

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 second day of January in the year of Our Lord two thousand and one.

Volume 128, No. 67 Wednesday, June 27, 2001 Sixty-seventh Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, Jr., President Pro Tempore, at 3:52 o'clock P.M.

The roll is called and a quorum is declared present with 48 Senators present and 2 Senators absent as follows:

PRESENT - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglionzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 2: Senators DaPonte, Ruggerio.

INVOCATION

The Honorable President Pro Tempore, by unanimous consent, presents Senator Alves, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, June 21, 2001 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Alves, Fogarty, Celona and Garabedian, and by unanimous consent, His Honor, the Honorable President Pro Tempore, welcomes to the Chamber the West Warwick Wizards Baseball Team, Baseball Class B State Champions, and Class B-South Champions:

Head Coach, Richard Grenier, Sr., Assistant Coaches, Greg Kortick, John MottoIa, and Bruce Vanasse, Jared Broz, Tom Juneau, Clayton Lawrence, Sean Lukowicz, Frank Vescera, Gregg Anderson, Chuck Kennedy, Corey O'Leary, Jeremy Reisner, David Alves, Tom Kelly, Anthony Politelli, Nick Ray, Corey St. Sauveur, Zach Shelton, Josh Parent, Dan Politelli, Chris Richards, and bat boys Matthew Grenier and Richard Grenier, Jr.

Upon suggestion of Senators Celona and Kells, and by unanimous consent, His Honor, the Honorable President Pro Tempore, welcomes to the Chamber from Kelly Vision, Tom Kelly and his wife Rita.

Upon suggestion of Senators Walton and Kells, and by unanimous consent, His Honor, the Honorable President Pro Tempore, welcomes to the Chamber members of the 2001 Puerto Rican Parade Committee, Oswaldo Castillo, President, Carmen Bucholz, Marta Cruz, Catilyn Pagan, Franciso Cruz, Melody Love Gonzalez and Liza Gonzalez.

COMMUNICATION

The Honorable President Pro Tempore, presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE LIEUTENANT GOVERNOR**

June 20, 2001

The Honorable John C. Revens, Jr. Senate President Pro Tempore 317 State House Providence, Rhode Island 02903

Via Hand Delivery

Dear Senator Revens:

This is to inform you that I will be unable to attend the Senate Session Wednesday, June 27, 2001 and Thursday, June 28, 2001. I will be out of state attending a National Conference of Lieutenant Governors.

I request that this letter be printed in the Journal of the Senate.

CHARLES J. FOGARTY
Lieutenant Governor

Received and ordered to be placed on file.

**EFFECTIVE WITHOUT
THE SIGNATURE OF THE GOVERNOR**

The Honorable President Pro Tempore, presents an announcement of the receipt by the Secretary of State of the following measure which became effective without the signature of His Excellency, the Governor on June 22, 2001:

(01-S 1002) An Act relating to insurance -workers' compensation insurance.

EDWARD S. INMAN, III
Secretary of State

Received and ordered to be placed on file.

APPROVED BY THE GOVERNOR

The Honorable President Pro Tempore, presents an announcement of the receipt by the Secretary of State of the following measure signed and approved by His Excellency, the Governor on June 26, 2001:

(01-S 1023) An Act relating to criminal procedure public defender.

EDWARD S. INMAN, III
Secretary of State

Received and ordered to be placed on file.

REPORTS OF COMMITTEE

**JOINT COMMITTEE ON
ENVIRONMENT AND ENERGY**

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

(01-S 531) (Substitute "A") An Act relating to health and safety - health warnings - mercury in fish.

Read and ordered to be placed on the Calendar.

(01-S 631) (Substitute "A") An Act relating to fish and wildlife.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senators Roney, Izzo, Roberts, Perry, Paiva Weed and others present (01-S 1031) Senate Resolution honoring Carolyn Benedict-Drew for outstanding and dedicated service to Family Service.

Senator Roney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Roney, seconded by the entire Senate, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

Senators Alves, Raptakis and Garabedian present (01-S 1032) Joint Resolution congratulating Jane E. Mooney on her retirement after more than 38 years of outstanding and dedicated service to her country.

Senator Alves requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Alves, seconded by the entire Senate, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, the following appointments on today's Consent Calendar, by unanimous consent, are given the Advice and Consent of the Senate, upon a voice vote:

- 1. Appointment of Alice Barrows of Cranston (Representing General Library Users) VICE Anne Kayarian to the Library Board of Rhode Island for a term expiring December 31, 2003.
- 2. Appointment of Joan Ankner of Exeter, Rhode Island VICE Joan Ress Reeves to the Library Board of Rhode Island for a term expiring December 31, 2003.
- 3. Appointment of John Maloney of Middletown Building Official (under 20,000) VICE Robert Schultz to the State Building Codes Standards Committee for a term expiring May 1, 2004.

CALENDAR

In order for the day is taken up as follows:

- 10. (01-S 677 as amended) An Act relating to public officers and employees - compensation for certain boards.

Committee on Finance recommends passage as amended.

Upon suggestion of Senator Caprio, and without objection, ordered to be recommitted to the Committee on Finance.

- 36. (01-S 258) An Act relating to housing and open space.

Committee on Finance recommends passage.

Upon suggestion of Senator Caprio, and without objection, ordered to be recommitted to the Committee on Finance.

- 1. (99-S310) (Substitute "A") An Act relating to insurance.

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

Senator Bates moves passage, seconded by Senators Gibbs and Hunter.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

2. Reappointment of John J. Hardiman, Esquire of Providence as Public Defender for a term expiring February 1, 2004.

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

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

3. Appointment of Susan E. McGuirl of Providence VICE Associate Justice Richard J. Israel as Associate Justice of the Rhode Island Superior Court.

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

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

4. (99-S27) An Act relating to fire safety.

Committee on Finance recommends passage.

Senator Blais moves passage, seconded by Senators Gibbs, Walsh and Enos.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Roney, Sheehan, SosnowsKi, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

6. (99-S229) (Substitute "A") An Act relating to workers' compensation.

Ordered on the Calendar.

Senator Badeau moves passage, seconded by Senators Celona, Tassoni and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 37 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 37: Senators Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Cote.

7. (99-S318) (Substitute "A") An Act relating to textbooks.

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

Senator Walaska moves passage, seconded by Senator Fogarty.

Senator Walaska, seconded by Senator Fogarty, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-S 318) (Substitute "A")

Mr. President:

I hereby move to amend (01-S 318) (Substitute "A") entitled "AN ACT RELATING TO TEXTBOOKS", as follows:

In section 1, on page 2, line 24, after the words "of cost.", by deleting the underlined language "The cost of such textbooks to students in grades 9-12 shall be reimbursed, on a pro rata basis and subject to annual appropriation, from the textbook reimbursement fund by the department of elementary and secondary education upon presentation by a school district of the evidence of cost."

In section 2, on page 2, line 29, after the words "shall take effect.", by deleting the language "upon passage.", and inserting in place thereof the language "on July 1, 2002."

Respectfully submitted,

WILLIAM A. WALASKA
Senator, District 17

The motion to amend prevails upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roney, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

Upon motion of Senator Walaska, seconded by Senator Fogarty, 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 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Irons, Issa, Izzo, Kells, Kelly, lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roney, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

8. (99-S366) An Act relating to General Assembly - Joint Committee on Naming New Buildings.

Joint Committee on Naming State Constructions recommends passage.

Senator Paiva Weed moves passage, seconded by Senators Cicilline, Montalbano, Roney and many others.

The act is read and passed, by unanimous consent, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 47: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

9. (99-S600 as amended) An Act relating to state affairs and government.

Committee on Finance recommends passage as amended.

Senator Caprio moves passage, seconded by Senators Algieri and Connors.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 47: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

11. (99-S722) An Act relating to permanent Joint Committee on Naming all New Buildings, Bridges, Edifices and other State Constructions.

Joint Committee on Naming State Constructions recommends passage.

Senator Lenihan moves passage, seconded by Senator Raptakis.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

12. (99-S864) An Act relating to renaming state highways.

Joint Committee on Naming State Constructions recommends passage.

Senator McDonald moves passage, seconded by Senators Walsh, Sosnowski and Blais.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

13. (99-S985) An Act relating to the town of Smithfield.

Committee on Corporations recommends passage.

Senator Tassoni moves passage, seconded by Senator Celona.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

14. (99-S896) An Act relating to mill building rehabilitation.

Committee on Finance recommends passage.

Senator Fogarty moves passage, seconded by Senator Badeau.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan: Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

15. (99-S913) An Act relating to the General Assembly.

Joint Committee on Naming State Constructions recommends passage.

Senator Caprio moves passage, seconded by Senator Damiani and Senate Majority Leader Irons.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

16. (99-S988 as amended) An Act relating to police officers- commission on standards and training.

Committee on Judiciary recommends passage as amended.

Senator Lenihan moves passage, seconded by Senators Polisena and Kells.

The act is read and passed, as amended, upon a roll call vote with 38 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS - 38: Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Celona, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Graziano, Hunter, Igliozi, Irons, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walton.

NAYS - 6: Senators Blais, Connors, Garabedian, Perry, Roney, Walsh.

17. (99-S1003 as amended) An Act relating to waters and navigation- Marine Waterways and Boating Facilities Act of 2001.

Joint Committee on Environment and Energy recommends passage as amended.

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

18. (99-S1015) (Substitute "A," as amended) An Act relating to Convention Center Authority Act.

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

Senator Celona moves passage, seconded by Senators Montalbano and Damiani.

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 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS -0.

19. (01-H5299) (Substitute "A") An Act relating to pharmacies.

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

Senator Roberts moves passage, seconded by Senators Celona, Garabedian and others.

Senators Paiva Weed and 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 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

20. (01-H5969) An Act relating to mental health.

Committee on Health, Education and Welfare recommends passage in concurrence.

Senator Graziano moves passage, seconded by Senator Tassoni.

Senator Graziano, seconded by Senator Tassoni, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-H 5969)

Mr. President:

I hereby move to amend (01-H 5969) entitled "AN ACT RELATING TO MENTAL HEALTH", as follows:

- 1.** On page 1, line 14, delete the words "subject to the approval of" and insert in lieu thereof the words "when deemed in the interest of the patient approved by".
- 2.** On page 2, line 3, insert the following language after the word "transfer": "is in the best interest of the patient and".

Respectfully submitted,

CATHERINE E. GRAZIANO
Senator, District 5

The motion to amend prevails upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

Upon motion of Senator Graziano, seconded by Senator Tassoni, read and passed, as amended, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Connors, Cote, Damiani, Donelan, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

21. (01-H5992) (Substitute "A") An Act relating to waters and navigation.

Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute "A" in concurrence.

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

Senator Damiani, seconded by Senators Celona and Polisena, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-H 5992) (Substitute "A")

Mr. President:

I hereby move to amend (01-H 5992) (Substitute "A") entitled "AN ACT RELATING TO WATERS AND NAVIGATION", as follows:

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

"SECTION 1. Chapter 46-22 of the General Laws entitled "Regulation of Boats" is hereby amended by adding thereto the following section:

48-22-8.8 CERTIFICATE OF BOATING SAFETY EDUCATION. - (a)(1) No person born on or after January 1, 1988 shall operate a vessel that is fitted with propulsion machinery of more than ten (10) horsepower on the waters of this state unless said Person shall have successfully completed a boating safety education program as approved by the director of the Department of Environmental Management.

(2) The content of acceptable boating safety education programs shall meet the minimum standards and guidelines and be approved by the National Association of State Boating Law Administrators (NASBLA). Acceptable programs shall include those NASBLA approved courses offered by the state, the United States Coast Guard Auxiliary, the United States Power Squadrons or any other course approved by the director.

(3) Instructors shall meet the minimum requirements as established by NASBLA and shall be certified by the state.

(4) Upon completion of a boating safety course, a written test shall be administered under the direct supervision of a certified instructor. The test shall include at least twenty-five (25) question, scored on a one hundred percent (100%) scale, and have a passing grade of seventy percent (70%) or better. Test results shall be maintained by the Department of Environmental Management, Division of Enforcement.

(6) The department shall issue a durable certificate of completion that meets the NASBLA guidelines. The certificate of completion shall be presented upon request of any authorized law enforcement officer to show proof of compliance.

(8) A challenge exam, meeting the standards of subsection (4) proctored and administered by a certified instructor shall be made available to those individuals that wish to review the requirements of this section. The exam may be administered to a candidate two (2) times. Failure of the examination on the second attempt will require the candidate to retake and/or complete the same and/or a different boating safety program as provided for in this section.

- (7)(i) Any person having in his or her possession a certificate of completion of ant boating safety course approved by NASBLA shall be considered to be in compliance with this chapter and can request that a certificate be issued by the department.
- (ii)(A) The following persons shall be exempt from the education provisions of this chapter provided that they can provide proof of exemption:
- (I) A person who operates a vessel under training, directly supervised by a person on board the vessel who is eighteen (18) years of age or older and meets the requirement of (a)(1) of this section;
 - (II) A person who holds a valid commercial vessel operator's license issued by the United States Coast Guard, a state, or a province;
 - (III) Non-residents temporarily using the waters of this state who meet the requirements of their state of legal residence.
- (iii) New residents of this state will be given sixty (80) days to meet the requirements of this chapter.
- (iv) Boat liveries that rent out boats or vessels fitted with propulsion machinery greater than ten (10) horse power shall require all renters who do not comply with this section to watch a short instructional video approved by the director on boating safety for the type of craft rented, and pass a written examination.
- (8) Any person operating a personal watercraft as defined in section 48-22-2(6) on the waters of this state shall have successfully completed a boating safety education program as approved by the director of the Department of Environmental Management.
- (0) Any person who violates any provision of this section shall be sanctioned as follows:
- (i) for a first offense completion of an approved boating safety course;
 - (ii) for a second offense a fine not to exceed one hundred dollars (\$100).

SECTION 2. This act shall take effect on January 1, 2002."

Respectfully submitted,

MICHAEL J. DAMIANI
Senator, District 43

The motion to amend prevails upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

Senator Blais, seconded by Senators Breene and Bates, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-H 5992) (Substitute "A" as amended)

Mr. President:

I hereby move to amend (01-H 5992) (Substitute "A" as amended) entitled "AN ACT RELATING TO WATERS AND NAVIGATION", by deleting the following:

(8) Any person operating a personal watercraft as defined in section 48-22-2(8) on the waters of this state shall have successfully completed a boating safety education program as approved by the director of the Department of Environmental Management."

(for clarification, this language is contained in the Senate floor amendment as put forth by Senator Damiani).

and renumbering subsection (9) as subsection (8) accordingly.

Respectfully submitted,

LEO R. BLAIS
Senator, District 21

Senator Celona discusses the amendment.

The motion to amend fails of passage, upon a roll call vote with 5 Senators voting in the affirmative and 34 Senators voting in the negative as follows:

YEAS - 5: Senators Algieri, Blais, Breene, Gibbs, Parella.

NAYS - 34: Senators Alves, Badeau, Celona, Connors, Cote, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

Upon motion of Senator Damiani, seconded by Senators Celona and Polisena, the bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 42 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Breene, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, RaptakIs, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

22. (01-H6251 as amended) An Act relating to public officers and employees - retirement system - contributions and benefits.

Committee on Finance recommends passage as amended in concurrence.

Senator Alves moves passage, seconded by Senator Garabedian.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

23. (01-H6412) Joint Resolution approving the issuance of rending bonds by the Rhode Island Water Resources Board, Corporate.

Committee on Finance recommends passage in concurrence.

Senator Caprio moves passage, seconded by Senators Alves and Breene.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

24. (01-H6496) (Substitute "A") Joint Resolution making an appropriation to pay certain claims.

Ordered on the Calendar.

Senator Bates moves passage, seconded by Senator Montalbano.

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 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS -0.

25. (01-H6529) An Act establishing a Reapportionment Commission.

Ordered on the Calendar.

Senator Montalbano moves passage, seconded by Senators Enos and Alves.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 47: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis,

Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

26. (99-S561) (Substitute "A") An Act relating to insurance- individual insurance coverage.

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

Senator Roberts moves passage, seconded by Senator Montalbano.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

27. (99-S1017) An Act relating to the Burrillville and est.

Committee on Corporations recommends passage.

Senator Fogarty moves passage, seconded by Senator Celona.

The act is read and passed, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Breene, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliozi, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

28. (01-H5781) (Substitute "A" as amended) An Act relating to businesses and professions -public accountancy.

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

Senator Barr moves passage, seconded by Senator Montalbano.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 41 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 41: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Raptakis.

29. (01-H6024) (Substitute "A") An Act relating to taxation- levy and assessment of local taxes.

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

Senator Sosnowski moves passage, seconded by Senator Breene.

Senator Paiva Weed discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 42 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Blais.

30. (01-H6229) An Act relating to health maintenance organizations.

Committee on Corporations recommends passage in concurrence.

Senator Roberts moves passage, seconded by Senator Celona.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

COMMUNICATION

The Honorable President Pro Tempore, presents the following communication:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

STATEMENT OF POTENTIAL CONFLICT

To the Honorable Senate:

I, Dennis L. Algieri, under oath depose and say:

- 1. I am a duly elected member of the Rhode Island Senate.
- 2. This statement is made in accord with Rhode Island General Law section 36-14-6.

3. In my official capacity, I may be expected or required to vote or participate in the deliberations of bill (01.H 6273), now pending before the Senate or a committee thereof.

4. I request that I be excused from voting, deliberating or taking action on the matter.

5. I do not desire to vote or deliberate because I have a conflict of interest as follows.

I am an employee of The Washington Trust Company.

6. This statement is true to the best of my knowledge.

DENNIS L. ALGIERE
Senator, District 26

Subscribed and sworn to before me this 27th day of June, 2001.

JEFFREY A. LANPHEAR
Notary Public

Ordered to be placed on file.

CALENDAR

31. (01-H6273) An Act relating to financial institutions.

Committee on Corporations recommends passage in concurrence.

Senator Celona moves passage, seconded by Senators Montalbano and Damiani.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 39 Senators voting in the affirmative, 0 Senators voting in the negative and 3 Senators abstaining as follows:

YEAS - 39: Senators Alves, Badeau, Bates, Breene, Celona, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS -0.

ABSTAINED - 3: Senators Algieri, Kelly, Walaska.

32. (01-H6380) An Act relating to towns and cities - redevelopment agencies.

Committee on Corporations recommends passage in concurrence.

Senator Gallo moves passage, seconded by Senator Roberts.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Donelan,

Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

33. (01-H6521) An Act relating to taxation.

Committee on Corporations recommends passage in concurrence.

Senator Hunter moves passage, seconded by Senators Gallo and Celona.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Petty, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

34. (01-H 6535) An Act relating to authorizing the town of Narragansett to finance its share of the cost associated with implementing the clean up and remediation of the Rose Hill Regional Landfill and to issue not more than \$2,000,000 bonds and notes therefor.

Committee on Corporations recommends passage in concurrence.

Senator McDonald moves passage, seconded by Senators Celona and Sosnowski.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

35. (99-S253) An Act relating to public officers and employees- Rhode Island state government pay equity act.

Committee on Finance recommends passage.

Senator Graziano moves passage, seconded by Senators Roberts, Goodwin, Parella, Walton, Felag, Gallo, Garabedian, Roney, Walsh, Hunter, Paiva Weed, Connors and many others.

Senator Graziano, seconded by Senators Roberts, Goodwin, Parella, Walton, Felag, Gallo, Garabedian, Roney, Walsh, Hunter, Paiva Weed, Connors and many others, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-S 253)

Mr. President:

I hereby move to amend (01-S 253) entitled "AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES RHODE ISLAND STATE GOVERNMENT PAY EQUITY ACT", as follows:

- 1. On page 5, line 1, delete the number "2001" and insert in lieu thereof the number "2002".
- 2. On page 5, line 3, delete the number "2001" and insert in lieu thereof the number "2002".
- 3. On page 8, line 8, delete the number 2001 and insert in lieu thereof the number "2002".

Respectfully submitted,

CATHERINE E. GRAZIANO
Senator, District 5

The motion to amend prevails upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

Senator Paiva Weed discusses the act.

Upon motion of Senator Graziano, seconded by Senators Roberts, Goodwin, Parella, Walton, Felag, Gallo, Garabedian, Roney, Walsh, Hunter, Paiva Weed, Connors and many others, read and passed, as amended, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

37. (99-S551) (Substitute "A") An Act relating to state affairs and government - Central Landfill Region Oversight Council.

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

Senator Garabedian moves passage, seconded by Senators Izzo, Breene and Raptakis.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

38. (99-S1018) An Act relating to the State Retirement System- contributions outside the system.

Committee on Finance recommends passage.

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

39. (01-S 1021) (Substitute "A" as amended) An Act relating to approving the financing of Warwick Station, including revenue bonds and other evidences of indebtedness.

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

Senator Caprio moves passage, seconded by Senators Walaska, Donelan, Lenihan and many others.

Senator Blais discusses the act.

Senator Blais, seconded by Senator Gibbs, moves to divide the question.

Senate Majority Leader Irons discusses the motion.

NOW PRESIDING

The Honorable President Pro Tempore, yields the rostrum to the Honorable Deputy President Pro Tempore, Rhoda E. Perry at 4:55 o'clock P.M.

CALENDAR

Senator Roney discusses the motion.

The motion to divide the question fails of passage, upon a roll call vote with 4 Senators voting in the affirmative and 40 Senators voting in the negative as follows:

YEAS 4: Senators Algieri, Blais, Breene, Gibbs.

NAYS - 40: Senators Alves, Badeau, Bates, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NOW PRESIDING

The Honorable Deputy President Pro Tempore, yields the rostrum to the Honorable President Pro Tempore, John C. Revens, Jr. at 5:00 o'clock P.M.

CALENDAR

Senators Roberts and Garabedian discuss 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 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 47: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

40. (01-H5024) An Act relating to state affairs and government- state lottery.

Committee on Finance recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Damiani, Celona and Bates.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

41. (01-H5403 as amended) An Act relating to Plum Beach Lighthouse.

Committee on Finance recommends passage as amended in concurrence.

Senator Sheehan moves passage, seconded by Senators Kells, Enos and Lenihan.

Senators Montalbano, Sheehan, Paiva Weed and Senate Majority Leader Irons discuss the act.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

42. (01-H6494) An Act relating to taxation.

Committee on Finance recommends passage in concurrence.

Senator Caprio moves passage, seconded by Senator Alves.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

43. (99-S203) (Substitute "A") An Act relating to public officers and employees - code of ethics.

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

Senator Paiva Weed moves passage, seconded by Senators Cicilline and Walsh.

Senators Roberts and Paiva Weed 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 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

44. (99-S397 as amended) An Act relating to probate practice and procedure.

Committee on Judiciary recommends passage as amended.

Senator Paiva Weed moves passage, seconded by Senators Montalbano, Gallo and Cicilline.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

45. (99-S1026 as amended) An Act to incorporate the Partnership for Rhode Island Marine Event Development.

Committee on Judiciary recommends passage as amended.

Senator Paiva Weed moves passage, seconded by Senators Cicilline and Montalbano.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 45 Senators voting in the

affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

RECESS

Upon suggestion of Senate Majority Leader Irons, and by unanimous consent, the Senate stands at recess at 5:15 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order at 9:00 o'clock P.M.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

Senator Montalbano, from the Committee on Judiciary, reports back, with recommendation that the Advice and Consent of the Senate be given to the following: Reappointment of Joseph F. Baffoni, Esquire of Warwick as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environment Management for a term expiring March 1, 2004.

Read and ordered to be placed on the Calendar.

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

(01-H 5464) (Substitute "A" as amended) An Act relating to elections - elective meetings.

Read and ordered to be placed on the Calendar.

(01-H 6356) An Act relating to property.

Read and ordered to be placed on the Calendar.

(01-H 6413) (Substitute "A" as amended) An Act relating to state affairs and government.

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

Senator Graziano, from the Committee on Health, Education and Welfare, reports back, with recommendation of passage of the following measures:

(01-S 209) An Act relating to health and safety - health care facilities.

Read and ordered to be placed on the Calendar.

(01-S 660) An Act relating to health and safety - pesticides in schools.

Read and ordered to be placed on the Calendar.

(01-H 5113) (Substitute "A" as amended) An Act relating to health and safety - pesticide control.

Read and ordered to be placed on the Calendar.

(01-H 5288) (Substitute "A" as amended) An Act relating to education - criminal records review.

Read and ordered to be placed on the Calendar.

(01-H 5885) (Substitute "A" as amended) An Act relating to licensing of nursing home facilities.

Read and ordered to be placed on the Calendar.

(01-H 5912 as amended) An Act relating to the Children's Cabinet.

Read and ordered to be placed on the Calendar.

(01-H 6311) (Substitute "A") An Act relating to health and safety - needlestick safety and injury prevention act.

Read and ordered to be placed on the Calendar.

(01-H 6397) Joint Resolution creating a special legislative commission to study all aspects of needle, syringe, and lancet disposal procedures.

Read and ordered to be placed on the Calendar.

COMMITTEE ON SPECIAL LEGISLATION

Senator Goodwin, from the Committee on Special Legislation, reports back, with recommendation of passage of the following measures:

(01-S 984) Senate Resolution creating a special Senate commission to study the steam plant at Quonset Point and any viable alternatives to steam plants.

Read and ordered to be placed on the Calendar.

(01-H 6328) An Act relating to military affairs and defense.

Read and ordered to be placed on the Calendar.

(01-H 6512) An Act relating to textbooks.

Read and ordered to be placed on the Calendar.

CALENDAR

46. (01-H5760) (Substitute "A") An Act relating to the administrative procedures act.

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

Senator Montalbano moves passage, seconded by Senator Celona.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Iglionzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS -0.

47. (99-S376 as amended) An Act relating to criminal offenses- children.

Ordered on the Calendar.

Senator Roberts moves passage, seconded by Senators Celona, Gallo, Sheehan, Fogarty, McDonald and others.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglionzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

48. (99-S702 as amended) An Act relating to criminal procedure- victims' rights.

Ordered on the Calendar.

Senator Montalbano moves passage, seconded by Senator Damiani.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglionzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

49. (01-H5080) (Substitute "A" as amended) An Act relating to motor and other vehicles licenses for motorcycles.

Ordered on the Calendar.

Senator Hunter moves passage, seconded by Senator Damiani.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS 43: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

50. (01-H5092) An Act relating to the naming of new buildings, bridges, edifices and other state construction.

Ordered on the Calendar.

Senator Polisena moves passage, seconded by Senator Damiani.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS -0.

51. (01-H 5183 as amended) An Act relating to the General Assembly - permanent Joint Committee on Naming all New Buildings, Bridges, Edifices, and other State Constructions.

Ordered on the Calendar.

Senator Polisena moves passage, seconded by Senators Blais, Graziano and Igliazzi.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 39 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 39: Senators Algieri, Alves, Badeau, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS -0.

52. (01-H5420 as amended) An Act relating to animals.

Ordered on the Calendar.

Senator Sosnowski moves passage, seconded by Senator Montalbano.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

53. (01-H5648) An Act relating to state affairs and government- energy facility siting act.

Ordered on the Calendar.

Senator Sosnowski moves passage, seconded by Senators Montalbano, Walsh and others.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

54. (01-H5724) An Act relating to the Narragansett Bay Commission.

Ordered on the Calendar.

Senator Goodwin moves passage, seconded by Senators Celona, Damiani, Roney and Montalbano.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

55. (01-H6458) (Substitute "A") An Act relating to labor and labor relations - workers' compensation - benefits.

Ordered on the Calendar.

Senator Badeau moves passage, seconded by Senator Tassoni.

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 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

56. (01-H6501) An Act relating to the Joint Committee on Naming State Constructions.

Ordered on the Calendar.

Senator Lenihan moves passage, seconded by Senators McDonald and Izzo.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

5. (01-S 122) (Substitute "A") An Act authorizing the city of Cranston to finance the unfunded pension liability of the city of Cranston, by the issuance of not more than \$150,000,000 bonds therefor and authorizing the city of Woonsocket to finance the unfunded pension liability of the city of Woonsocket, by the issuance of not more than \$80,000,000

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

Senator Cote moves passage, seconded by Senators Izzo, Gallo, Roberts, Kelly and Garabedian.

Senator Blais discusses the act.

Senator Gallo, seconded by Senators Izzo, Roberts, Kelly and Garabedian, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-S 122) (Substitute "A")

Mr. President:

I hereby move to amend (01-S 122) (Substitute "A"), entitled "AN ACT AUTHORIZING THE CITY OF CRANSTON TO FINANCE THE UNFUNDED PENSION LIABILITY OF THE CITY OF CRANSTON, BY THE ISSUANCE OF NOT MORE THAN \$150,000,000 BONDS THEREFOR AND AUTHORIZING HE CITY OF WOONSOCKET TO FINANCE THE UNFUNDED PENSION LIABILITY OF THE CITY OF WOONSOCKET, BY THE ISSUANCE OF NOT MORE THAN \$80,000,000 BONDS THEREFOR" as follows:

1. By deleting all of the language in Section 1, page 1, lines 1 through 16, inclusive, and inserting in place thereof the following:

"SECTION 1. Subject to the approval of the electors of the City of Cranston provided for in Section 13 hereof, the City of Cranston is hereby empowered to issue at one time, or from time to time, bonds to an amount not exceeding one hundred fifty million dollars (\$150,000,000), and, subject to the approval of the electors of the City of Woonsocket provided for in Section 13 hereof, the City of Woonsocket is hereby empowered to issue at one time, or from time to time, bonds to an amount not exceeding eighty million dollars (\$80,000,000), in order to finance all or part of their respective unfunded pension liabilities and the costs of issuing the bonds. The bonds of each issue may be issued in the form of serial bonds or term bonds or a combination thereof and shall be payable either by maturity of principal in the case of serial bonds or by mandatory serial redemption in the case of term bonds in annual installments of principal the first installment to be not later than twenty-four (24) months and the last installment not later than forty (40) years after the date of their issuance All such bonds of a particular issue may be issued in the form of zero coupon bonds, capital appreciation bonds, serial bonds or term bonds or a combination thereof. Annual installments of principal may be provided for by maturity of principal in the case of serial bonds or by mandatory serial redemption in the case of term bonds. The amount of principal appreciation each year on any bonds, after the date of original issuance, shall not be considered to be principal indebtedness for the purposes of any constitutional or statutory debt limit or any other limitation. The appreciation of principal after the date of original issue shall be considered interest. Only the original principal amount shall be counted in determining the principal amount so issued and any interest component shall be disregarded. For purposes of this act, "unfunded pension liability" means the excess, if any, of the actuarial liability of each City's city-run pension plan for police and firefighters over the actuarial value of the assets in that plan. The actuarial liability of the plan shall be determined using the same actuarial assumptions as are used by the retirement board (as defined in section 45-21-2(16) of the general laws) for purposes of determining municipal contributions under the optional retirement for members of police force and firefighters established under chapter 21.2 of title 45 of the general laws."

2. On page 2, by deleting the language in lines 1 through 9, inclusive.

3. On page 5, by deleting all the language in lines 7 through 9, inclusive, and inserting in place thereof the following:

"SECTION 13. At a local election (other than a primary election) on a date as shall be designated by the City Council of the City of Cranston there shall be submitted to the electors of the City of Cranston, a question in substantially the following form: "SHALL THE CITY OF CRANSTON RESTRUCTURE ITS EXISTING PAYMENT OBLIGATION FOR THE UNFUNDED PENSION LIABILITY OF THE CITY, BY THE ISSUANCE OF NOT MORE THAN \$ I 50,000,000 BONDS THEREFOR?" At a local election (other than a primary election) on a date as shall be designated by the City Council of the City of Woonsocket there shall be submitted to the electors of the City of Woonsocket, a question in substantially the following form: "SHALL THE CITY OF WOONSOCKET RESTRUCTURE ITS EXISTING PAYMENT OBLIGATION FOR THE UNFUNDED PENSION LIABILITY OF THE CITY, BY THE ISSUANCE OF NOT MORE THAN \$80,000,000 BONDS THEREFOR?" The warning for the election shall contain the question to be submitted. From the time the election is warned and until it is held, it shall be the duty of the city clerk to keep a copy of the act available at his or her office for public inspection, but the validity of the election shall not be affected by this requirement. To the extent of any inconsistency between this act and the City Charter, this act shall,prevail. This act shall take effect upon passage.

Respectfully submitted,

HANNA M. GALLO
Senator, District 12

Senator Garabedian discusses the amendment.

The motion to amend prevails upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Senators Lenihan, Cote, Kelly, Alves, Garabedian and Blais discuss the act.

Upon motion of Senator Gallo, seconded by Senators Badeau, Kelly, Cote and Izzo, the bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 44 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Ruggerio.

17. (99-S1003 as amended) An Act relating to waters and navigation- marine waterways and boating facilities act of 2001.

Joint Committee on Environment and Energy recommends passage as amended.

Senator Walaska moves passage, seconded by Senators Parella, Celona, Sheehan and others.

Senator Walaska, seconded by Senators Parella, Celona and Sheehan, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-S 1003 as amended)

Mr. President:

I hereby move to amend (01-S 1003 as amended) entitled "AN ACT RELATING TO WATERS AND NAVIGATION - MARINE WATERWAYS AND BOATING FACILITIES ACT OF 2001", as follows:

On page 32 after line 2 by adding the following:

"SECTION 7. Section 36-4-2 of the General Laws in Chapter 36-4 entitled "Merit System" is hereby amended to read as follows:

36-4-2 POSITIONS IN CLASSIFIED SERVICE - The classified service shall comprise all positions in the state service now existing or hereinafter established, except the following specific positions which with other positions heretofore or hereinafter specifically exempted by legislative act shall constitute the unclassified service:

(1) Officers and legislators elected by popular vote and persons appointed to fill vacancies in elective offices.

(2) Employees of both houses of the general assembly.

(3) Officers, secretaries, and employees of the office of the governor, office of the lieutenant governor, department of state, department of the attorney general, and the treasury department.

(4) Members of boards and commissions appointed by the governor, members of the state board of elections and the appointees of the board, members of the commission for human rights and the employees of the commission, and directors of departments.

(5) The following specific offices:

(i) In the department of administration: director, chief information officer;

(ii) In the department of business regulation: director;

(iii) In the department of elementary and secondary education: commissioner of elementary and secondary education;

(iv) In the department of higher education: commissioner of higher education;

(v) In the department of health: director;

(vi) In the department of labor and training: director, administrative assistant, administrator of the labor board and legal counsel to the labor board;

(vii) In the department of environmental management: director;

(viii) In the department of transportation: director;

(ix) In the department of human services: director;

(x) In the state properties committee: secretary;

(xi) In the workers' compensation court: judges, administrator deputy administrator, clerk assistant clerk, clerk secretary;

(xii) In the department of elderly affairs: director;

(xiii) In the department of mental he retardation, and hospitals: director;

(xiv) In the department of corrections: director assistant director (institutions/operations), assistant' director (rehabilitative services), assistant director (administration), and wardens;

(xv) In the department of children, youth and families: director, one assistant director, one associate director, and one executive director;

(xvi) In the public utilities commission: public utilities administrator;

(xvii) In the water resources board: general manager.

(6) Chief of the hoisting engineers, licensing division, and his or her employees; executive director of the veterans memorial building and his or her clerical employees.

(7) One confidential stenographic secretary for each director of a department and each board and commission appointed by the governor.

(8) Special counsel, special prosecutors, regular and special assistants appointed by the attorney general, the public defender and employees of his or her office, and members of the Rhode Island bar occupying a position in the state service as legal counsel to any appointing authority.

(9) The academic and/or commercial teaching staffs of all state institution schools, with the exception of those institutions under the jurisdiction of the board of regents for elementary and secondary education and the board of governors for higher education.

(10) Members of the military or naval forces, when entering or while engaged in the military or naval service.

(11) Judges, referees, receivers, clerks, assistant clerks, and clerical assistants of the supreme, superior, family, and district courts, the traffic tribunal, jurors and any persons appointed by any court.

(12) Election officials and employees.

(13) Sheriffs, deputy sheriffs, and their employees and security officers of the traffic tribunal.

(14) Patient or inmate help in state charitable, penal, and correctional institutions and religious instructors of these institutions and student nurses in training, residents in psychiatry in training, and clinical clerks in temporary training at the institute of mental health within the state of Rhode Island medical center.

(15) (i) Persons employed to make or conduct a temporary and special inquiry, investigation, project or examination on behalf of the legislature or a committee therefor, or on behalf of any other agency of the state if the inclusion of these persons in the unclassified service is approved by the personnel administrator. The personnel administrator shall notify the house fiscal advisor and the senate fiscal advisor whenever he or she approves the inclusion of a person in the unclassified service,

(ii) The duration of the appointment of a person, other than the persons enumerated in this section, shall not exceed ninety (90) days or until presented to the unclassified pay plan board. The unclassified pay plan board may extend the appointment another ninety (90) days. In no event shall the appointment extend beyond one hundred eighty (180) days.

(16) Members of the division of state police.

(17) Executive secretary of the Blackstone Valley district commission.

(18) Artist and curator of state owned art objects.

(19) Mental health advocate.

(20) Child advocate.

(21) The positions of aquaculture coordinator and dredge coordinator within the coastal resources management council."

On page 32, line 7 by deleting the number "7" and inserting in place thereof the number "8"

Respectfully submitted,

WILLIAM A. WALASKA
Senator, District 17

The motion to amend prevails upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

Senators Paiva Weed and Sosnowski discuss the act.

Senator Walaska, seconded by Senators Parella, Celona and Sheehan, offers the following written motion to amend:

FLOOR AMENDMENT
TO

(01-S 1003 as amended)

Mr. President:

I hereby move to amend (01-S 1003 as amended) entitled "AN ACT RELATING TO WATERS AND NAVIGATION - MARINE WATERWAYS AND BOATING FACILITIES ACT OF 2001", as follows:

1. Page 1, line 18 by inserting the following language after line 18:

"(6) general assembly recognizes and declares that the coastal resources of Rhode Island, a rich variety of natural, commercial, industrial, recreational, and aesthetic assets, are of immediate and potential value to the present and future development of this state; that unplanned or poorly planned development of this basic natural environment has already damaged or destroyed, or has the potential of damaging or destroying, the state's coastal resources, and has restricted the most efficient and beneficial utilization of these resources; that it shall be the policy of this state to preserve, protect, develop, and, where possible, restore the coastal resources of the state for this and succeeding generations through comprehensive and coordinated long range planning and management designed to produce the maximum benefit for society from these coastal resources; and that preservation and restoration of ecological systems shall be the primary guiding principle upon which environmental alteration of coastal resources will be measured, judged, and regulated."

Respectfully submitted,

WILLIAM A. WALASKA
Senator, District 17

The motion to amend prevails upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

Upon motion of Senator Walaska, seconded by Senators Parella, Celona and Sheehan, read and passed, as amended, by

unanimous consent, upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

38. (99-S1018) An Act relating to the state retirement system- contributions outside the system.

Committee on Finance recommends passage.

Senator Caprio moves passage, seconded by Senators Celona and Alves.

Senator Caprio, seconded by Senators Celona and Alves, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-S 1018)

Mr. President:

I hereby move to amend (01-S 1018) entitled "AN ACT RELATING TO THE STATE RETIREMENT SYSTEM - CONTRIBUTIONS OUTSIDE THE SYSTEM", as follows:

On page 1, lines 12 and 13, delete the words "make contributions for an employer sponsored plan outside the state employees retirement system" and insert in lieu thereof the words "transmit employees allocated contributions to a union retirement plan".

Respectfully submitted,

FRANK T. CAPRIO
Senator, District 8

Senator Lenihan discusses the amendment.

The motion to amend prevails upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

Upon motion of Senator Caprio, seconded by Senators Celona and Alves, read and passed, as amended, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

57. (01-H5729) An Act relating to the Public Utilities Commission.

Committee on Corporations recommends passage in concurrence.

Senator DaPonte moves passage, seconded by Senators Montalbano, Raptakis and Goodwin.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

58. (01-H5880) (Substitute "A" as amended) An Act relating to criminal offenses - disorderly conduct.

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

Senator Celona moves passage, seconded by Senators Goodwin and Damiani.

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 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

59. (01-H6122 as amended) An Act relating to health and safety.

Committee on Corporations recommends passage as amended in concurrence.

Senator Celona moves passage, seconded by Senators Damiani, Roberts and Montalbano.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos,

Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

60. (01-H6207) An Act relating to public accountancy.

Committee on Corporations recommends passage in concurrence.

Senator Walaska moves passage, seconded by Senators Bates, Celona and Senate Majority Leader Irons.

The act is read and passed, in concurrence, upon a roll call vote with 36 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS - 36: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Gallo, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walton.

NAYS - 5: Senators Felag, Garabedian, Lenihan, McCaffrey, Roney.

61. (01-H6511) An Act relating to the Burrillville Land Trust.

Committee on Corporations recommends passage in concurrence.

Senator Fogarty moves passage, seconded by Senator Celona.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Bates, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

62. (99-S531) (Substitute "A") An Act relating to health and safety - health warnings -mercury in fish.

Joint Committee on Environment and Energy recommends indefinite postponement of the original bill and passage of Substitute "A".

Senator Tassoni moves passage, seconded by Senators Hunter, Walsh, Polisena, Celona, Sheehan and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney,. Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

63. (99-S631) (Substitute "A") An Act relating to fish and wildlife.

Joint Committee on Environment and Energy recommends indefinite postponement of the original bill and passage of Substitute "A".

Senator Sosnowski moves passage, seconded by Senators Walsh, Algieri and Gibbs,

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

64. Reappointment of Joseph F. Baffoni, Esquire of Warwick as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environment Management for a term expiring March 1, 2004.

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

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

66. (01-H6413) (Substitute "A" as amended) An Act relating to state affairs and government.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A" as amended in concurrence.

Senator Montalbano moves passage, seconded by Senator Damiani.

Senators Sheehan and Montalbano discuss the act.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Bates, Blais, Breene, Celona, Cicilline, Coderre, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

65. (01-H5464) (Substitute "A" as amended) An Act relating to elections - elective meetings.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A" as amended in concurrence.

Senator Montalbano moves passage, seconded by Senators Damiani and Celona.

Senate Majority Leader Irons discusses the act.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely

postponed, 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: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

67. (01-H6356) (Substitute "A") An Act relating to property.

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

Senator Montalbano moves passage, seconded by Senator Hunter.

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 39 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 39: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

68. (99-S209) An Act relating to health and safety - health care facilities staffing.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

Senator Graziano moves passage, seconded by Senators Polisena, Parella, Tassoni, Walsh, Polisena, Gallo, Hunter, Sheehan, Senate Majority Leader Irons and many others.

Senate Majority Leader Irons and Senators Roney, Roberts and Garabedian 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 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

69. (01-S 660) (Substitute "A") Senate Resolution creating a special Senate Commission to study pesticide used in Rhode Island Schools.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

Senator Perry moves passage, seconded by Senators Connors, Gallo, Cicilline, Walton and Walsh.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

70. (01-S 984) Senate Resolution creating a special Senate commission to study the steam plant at Quonset Point and any viable alternatives to steam plants.

Committee on Special Legislation recommends passage.

Senator Lenihan moves passage, seconded by Senator Sheehan.

The act is read and passed, by unanimous consent, upon a voice vote.

71. (01-H6328) An Act relating to military affairs and defense.

Committee on Special Legislation recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Celona, Raptakis and Felag.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

72. (01-H6512) An Act relating to textbooks.

Committee on Special Legislation recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Walaska and Alves.

The act is read and passed, in concurrence, by unanimous consent, upon a voice vote.

73. (01-H5113) (Substitute "A" as amended) An Act relating to health and safety - pesticide control.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended in concurrence.

Senator Graziano moves passage, seconded by Senators Connors and Garabedian.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algiere, Alves, Bates, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

74. (01-H5288) (Substitute "A" as amended) An Act relating to education - criminal records review.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended in concurrence.

Senator Graziano moves passage, seconded by Senators Gallo, Celona, Parella, Alves, Cicilline and others.

Senators Cicilline, Blais, Montalbano and Damiani discuss the act.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS - 34: Senators Algieri, Alves, Bates, Caprio, Celona, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Parella, Polisena, Raptakis, Revens, Roney, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 8: Senators Blais, Breene, Cicilline, Gibbs, Paiva Weed, Perry, Walsh, Walton.

75. (01-H5885) (Substitute "A" as amended) An Act relating to licensing of nursing home facilities.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended in concurrence.

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

76. (01-H5912 as amended) An Act relating to the Children's Cabinet.

Committee on Health, Education and Welfare recommends passage as amended in concurrence.

Senator Graziano moves passage, seconded by Senators McDonald and Gallo.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

77. (01-H6311) (Substitute "A") An Act relating to health and safety - needlestick safety and injury prevention act.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" in concurrence.

Senator Graziano moves passage, seconded by Senator Polisena.

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 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos,

Felag, Fogarty, Gallo, Garabedian, Gibbs, GoodwIn, Graziano, Hunter, Igliaz":i, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

78. (01-H 6397 as amended) Joint Resolution creating a special legislative commission to study all aspects of needle, syringe, and lancet disposal procedures.

Committee on Health, Education and Welfare recommends passage as amended in concurrence.

Senator Graziano moves passage, seconded by Senator Igliazzi.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a voice vote.

FROM THE

HOUSE OF REPRESENTATIVES

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

(01-H 5401) An Act relating to housing resources - neighborhood opportunities program.

Read and referred to the Committee on Finance.

Also:

(01-H 5531 as amended) An Act relating to assisted living waiver.

Read and referred to the Committee on Finance.

Also:

(01-H 5570) (Substitute "A") An Act relating to education- literacy program.

Read and referred to the Committee on Finance.

Also:

(01-H 6317) An Act appropriating \$25,000 for the World War II Memorial Commission of Rhode Island.

Read and referred to the Committee on Finance.

Also:

(01-H 6340) An Act relating to employees retirement system.

Read and referred to the Committee on Finance.

Also:

(01-H 6394) (Substitute "A") An Act relating to state contributions to retirement.

Read and referred to the Committee on Finance.

Also:

(01-H 6553) Joint Resolution establishing a Joint Committee to study the feasibility of joint state-city financing for renovations to the Providence Civic Center and to study the feasibility of joint utilization of the Providence Civic Center and the Rhode Island Convention Center.

Read and referred to the Committee on Finance.

Also:

(01-H 5027 as amended) An Act relating to motor vehicles - certificates of titles and security interests.

Read and referred to the Committee on Corporations.

Also:

(01-H 5218) (Substitute "A") An Act relating to motor and other vehicles - registration of vehicles.

Read and referred to the Committee on Corporations.

Also:

(01-H 5903) (Substitute "A") An Act relating to education- private schools.

Read and referred to the Committee on Corporations.

Also:

(01-H 6309 as amended) An Act relating to state affairs and government - energy facility siting act.

Read and referred to the Committee on Corporations.

Also:

(01-S 94) (Substitute "B,,) An Act relating to health and safety - safe haven for infants act.

Read and ordered to be placed on the Calendar.

Also:

(01-S 214) (Substitute "A") An Act relating to teachers' and public officers' and employees and employees' retirement and municipal employees.

Read and ordered to be placed on the Calendar.

Also:

(01-S 228) (Substitute "A") An Act relating to sales and use taxes - enforcement and collection.

Read and ordered to be placed on the Calendar.

Also: (015 341) (Substitute "A") An Act relating to taxation.

Read and ordered to be placed on the Calendar.

Also:

(01-S 512) (Substitute "A" as amended) An Act relating to criminal offenses theft of historic stone walls.

Read and ordered to be placed on the Calendar.

Also:

(01-S 539 as amended) An Act relating to Commission on the Deaf and Hard of Hearing.

Read and ordered to be placed on the Calendar.

Also:

(01-S 573) (Substitute "A" as amended) An Act relating to criminal procedure - witness protection.

Read and ordered to be placed on the Calendar.

Also:

(01-S 936) (Substitute "A") An Act to incorporate the North Scituate Water District.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5341) (Substitute "A") An Act relating to taxation - investment tax credit.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5379 as amended) An Act relating to parks and recreational areas - recreational vehicle parks and camp grounds.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5452) (Substitute "A") An Act relating to the Persian Gulf Commission.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5455) (Substitute "A") An Act relating to state affairs and government - art for public facilities.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5471) An Act relating to the Warwick Sewer Authority.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5472) An Act relating to the Warwick Sewer Authority.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5527) (Substitute "A") An Act relating to the pharmaceutical assistance to the elderly act - eligible drugs.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5529) (Substitute "A") An Act relating to pharmaceutical assistance to the elderly.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5658) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6062) (Substitute "A") An Act relating to insurance.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6088) (Substitute "A" as amended) An Act relating to towns and cities - district management authorities.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6103) (Substitute "A") An Act relating to enterprise zones.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6196) An Act relating to elections -nomination of party and independent candidates.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6224) An Act relating to underground storage tank - financial responsibility.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6240) An Act relating to education. Read and ordered to be placed on the Calendar.

Also:

(01-H 6308) An Act relating to taxation - levy and assessment of local taxes.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6310) (Substitute "A") An Act relating to financial institutions - check cashing.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6475) An Act relating to the naming of new buildings, bridges, edifices and other state construction.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6502 as amended) An Act relating to waters and navigation- marine waterways and boating facilities act of 2001.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6526) An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6528) An Act relating to the Auditor General.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6545) An Act relating to motor vehicles - police lieutenant emeritus, town of Johnston.

Read and ordered to be placed on the Calendar.

Also:

(01-H 6555) An Act relating to towns and cities - zoning ordinances Jamestown and Barrington.

Read and ordered to be placed on the Calendar.

Also:

(01-H 5976) An Act relating to health and safety - licensing of health care facilities.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senators Fogarty, Walaska, Kells, Sheehan, McCaffrey and others present (01-S 1033) An Act to vacate the forfeiture or revocation of the charter of Oakland-Mapleville Fire Department.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Fogarty, seconded by Senators Celona, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

REPORTS OF COMMITTEE

COMMITTEE ON JUDICIARY

Senator Montalbano, from the Committee on Judiciary, reports back, with recommendation that the Advice and Consent of the Senate be given to the following:

Appointment of Daniel A. Procaccini of East Greenwich VICE Associate Justice Frank J. Williams as Associate Justice of the Rhode Island Superior Court.

Read and ordered to be placed on the Calendar.

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

(01-S 1027) (Substitute "A") An Act relating to campaign finance.

Senator Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Montalbano moves passage, seconded by Senators Goodwin, Lenihan, Bates and Senate Majority Leader Irons.

Senate Majority Leader Irons and Senators Roney, Cicilline, Montalbano, Sheehan, Garabedian, Blais, Felag, Igliazzi and Paiva Weed discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 40 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 40: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Roney.

ANNOUNCEMENTS

Senator Celona announces that the Committee on Corporations will meet on Thursday, June 28, 2001, at 1:00 o'clock P.M. in Room 212 of the State House.

Also:

Senator Felag announces that the Committee on Finance will meet on Thursday, June 28, 2001, at 1:00 o'clock P.M. in Room 211 of the State House.

Also:

Senator Montalbano announces that the Committee on Judiciary will meet on Thursday, June 28, 2001, at 1:00 o'clock P.M. in Room 313 of the State House.

Also:

Senate Majority Leader Irons announces that the Senate will meet on Thursday, June 28, 2001, at 3:00 o'clock P.M.

RECESS

Upon suggestion of Senate Majority Leader Irons, and by unanimous consent, the Senate stands at recess at 10:50 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order at 3:30 o'clock P.M. on Thursday, June 28, 2001, by the Honorable John C. Revens, Jr., President Pro Tempore.

ADJOURNMENT

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, the Senate adjourns at 3:31 o'clock P.M.

RAYMOND T. HOYAS, JR. Secretary of the Senate

Appendix

INVOCATION

SENATOR STEPHEN D. ALVES

Last Week of Session

Dear God, please bless us during our final days of adjournment. May we enjoy all the summer months ahead until we all meet again in this chamber to assist our fellow Rhode Islanders. Amen.

Appendix

CALENDAR

In order for Thursday, June 28, 2001:

1. (01-H 6100) (Substitute "A" as amended) An Act making appropriations for the support of the state for the fiscal year ending June 30, 2002.

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

2. Reappointment of John J. Hardiman, Esquire of Providence as Public Defender for a term expiring February 1, 2004.

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

3. Appointment of Susan E. McGuirl of Providence VICE Associate Justice Richard J. Israel as Associate Justice of the Rhode Island Superior Court.

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

4. Reappointment of Joseph F. Baffoni, Esquire of Warwick as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environment Management for a term expiring March 1, 2004.

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

5. Appointment of Daniel A. Procaccini of East Greenwich VICE Associate Justice Frank J. Williams as Associate Justice of the Rhode Island Superior Court.

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

6. (99-S94) (Substitute "B") An Act relating to health and safety - safe haven for infants act.

Ordered on the Calendar for passage of Substitute "B" in concurrence.

7. (01-S 214) (Substitute "A") An Act relating to teachers' and public officers' and employees and employees' retirement and municipal employees.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

8. (99-S228) (Substitute "A") An Act relating to sales and use taxes enforcement and collection.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

9. (99-S341) (Substitute "A") An Act relating to taxation.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

10. (99-S512) (Substitute "A" as amended) An Act relating to criminal offenses theft of historic stone walls.

Ordered on the Calendar for passage of Substitute "A" as amended in concurrence.

11. (99-S539 as amended) An Act relating to Commission on the Deaf and Hard of Hearing.

Ordered on the Calendar for passage as amended in concurrence.

12. (99-S573) (Substitute "A" as amended) An Act relating to criminal procedure - witness protection.

Ordered on the Calendar for passage of Substitute "A" as amended in concurrence.

13. (99-S936) (Substitute "A") An Act to incorporate the North Scituate Water District.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

14. (01-H5341) (Substitute "A") An Act relating to taxation- investment tax credit.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

15. (01-H5379 as amended) An Act relating to parks and recreational areas - recreational vehicle parks and campgrounds.

Ordered on the Calendar for passage as amended in concurrence.

16. (01-H5452) (Substitute "A") An Act relating to the Persian Gulf Commission.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

17. (01-H5455) (Substitute "A") An Act relating to state affairs and government - art for public facilities.

Ordered on the calendar for passage of Substitute "A" in concurrence.

18. (01-H5471) An Act relating to the Warwick Sewer Authority.

Ordered on the Calendar for passage in concurrence.

19. (01-H5472) An Act relating to the Warwick Sewer Authority.

Ordered on the Calendar for passage in concurrence.

20. (01-H5527) (Substitute "A") An Act relating to the pharmaceutical assistance to the elderly act - eligible drugs.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

21. (01-H5529) (Substitute "A") An Act relating to pharmaceutical assistance to the elderly.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

22. (01-H5658) An Act relating to the General Assembly.

Ordered on the Calendar for passage in concurrence.

23. (01-H6062) (Substitute "A") An Act relating to insurance.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

24. (01-H6088) (Substitute "A" as amended) An Act relating to towns and cities district management authorities.

Ordered on the Calendar for passage of Substitute "A" as amended in concurrence.

25. (01-H6103) (Substitute "A") An Act relating to enterprise zones.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

26. (01-H6196) An Act relating to elections -nomination of party and independent candidates.

Ordered on the Calendar for passage in concurrence.

27. (01-H6224) An Act relating to underground storage tank- financial responsibility.

Ordered on the Calendar for passage in concurrence.

28. (01-H6240) An Act relating to education.

Ordered on the Calendar for passage in concurrence.

29. (01-H6308) An Act relating to taxation -levy and assessment of local taxes.

Ordered on the Calendar for passage in concurrence.

30. (01-H6310) (Substitute "A") An Act relating to financial institutions - check cashing.

Ordered on the Calendar for passage of Substitute "A" in concurrence.

31. (01-H6475) An Act relating to the naming of new buildings, bridges, edifices and other state construction.

Ordered on the Calendar for passage in concurrence.

32. (01-H6502 as amended) An Act relating to waters and navigation- marine waterways and boating facilities act of 2001.

Ordered on the Calendar for passage as amended in concurrence.

33. (01-H6526) An Act relating to solemnization of marriages.

Ordered on the Calendar for passage in concurrence.

34. (01-H6528) An Act relating to the Auditor General.

Ordered on the Calendar for passage in concurrence.

35. (01-H6545) An Act relating to motor vehicles - police lieutenant emeritus, town of Johnston.

Ordered on the Calendar for passage in concurrence.

36. (01-H6555) An Act relating to towns and cities - zoning ordinances - Jamestown and Barrington.

Ordered on the Calendar for passage in concurrence.

37. (01-H5976) An Act relating to health and safety - licensing of health care facilities.

Ordered on the Calendar for passage in concurrence.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Wednesday, June 27, 2001

As always, your [comments](#) concerning this page are welcomed and appreciated.

Thank you for stopping by!

