitation is dispensed with.

The Honorable President, by unanimous consent, appoints Senators Roberts, Goodwin, Fogarty, Tassoni, Bates and Gibbs and Representatives Long, Mumford, McManus, Naughton, Crowley, Faria, Gemma, Pacheco, Williams, Giannini and Picard, at Committee, to escort His Excellency, the Governor, Donald L. Carcieri to the Chamber.

Joint Session attends while members of the Judiciary enter the Chamber.

Joint Session attends while members of the Diplomatic Corps enter the Chamber.

Joint Session attends while members of the Board of Governors, Board of Regents and Presidents of the Rhode Island Institutions of Higher Learning enter the Chamber.

Joint Session attends while Mayors, Town Administrators and Local City and Town Officials enter the Chamber.

Joint Session attends while Directors of the Executive Departments and invited guests enter the Chamber.

Joint Session attends while the Honorable Paul J. Tavares, General Treasurer, enters the Chamber.

Joint Session attends while the Honorable Patrick C. Lynch, Attorney General, enters the Chamber.

Joint Session attends while the Honorable Matthew A. Brown, Secretary of State, enters the Chamber.

Joint Session attends while His Honor, the Lieutenant Governor, Charles J. Fogarty, enters the Chamber.

Joint Session attends while members of the Governor's family enter the chamber.

Joint Session attends while His Excellency, the Governor, Donald L. Carcieri, and the First Lady, Suzanne Carcieri, enter the Chamber.

The Honorable President presents His Excellency, the Governor, Donald L. Carcieri, to the Joint Session. The Governor delivers his State of the State Address.

(See Appendix for Governor's Message.)

Upon suggestion of the Honorable President, and by unanimous consent, the Joint Session attends while the committee escorts His Excellency, the Governor, Donald L. Carcieri, members of the Governor's family and invited guests from the Chamber.

ADJOURNMENT

Upon motion of Speaker Murphy, seconded by Senate Majority Leader Paiva Weed and House Majority Leader Fox, and by unanimous consent, Joint Session adjourns and the two Houses separate at 7:35 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**STATE OF THE STATE ADDRESS
GOVERNOR DONALD L. CARCIERI
2006 State of the State Address**

Thank you Speaker Murphy.
President Montalbano;
My fellow general officers;
Members of the judiciary;
My cabinet directors;
Distinguished guests;
Members of the diplomatic corps;
And fellow Rhode Islanders;

A special thank you to members of my family here tonight, my daughters Sarah and Jill; and, most especially, to my wife of 40 years, who cares as deeply as I do about our State - First Lady, Sue Carcieri.

In spite of her own health issues this past year, she continues to lead our state's Wellness Initiative – determined to make Rhode Island the first “well-state” in the nation. She also conceived of the *Celebrate Rhode Island Ball*, which last Friday hosted over a thousand people, and raised \$130,000 for the Good Neighbor Energy Fund.

She's also the devoted mother of our 4 children, and proud grand-mother to our 13 grandchildren. Thank you for all you do for our state.

My fellow Rhode Islanders, this is my fourth State of the State Address, and today I am more excited than ever.

- Jobs are growing
- Investment is booming
- Incomes are rising
- Tax relief is beginning
- Educational results are improving
- Parks and open spaces are increasing
- Narragansett Bay is getting cleaner
- And, our state's credit rating was upgraded to AA.

The state of the state is vibrant and dynamic!

More Rhode Islanders are working than ever before. We are the New England leader in creating jobs.

When I took office, we set a goal to add 20,000 net new jobs in 4 years. We are on track, with 14,000 through December.

And most recently, Fidelity announced a plan for a third building and a thousand new jobs. The tax incentives you passed were a big help.

And there's more good news. Last year, while the federal government was closing military bases around the country – Rhode Island gained 500 new jobs. And there's a reason. Rhode Island truly is a leader in naval training and technology. Beyond that, the marine trades and boat building have become one of our major industries. The Ocean State is indeed a center of ocean technology.

Investments at Quonset continue to pay off. We are adding new companies and new jobs. If you haven't been there lately, drive down and take a look.

Ocean State Job Lot has completed its new facility. Brown & Sharpe's new building is well along, and many other expansions are underway. Soon we will have over 7,000 people employed in 147 companies there.

But Quonset is not the only place where exciting things are happening. Today, we are in the middle of an absolute construction boom.

Private companies are investing more than \$4.9 billion in projects all over the state -- condos, apartments, hotels, office buildings, manufacturing plants, retail space and warehouses.

They have confidence in us. And we have confidence in ourselves. We are investing another \$1.7B in roads, bridges, airports, schools, and train stations.

We also sold the Westin Hotel for over \$100 million, and took control of the Dunkin Donuts Center with a plan to make it a first-class facility connected to our beautiful Convention Center.

Combined, that's almost \$7 billion! By far, the largest construction boom in our state's history.

To keep this entire momentum going, we are concentrating on 4 things:

First, to focus our economic strategy on innovation, based on science and technology.

Second, to fuel that economy with our young people performing at world class levels in math and science.

Third, to reduce the tax burden of government. To lower taxes, we must control government spending.

Finally, to maintain that special quality of life that makes people want to live here in Rhode Island.

I'll start tonight with our economic strategy. Science and technology are keys to

higher paying jobs. Nine months ago, I created a Science and Technology Advisory Council composed of world-class leaders in science and business. Just days ago, that group made a number of recommendations to me, to guide Rhode Island in creating a vibrant innovation economy.

This is our ACTION PLAN!

First, we must expand the research capacity of our universities and strengthen our ability to attract top notch scientists. Under the leadership of my Science Council, the federal government recently awarded us more than \$6 million in new research grants. The state will supplement this for a total pool of \$10 million. This fund is to stimulate new ideas for businesses and build a foundation for the jobs of tomorrow.

Second, we intend to make unprecedented investments in research at U.R.I. Along with University leaders, I am asking the voters to approve a bold vision for a \$140M science center. With this investment, we can make the university a leader in important fields like chemistry, pharmacy, and nursing. Last year's investment is Dr. Ballard's Inner Space Center, at the Graduate School of Oceanography, has already positioned the Ocean State as the International Center for Ocean Exploration.

Third, we must enact a Science and Technology Tax Credit. This credit is geared to stimulate investment in high-tech startups and attract to Rhode Island the entrepreneurs who create high paying jobs.

Finally, Rhode Island is poised to become the first state in the nation to be wireless border to border. The opportunities for business, healthcare and education are limitless. It requires a public investment, but promises to pay off in the future with new jobs.

To fuel that economy we are implementing programs to significantly upgrade our students' preparation in math and science. Following on last year's State of the State Address I established and co-chaired a Blue Ribbon Panel on Mathematics and Science Education. That panel was made up of education and business leaders from around the state.

This summer, the panel made several recommendations to me that will make Rhode Island schools national leaders in science, math, and technology. To accomplish those, I propose \$15 million in targeted investments that will:

1. Improve coordination and collaboration between schools, colleges and employers;
2. Attract more people to teach math and science;
3. Improve teacher training in math and science, especially at the elementary level; and,
4. Provide increased opportunities for all of our students to engage in more rigorous programs of study.

We are already piloting a new "Physics First" program in 5 of our school districts. Just today, Nobel physicist, Dr. Leon Lederman, the father of "physics First", spoke to

our teachers and students about the importance of physics as a building block in science education. We are also testing in Central Falls, "I Can Learn", an exciting new technique for teaching Algebra.

Our suburban and rural schools are ready to meet this challenge. They are performing above the national average. But we all know, we need to lift the performance of our urban schools. There are encouraging signs in public elementary schools, charter schools, and private schools.

It is the job of the cities to uplift their schools. But the state has a responsibility to step in when schools continue to fail. Hope High School is a case in point. The state's intervention is beginning to make real improvements. That's a testament to the cooperation of parents, students, administrators, and the leadership and members of the Providence Teachers Union.

I suggest that we need to go further!

I will create a working group of community leaders to develop a plan for a single, Metropolitan School District, to initially include Providence, Central Falls and Pawtucket. The combination of these districts could produce significant efficiencies in administration, transportation, standardized curriculum, and infrastructure.

And a single district will make it easier for children and families in the urban region. Many students transfer among the three districts today, so uniformity of the educational systems would benefit those children. This will require extensive study, but I believe the benefits for those children could be great.

A single urban district can be a model for the state for innovative educational programs.

We will launch pilot projects to improve student performance by extending the school day, expanding the teacher year for additional training, re-evaluating the middle schools, and increasing the number of public charter schools.

This is an ambitious agenda. Foremost in the learning process are good teachers – and we have some outstanding ones. Here tonight are two of our best: Milken National Award Winners, Diana Petrosinelli and Andrew Wallace. They each received \$25,000 cash awards for their exemplary work. Please join me in recognizing their dedication to our children.

Let's remember that teachers can't do this job alone. Sue and I know this first hand, we both taught school. Teachers need the strong support of public officials. And most importantly, they need the support of parents. A strong 2-parent family, actively engaged in their children's education, is a virtual guarantee of results.

Less time in front of a TV, and more time reading. That works!!

I am committed to working closely together with all of you to make sure that we

prepare our children for the 21st century. To keep our children here, and to attract the businesses to employ them, we need to reduce our tax burden. We have made progress, but it's not enough. I am committed to working with you to create long-term, systemic tax relief.

Last year, with the overwhelming concurrence of this General Assembly, we resumed the phase-out of the car tax. 38,000 cars are no longer taxed. All Rhode Islanders thank you for that.

And my budget will keep the promise we made last year to eliminate the car tax. By dedicating the increased revenues from Lincoln Park and Newport Grand to tax relief, we will completely eliminate the car tax within 5 years. That puts money directly in your pockets!

We all know that Rhode Islanders need more tax relief, but to do that, we must reduce the growth rate of government spending. Last year, we reached an historic agreement to reform the state pension system, saving Rhode Islanders nearly \$250 million over the next 5 years.

And, the Big Audit is alive and well. By the end of this year, cumulative savings from the Fiscal Fitness program will exceed \$140 million. We have done this through better business practices, elimination of redundancies, 21st century technology, and just plain hard negotiating. And we have just begun!

Because of these efforts, since I took office, there have been no broad-based tax increases. And every budget has been balanced. But we must do more!

I will propose a number of critical reforms to reduce spending, not just for the next year, but for the long term fiscal health of the state. We will reform the state personnel system this year, just as we reformed the state pension system last year. We will reduce the number of middle managers in state government and run our operations more efficiently. To do that, I will need your help.

We will reform the massive human service entitlement programs that have been built up over the last decade. The growth rate of these programs is not sustainable! My budget will propose a number of important reforms to our welfare system. We will put more Rhode Islanders to work faster, encourage self-sufficiency and promote healthier choices.

Further, to enforce greater spending discipline, I will support a Constitutional Amendment that limits the overall growth in state spending to an inflation adjusted amount. Many states have enacted such laws with great success.

Locally, cities and towns must slow their property tax increases. Last year, I refused to approve any property tax increases in excess of the 5.5% cap. Every city and town was able to live within that cap. But our property taxes are still too high. I believe that cap should be lower, and will submit a budget article to reduce it more in line with personal income growth. These two disciplines will allow us to lower the tax burden on

all Rhode Island families – and that’s a good thing!

Now we all know that we enjoy a special quality of life here in Rhode Island. To maintain that special quality, my priorities are to provide affordable health care, control energy prices, and protect our environment.

First, health care must be affordable, accessible, and high quality. Several months ago, I announced a 5-point strategy to improve health care in Rhode Island. It focuses on:

1. A new affordable health plan for small businesses and individuals;
2. Increasing wellness programs across the state;
3. Making major investments in health care technology;
4. Developing centers of excellence at our hospitals; and
5. Leveraging the state’s own purchasing power.

We are moving ahead on all 5 fronts. Within the next few weeks I will launch a major health care reform and investment initiative.

Energy costs also impact our quality of life and our economy. Rhode Island can be a national leader in energy policy. Earlier this month, I appointed a Chief Energy Advisor and announced a 5-point energy policy to make us that leader. My plan will:

1. Promote conservation;
2. Increase LNG supplies without building in populated areas;
3. Provide assistance to the most vulnerable;
4. Reform the unfair electricity pricing system in New England. At present, the producers of oil and natural gas are reaping enormous windfall profits. That leaves every consumer holding the bag! That’s wrong and we need to change it.
5. Finally, we will vigorously pursue renewable sources of energy.

At present, Rhode Island has no major source of energy. We produce no oil or natural gas. My goal is to use wind power to produce 15% of Rhode Island’s energy needs. And my administration is already working hard to make this a reality.

We all know that our natural beauty is at the heart of our quality of life. Our citizens readily support efforts to preserve open space, and protect our most precious resource, Narragansett Bay.

Last year we added 2,300 acres of open space throughout the state. Since I took office, we have added 8,400 acres. And Narragansett Bay is getting cleaner. We have reduced pollution and cut the number of beach closure days in half. I will ask the voters to approve an additional \$25M Clean Water bond this year to finish the task.

Construction is now underway on my plan for a Bay Island Park System. Now, more Rhode Islanders – especially those living in urban areas – will be able to enjoy the jewels of Narragansett Bay.

Last summer, Sue and I took our grandchildren on the Save the Bay boat, from

Providence to Colt Park. It was a special day for us. More Rhode Island families should have that opportunity.

To accomplish all of this, we will work together. We have worked together well this past year on economic development, pension reform, and tax relief.

Let's keep the momentum going.

- Let's get tougher on drunk drivers,
- Tougher on sexual predators,
- Limit the power of government to take homes by eminent domain, and
- Reform the medical malpractice insurance system.
- And, pass a Voter Initiative Constitutional Amendment

And we must enact new legislation to ensure that no Rhode Islander will lose their home because of a \$450 sewer tax lien. Who can forget the awful image of 81 year old Madeleine Walker being evicted from her home of 50 years on a cold day just before Christmas? Predatory tax sales like this must stop now!

I also ask that you reject an idea that is not in the public interest. Amending our State Constitution for the self-interest of an out of state casino corporation would be a travesty. Such an amendment would be unprecedented.

I know that we can work together to get this done.

For inspiration, we need only look to the example of Rhode Islanders who responded to Hurricane Katrina. They rose to the occasion and demonstrated tremendous compassion and generosity. We welcomed nearly 500 of our fellow Americans who lost everything they owned. They arrived here with only the clothes on their backs, and a few bags of belongings.

Many of our local businesses and community organizations donated furniture, clothing, food, and much much more to make our guests as comfortable as possible. For all of that, I thank you.

Another group of our citizens went above and beyond – they went to New Orleans and Mississippi on a days notice. Our National Guard military police unit went to New Orleans. Many of them had only recently returned from Iraq.

Regarding their performance, I received an email from the commander of the USS Iwo Jima. In his words, "To their credit, they were the first to enter the Convention Center and restore order with only 140 troops though the mission called for more than 500. They saved 15 lives and evacuated hundreds." He called them "huge heroes from a small state".

Our Urban Search & Rescue Team led a four-state team in Mississippi to recover victims of that devastation, and reconcile missing person's reports. That is hazardous, tedious, painstaking work.

Here tonight, representing those who responded to Katrina are two great Rhode Islanders:

- Private Eric Carrier from the 119th Military Police Unit;
- Task Force Leader, Curt Varone of our Urban Search and Rescue Team.

Please congratulate them on such a great job.

In summary, my message is clear; the state of our state is strong! I love this state! There is so much to be proud of.

Our economy is flourishing.

Our rich history makes us a magnet for visitors from around the world.

The vibrancy and vitality of higher education makes us an international center for innovation.

Our people are demanding a civic culture that encourages hope, not cynicism. Where corruption will find no refuge.

We are making our government less of a burden, and more of a catalyst.

And Rhode Island is, once again, being seen as a leader in the nation, just as it was at the birth of our nation.

Finally, there is no greater pride that we all have than that in the men and women of our armed forces. The Rhode Island National Guard has distinguished itself time and again in the global fight against terrorism. They and their families have sacrificed mightily on our behalf.

Last month two of our soldiers were both personally awarded the Purple Heart by President Bush for injuries sustained in Iraq.

They are SPC David Dyer and SPC. Chad Danusis. They could not be with us tonight because they are still undergoing treatment. Representing them and all our national guard are Specialist Nathaniel Deitch and Sergeant First Class Ted Marrero. Please join me in thanking them, and all their fellow soldiers, sailors, marines, and airmen.

In honor of all our men and women in uniform, please join the First Lady and me singing "God Bless America".

Good Night!