

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

Volume129, No.56 Thursday, May 30, 2002 Fifty-sixth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, President Pro Tempore, at 4:16 o'clock P.M.

The roll is called and a quorum is declared present with 47 Senators present and 3 Senators absent as follows:

PRESENT - 47: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, 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, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 3: Senators Cicilline, DaPonte, Roberts.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, May 28, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Ruggerio and Celona, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Miss Rhode Island National Teenager Mariely Gonzalez along with her mother Carmen Gonzalez and Mary Louz Figueroa.

Upon suggestion of Senators Perry and Roney, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber from Common Cause, Phil West, Executive Director, Nancy C. Rhodes, President and Tory McCagg, Ethics Committee Chair

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

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

(02-S 2860) (Substitute "A") An Act relating to taxation - historic structures - tax credit.

Read and ordered to be placed on the Calendar.

(02-S 2057) Joint Resolution creating a special legislative commission to study the implementation of recommendations of the Auditor General.

Read and ordered to be placed on the Calendar.

(02-S 2130) An Act relating to school and municipal playground safety.

Read and ordered to be placed on the Calendar.

(02-S 2727) An Act relating to indebtedness of towns and cities - municipal deficits.

Read and ordered to be placed on the Calendar.

(02-H 7708) Joint Resolution creating a special legislative commission to study the tax and benefit provisions of the temporary disability insurance (TDI) program.

Read and ordered to be placed on the Calendar.

TRANSFER OF BILL

Senator Montalbano, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Judiciary to the Committee on Corporations:

(02-H 6660 as amended) An Act relating to criminal offenses - weapons.

Read and referred to the Committee on Corporations.

COMMITTEE ON JUDICIARY

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

(02-H 8057) An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

(02-H 8139) An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

FROM THE DESK

Upon suggestion of Senate Majority Leader Irons, and without objection, the following items are removed from the desk and acted upon as follows:

(02-H 7211) An Act relating to waters and navigation - drinking water supply system protection.

Read and ordered to be placed on the Calendar.

(02-H 7961) (Substitute "A") An Act relating to waters and navigation - water supply facilities.

Read and ordered to be placed on the Calendar.

JOINT COMMITTEE ON HIGHWAY SAFETY

Senator Damiani, from the Joint Committee on Highway Safety, reports back, with recommendation of passage of the following measure:

(02-S 2172) An Act relating to motor and other vehicles - driver education course required before licensing.

Read and ordered to be placed on the Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

(02-H 7792) (Substitute "A" as amended) An Act relating to businesses and professions - the healing art of acupuncture.

Read and referred to the Committee on Corporations.

Also:

(02-H 8208) Joint Resolution approving financing of Warwick Station, including revenue bonds and other evidences of indebtedness.

Read and referred to the Committee on Corporations.

Also:

(02-H 7983) An Act relating to criminal procedure.

Read and referred to the Committee on Judiciary.

NEW BUSINESS

The following item s are received and referred to committee pending any objection of the body on the next legislative day.

Senator Sosnowski presents (02-S 3056) Senate Resolution celebrating the life and honoring the memory of Kristian Plymesser.

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senate Majority Leader Irons and Senators Montalbano, Celona, Caprio and Alves present (02-S 3057) Joint Resolution declaring and consenting to a recess of the General Assembly.

Senate Majority Leader Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senate Majority Leader Irons, seconded by Senator Algiere, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

Senators Sheehan, Walaska, Lenihan, Celona, Alves and others present (02-S 3058) Senate Resolution reiterating support of the efforts of the USS Saratoga Museum Foundation, Inc. to develop a museum, memorial, education center and family attraction.

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Alves, McCaffrey, Roberts, Gibbs, Izzo and others present (02-S 3059) Joint Resolution to reform and finance long-term care services through a consumer-centered system of coordinated services and integrated care.

Senator Alves requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Hunter, Celona and Montalbano present (02-S 3060) An Act relating to the town charter of Lincoln.

Read and referred to the Committee on Corporations.

Senator Felag presents (02-S 3061) An Act relating to the Rhode Island Veterans' Home.

Senator Felag requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Felag, seconded by Senator Coderre, and by unanimous consent, read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 37: Senators Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Felag, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

Senator Blais presents (02-S 3062) Senate Resolution creating a special Senate Commission to study ocean technology and environmental biotechnology.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Blais, seconded by Senator Breene, 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:

15. (02-H8198) An Act relating to the Little Compton Agricultural Conservancy Trust.

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

9. (02-H7277) An Act relating to revaluation of the assessment of local taxes in the city of Providence.

Upon suggestion of Senator Goodwin, and without objection, ordered to be placed on the Consent Calendar for Friday, May 31, 2002.

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

1. Appointment of Joan Carbone of Warwick (Representative of a Lead Poisoning Agency) VICE Roberta Hazen Aaronson to the Rhode Island Housing Resources Act for a term expiring January 31, 2005.

2. Appointment of Dr. J. Stanley Cobb of Kingston VICE Dr. Jeremy S. Collie (resigned) to the Marine Fisheries Council for a term expiring April 1, 2004.

3. Appointment of David Preble of Narragansett VICE Arnold Butziger to the Marine Fisheries Council for a term expiring April 1, 2006.

4. Appointment of Monica Horan, Esquire of Lincoln VICE Jeanne LaFazia, Esquire (resigned) to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2003.

5. Appointment of John A. Milano of Bristol (Public Member) VICE Frank L. Nunes to the Water Resources Board for a

term expiring March 1, 2005.

6. Appointment of Natalie Jackvony of Cranston (Republican Representative) VICE William M. Pearson (deceased) to the Personnel Appeal Board for a term expiring April 1, 2004.

7. Appointment of Stephen C. Turner of Providence (Public Member) VICE William O'Rourke to the State Building Codes Standards Committee for a term expiring May 1, 2005.

8. (02-S3044) An Act relating to businesses and professions - hawkers and peddlers.

10. (02-H7807) An Act relating to taxation - revaluation.

11. (02-H7808) An Act relating to taxation - property subject to taxation.

12. (02-H7916) An Act relating to animals and animal husbandry - dogs.

13. (02-H8121) Joint Resolution celebrating Saturday, June 29, 2002, as "Conanicut Battery Day" in the State of Rhode Island.

14. (02-H8162) An Act authorizing the town of North Providence to redistrict the town council and school committee districts.

FROM THE HOUSE OF REPRESENTATIVES

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

(02-H 8217) An Act to vacate the forfeiture or revocation of the charter of Precision Woodworking Co., Inc.

Read and ordered to be placed on the Calendar.

Also:

(02-H 6789) (Substitute "A") An Act relating to drinking water quality standards for private wells.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7950) (Substitute "A" as amended) An Act relating to cities and towns - zoning.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8173 as amended) An Act relating to the Rhode Island Resource Recovery Corporation.

Read and referred to the Committee on Corporations.

Also:

(02-H 8210) An Act relating to state affairs and government - civil rights of people with disabilities.

Read and referred to the Committee on Corporations.

Also:

(02-H 7994) An Act relating to cities and towns - telecommunications.

Read and referred to the Committee on Corporations.

Also:

(02-H 7311) (Substitute "A" as amended) Joint Resolution creating a special legislative commission to develop a strategic plan for Narragansett Bay.

Read and ordered to be placed on the desk.

Also:

(02-H 7846) An Act relating to elections - elective meetings.

Read and ordered to be placed on the desk.

NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to His Honor, the Lieutenant Governor, Charles J. Fogarty at 4:30 o'clock P.M.

CALENDAR

In order for the day is taken up as follows:

1. (02-S2288) (Substitute "A") Joint Resolution to approve and publish, and submit to the electors a proposition of amendment to the Constitution of the State (separation of powers).

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

Senator Lenihan moves passage, seconded by Senators Raptakis, Cote, Walsh, Algiere, Gallo and many others.

Senator Lenihan, seconded by Senators Raptakis and Tassoni, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2288) (Substitute "A")

Mr. President:

I hereby move to amend (02-S 2288) (Substitute "A"), as follows:

On page 2, after line 4, by inserting the follows:

"ARTICLE V

OF THE DISTRIBUTION OF POWERS

The powers of the government shall be distributed into three (3) separate and co-equal departments: the legislative, executive and judicial."

Respectfully submitted,

J. MICHAEL LENIHAN
Senator, District 22

Senators Roney, Felag, Garabedian and Parella discuss the amendment.

The motion to amend prevails upon a roll call vote with 33 Senators voting in the affirmative and 11 Senators voting in the negative as follows:

YEAS - 33: Senators Algieri, Badeau, Bates, Breene, Caprio, Celona, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Hunter, Irons, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 11: Senators Alves, Blais, Coderre, Connors, Donelan, Graziano, Igliazzi, Issa, McBurney, Roney, Ruggerio.

Senators Cote, Goodwin, Sheehan, Garabedian, Kelly, Perry, Gallo and Roney discuss the act.

Upon motion of Senator Lenihan, seconded by Senators Tassoni and Cote, the bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 40 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

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

NAYS - 6: Senators Coderre, Donelan, Issa, Roney, Ruggerio, Walton.

4. (02-S2440) Joint Resolution to approve and publish, and submit to the electors a proposition of amendment to the Constitution of the State (separation of powers).

Committee on Special Legislation recommends passage.

Senator Algieri moves passage, seconded by Senators Blais, Breene, Parella, Garabedian, Sheehan, Perry and others.

Senator Roney moves to place the act on the desk, seconded by Senator Connors.

The motion fails of passage, upon a roll call vote with 6 Senators voting in the affirmative and 39 Senators voting in the negative as follows:

YEAS - 6: Senators Coderre, Connors, Donelan, Issa, McBurney, Roney.

NAYS - 39: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh,

Walton.

Senate Majority Leader Irons, Senators Gibbs, Ruggerio, Connors, Goodwin, Polisena, Kelly, Lenihan, Parella, Sheehan, Paiva Weed, Roney, Garabedian and Algiere discuss the act.

The act is read and passed, upon a roll call vote with 40 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS - 40: Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 6: Senators Coderre, Donelan, Irons, Issa, Roney, Ruggerio.

2. (02-S2328) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

Senator Blais moves passage, seconded by Senators Breene, Damiani and Roney.

The act is read and passed, 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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

3. (02-S2362 as amended) An Act relating to waters and navigation.

Committee on Corporations recommends passage as amended.

Senator Fogarty moves passage, seconded by Senator Walsh.

The act is read and passed, as amended, 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

6. (02-S2611 as amended) An Act relating to the Department of Health - food establishments.

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

Senator Gibbs moves passage, seconded by Senator Tassoni.

The act is 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, Caprio, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

7. (02-S2675) (Substitute "A") An Act relating to health and safety - licensing of health care facilities.

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

Senator Goodwin moves passage, seconded by Senator Graziano.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 43 Senators voting in the affirmative, 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS - 0.

ABSTAINED - 1: Senator Celona.

8. (02-S2840) (Substitute "A") Joint Resolution creating a special legislative commission to develop a strategic plan for Narragansett Bay.

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

Senator Paiva Weed moves passage, seconded by Senators Connors, Coderre, Walsh and others.

Senator Paiva Weed, seconded by Senators McDonald and Kelly, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2840) (Substitute "A")

Mr. President:

I hereby move to amend (02-S 2840) (Substitute "A") entitled "JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO DEVELOP A STRATEGIC PLAN FOR NARRAGANSETT BAY", as follows:

1. On page 1, line 2, delete the word and numeral "seventeen (17)" and insert in lieu thereof the word and numeral "nineteen (19)";

2. On page 1, line 8, insert the following language after the semi-colon: "one (1) of whom shall be the Chairperson of the Coastal Resources Management Council, or designee;"
3. On page 1, line 14, delete the word "and"; and
4. On page 1, line 15, insert the following language after the word "House": "and one (1) of whom shall be a member of the public appointed by the Governor".

Respectfully submitted,

M. TERESA PAIVA WEED
Senator, District 49

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

NAYS - 0.

Senators Enos, Sheehan and Blais discuss the act.

Upon motion of Senator Paiva Weed, seconded by Senator Enos, 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

9. (02-S2865) (Substitute "A") An Act relating to military affairs and defense - emergency health powers act.

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

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

10. (02-S2932) An Act relating to sales and use taxes - transportation of furniture.

Committee on Corporations recommends passage.

Senator Celona moves passage, seconded by Senators Polisena, Raptakis and others.

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 Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani,

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

NAYS - 0.

12. (02-S3000) Senate Resolution congratulating James Gordon John Silvia on attaining the rank of Eagle Scout.

Committee on Special Legislation recommends passage.

Senator Gibbs moves passage, seconded by Senator Blais.

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

13. (02-H6857) An Act relating to criminal procedure - search warrants.

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Walaska.

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, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

14. (02-H6981) An Act relating to health and safety - vaccine shortage prevention act.

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

Senator Graziano moves passage, seconded by Senator Blais 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

15. (02-H7079) (Substitute "A") An Act relating to the business corporations act.

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

Senate Majority Leader Irons moves passage, seconded by Senator Celona.

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 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, Coderre, Connors, Cote, Damiani, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

16. (02-H7145) (Substitute "A") An Act relating to health and safety - human cloning.

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 Senators Cote, McDonald and Sheehan.

The bill marked Substitute "A" is read and passed, in concurrence, 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, Donelan, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Roney.

17. (02-H7176) (Substitute "A") An Act relating to state affairs and government - compulsory school attendance - children under state care.

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.

Senators Perry, Izzo, Walsh, Sheehan, Irons, Gibbs, Garabedian, Paiva Weed and Graziano discuss the act.

The bill marked Substitute "A" is read and passed, 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, Badeau, Bates, Blais, Breene, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Kelly, McBurney, McCaffrey, Montalbano, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Tassoni, Walaska, Walsh.

NAYS - 8: Senators Gibbs, Izzo, Kells, Paiva Weed, Parella, Perry, Roney, Walton.

18. (02-H7177) An Act relating to Board of Regents - elementary and secondary education.

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

Senator Graziano moves passage, seconded by Senators Parella and Sheehan.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 40: Senators Algieri, Badeau, Bates, Blais, Breene, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

19. (02-H7223) An Act relating to health and safety - quarantine of vessels.

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

Senator Graziano moves passage, seconded by Senator Tassoni.

The act is read and passed, in concurrence, upon a roll call vote with 39 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS - 39: Senators Algieri, Badeau, Bates, Celona, Coderre, Connors, Cote, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 2: Senators Blais, Breene.

20. (02-H7281) (Substitute "A") An Act to amend the management and control of the Community College of Rhode Island Foundation.

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

Senator Celona moves passage, seconded by Senator Badeau.

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 41 Senators voting in the affirmative, 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS - 41: Senators Algieri, Badeau, Bates, Blais, Breene, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

ABSTAINED - 1: Senator Coderre.

21. (02-H7282) (Substitute "A" as amended) An Act relating to the airport corporation.

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

Senator Celona moves passage, seconded by Senators Gibbs and Enos.

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, Caprio, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisen, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

22. (02-H7302) An Act relating to mental health, retardation and hospitals - Department of Mental Health, Retardation and Hospitals.

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

Senator Graziano moves passage, seconded by Senator Tassoni.

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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisen, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

23. (02-H7304) An Act relating to curative services.

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

Senator Graziano moves passage, seconded by Senator Fogarty.

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, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisen, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

24. (02-H7352) An Act relating to mental health, retardation and hospitals.

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

Senator Graziano moves passage, seconded by Senator Tassoni.

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, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisen, Raptakis, Revens, Roney, Ruggerio,

Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

25. (02-H7781) (Substitute "B") An Act relating to alcoholic beverages.

Committee on Special Legislation recommends indefinite postponement of the original bill and the bill marked Substitute "A" and passage of Substitute "B".

Senator Goodwin moves passage, seconded by Senator Ruggerio.

Senator Goodwin, seconded by Senator Coderre and others, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-H 7781) (Substitute "B")

Mr. President:

I hereby move to amend (02-H 7781) (Substitute "B") entitled "AN ACT RELATING TO ALCOHOLIC BEVERAGES", as follows:

On page 1, line 11, by inserting the word and comma "newspapers," after the word and comma "cigarettes,".

On page 1, line 13, by inserting the following language after the word and comma "peppers,": "Slim Jims and similar pre-packaged dried meat products, pickles eggs, popcorn, pre-packaged candy, Styrofoam coolers".

Respectfully submitted,

MARYELLEN GOODWIN
Senator, District 1

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, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Upon motion of Senator Goodwin, seconded by Senators Gibbs, Ruggerio and Blais, the bill marked Substitute "B" is read and passed, as amended, and the original bill and the bill marked Substitute "A" 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, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio,

Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

26. (02-H8051) (Substitute "A") An Act relating to taxation - situs and ownership of taxable property.

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

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

27. (02-H8094) An Act in amendment of Chapter 55 of the Public Laws, 1958, entitled "An Act authorizing the towns of Charlestown and Richmond together, or together with the town of Hopkinton, to join a regional high school district incorporating said regional high school district and providing for the issuance of bonds, construction and operation of a regional high school for the joint use of the participating towns, within said regional high school district established by this Act" as amended.

Ordered on the Calendar.

Senator Walsh moves passage, seconded by Senator 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, Caprio, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

28. (02-S2013) An Act relating to state affairs and government.

Committee on Finance recommends passage.

Senator Caprio moves passage, seconded by Senator Connors.

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 Alves, Bates, Blais, Breene, Caprio, Celona, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

29. (02-S2047) (Substitute "A") An Act relating to retirement system - contributions and benefits.

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

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

The bill marked Substitute "A" is read and passed, 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, Caprio, Celona, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

30. (02-S2177) An Act relating to human services - the family independence act.

Committee on Finance recommends passage.

Senator Gibbs moves passage, seconded by Senator Felag.

The act is read and passed, 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

31. (02-S2201) An Act relating to auditor general.

Committee on Finance recommends passage.

Senator Montalbano moves passage, seconded by Senators Garabedian and Ruggerio.

The act is read and passed, 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

32. (02-S2253) An Act relating to services for the homeless.

Committee on Finance recommends passage.

Senator Caprio moves passage, seconded by Senators Izzo, Sosnowski, Connors, Walton and Sheehan.

The act is read and passed, 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

33. (02-S2397) An Act relating to medical assistance - rates of payment to nursing facilities.

Committee on Finance recommends passage.

Senator Alves moves passage, seconded by Senator Coderre.

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, Blais, Breene, Caprio, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

34. (02-S2736) An Act relating to motor vehicles - taxation of disabled adapted vehicles.

Committee on Finance recommends passage.

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

The act is read and passed, 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

35. (02-S2745) (Substitute "A") An Act relating to employees' retirement system.

Committee on Finance recommends passage.

Senator Roney moves passage, seconded by Senators Ruggerio, Walton, Paiva Weed and others.

The act is read and passed, 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

36. (02-S2750) (Substitute "A") An Act relating to business corporations - share based fees.

Committee on Finance recommends passage.

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

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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

37. (02-S3040) An Act relating to corporations, associations and partnerships - Rhode Island Certified Capital Companies Act.

Committee on Finance recommends passage.

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

38. (02-H7154) (Substitute "A") An Act relating to levy and assessment of local taxes.

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

Senator Perry moves passage, seconded by Senators Roney and Ruggerio.

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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

39. (02-H7608) (Substitute "A") An Act relating to employees' retirement system.

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

Senator Caprio moves passage, seconded by Senator Roney.

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

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

NAYS - 0.

COMMUNICATION

His Honor, the Lieutenant Governor, presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER**

STATEMENT OF POTENTIAL CONFLICT

To the Honorable Senate:

I, Dennis L. Algiere, 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 (02-S 2868) (Substitute "A"), 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 30th day of May, 2002.

JEFFREY A. LANPHEAR
Notary Public

Ordered to be placed on file.

CALENDAR

- 40. (02-S2868) (Substitute "A") An Act relating to licensed activities and regulating oversight.

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

Senator Blais moves passage, seconded by Senator Breene.

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, 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS - 0.

ABSTAINED - 1: Senator Algieri.

REPORTS OF COMMITTEE

JOINT COMMITTEE ON

NAMING STATE CONSTRUCTIONS "

Senator Tassoni, from the Joint Committee on Naming State Constructions, reports back, with recommendation of passage of the following measures:

(02-S 2015) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

(02-S 2016) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

(02-S 2017) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

(02-S 2018) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

(02-S 2019) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

(02-H 7063) (Substitute "A") An Act relating to towns and cities - uniform relocation payments.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8215) An Act relating to motor vehicle reparations - fine schedule reconciliation and conformation.

Read and ordered to be placed on the Calendar.

Also:

(02-S 2886) (Substitute "A") An Act relating to the General Assembly.

Read and ordered to be placed on the desk.

Also:

(02-H 8221) An Act relating to towns and cities - Chopmist Water District.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senator Breene.

The act is read and passed, in concurrence, and 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Also:

(02-H 8222) An Act relating to solemnization of marriages.

Senator Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Montalbano moves passage, seconded by Senator Celona.

The act is read and passed, in concurrence, and 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roney, Ruggerio, Sheehan, Sosnowski, Walaska, Walsh, Walton.

NAYS - 0.

Also:

(02-H 8223) An Act relating to solemnization of marriages.

Senator Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Montalbano moves passage, seconded by Senator Celona.

The act is read and passed, in concurrence, and 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, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walton.

NAYS - 0.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Senator Caprio, from the Committee on Finance, reports back, with recommendation of passage of the following measure:

(02-H 7732) (Substitute "A" as amended) An Act making appropriations for the support of the state for the fiscal year ending June 30, 2003.

Read and ordered to be placed on the Calendar.

TRANSFER OF BILL

Senator Celona, from the Committee on Corporations, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Corporations to the Committee on Finance:

(02-H 8171) An Act relating to state affairs and government - tourism districts.

Read and referred to the Committee on Finance.

**FROM THE
HOUSE OF REPRESENTATIVES**

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

(02-H 7222) (Substitute "A" as amended) An Act relating to education - compulsory attendance.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7765) An Act relating to the permanent Joint Committee on Naming all New Buildings, Bridges, Edifices and other State Constructions.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7810) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7878) (Substitute "A") An Act relating to taxation - tax sales.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7927) An Act relating to Joint Committee on Naming all New Buildings, Bridges, Edifices and other State Constructions.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8011) An Act naming the state pier in Newport at Washington Street in the city of Newport the "Louis Jagschitz State Pier".

Read and ordered to be placed on the Calendar.

Also:

(02-H 8067) An Act relating to the naming of Route 95 in Rhode Island.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8109) An Act authorizing the town of South Kingstown to finance the acquisition of land for open space, recreation and agricultural purposes and to issue not more than \$1,300,000 bonds therefor.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8110) An Act authorizing the town of South Kingstown to finance school facilities capital improvement projects and to issue not more than \$2,000,000 bonds therefor.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8111) An Act authorizing the town of South Kingstown to finance the development and construction of multiuse playfields, bikeways and park facilities on property located off Broad Rock Road and to issue not more than \$925,000 bonds therefor.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8224) An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8105) (Substitute "A") An Act relating to towns and cities - Burrillville - optional retirement for police/firefighters.

Read and ordered to be placed on the desk.

Also:

(02-H 7951) (Substitute "A") An Act relating to the town of Hopkinton Juvenile Hearing Board.

Read and referred to the Committee on Corporations.

Also:

(02-H 7959) An Act relating to taxation.

Read and referred to the Committee on Corporations.

Also:

(02-H 8064) An Act relating to courts and civil procedure - procedure generally - levy and sale on execution.

Read and referred to the Committee on Corporations.

RECESS

Upon suggestion of Senate Majority Leader Irons, and by unanimous consent, the Senate stands at recess at 6:27 o'clock P.M. until the call of the Chair.

CALLED TO ORDER

The Senate is called to order at 8:15 o'clock P.M.

CALENDAR

41. (02-S2057) Joint Resolution creating a special legislative commission to study the implementation of recommendations of the Auditor General.

Committee on Finance recommends passage.

Senator Algieri moves passage, seconded by Senators Breene, Gibbs and Coderre.

The act is read and passed, 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, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0. **42. (02-S2130)** An Act relating to school and municipal playground safety.

Committee on Finance recommends passage.

Senator Blais moves passage, seconded by Senators Izzo and Connors..

The act is read and passed, 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, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

43. (02-S2860) (Substitute "A") An Act relating to taxation - historic structures - tax credit.

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

Senator Caprio moves passage, seconded by Senators McCaffrey, Perry, Algieri and others.

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

YEAS - 39: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

44. (02-S2727) An Act relating to indebtedness of towns and cities - municipal deficits.

Committee on Finance recommends passage.

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

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

FLOOR AMENDMENT

TO

(02-S 2727)

Mr. President:

I hereby move to amend (02-S 2727) entitled "AN ACT RELATING TO INDEBTEDNESS OF TOWNS AND CITIES - MUNICIPAL DEFICITS", as follows:

(1) Page 3, line 19, by inserting the following language after line 19: "(f) The city or town council of each municipality within the state shall establish an audit committee comprised of not fewer than three (3) members of the city or town council, not more than one (1) of whom shall be a member of the council's finance committee, and at least one (1) other resident of the municipality with expertise and experience in public financing and/or public accounting. The audit committee of each city and town council shall meet at least quarterly; review all aspects of the financial affairs of the municipality, including current audits and any reports filed pursuant to this section; and report its findings and recommendations to the full city or town council."

(2) Page 4, line 23, by inserting the following language after line 23:

"SECTION 3. Section 16-2-9 of the General Laws in Chapter 16-2 entitled 'School Committees and Superintendents' is hereby amended to read as follows:

16-2-9. GENERAL POWERS AND DUTIES OF SCHOOL COMMITTEES. - (a) The entire care, control, and management of all public school interests of the several cities and towns shall be vested in the school committees of the several cities and towns. School committees shall have, in addition to those enumerated in this title, the following powers and duties:

(1) To identify educational needs in the community.

(2) To develop education policies to meet the needs of the community.

(3) To provide for and assure the implementation of federal and state laws, the regulations of the board of regents for elementary and secondary education, and of local school policies, programs, and directives.

(4) To provide for the evaluation of the performance of the school system.

(5) To have responsibility for the care and control of local schools.

(6) To have overall policy responsibility for the employment and discipline of school department personnel.

(7) To approve a master plan defining goals and objectives of the school system. These goals and objectives shall be expressed in terms of what men and women should know and be able to do as a result of their educational experience. The committee shall periodically evaluate the efforts and results of education in light of these objectives.

(8) To provide for the location, care, control, and management of school facilities and equipment.

- (9) To adopt a school budget to submit to the local appropriating authority.
- (10) To adopt any changes in the school budget during the course of the school year.
- (11) To approve expenditures in the absence of a budget, consistent with state law.
- (12) To employ a superintendent of schools and assign any compensation and other terms and conditions as the school committee and superintendent shall agree, provided that in no event shall the term of employment of the superintendent exceed three (3) years. Nothing contained in this chapter shall be construed as invalidating or impairing a contract of a school committee with a school superintendent in force on May 12, 1978.
- (13) To give advice and consent on the appointment by the superintendent of all school department personnel.
- (14) To establish minimum standards for personnel, to adopt personnel policies, and to approve a table of organization.
- (15) To establish standards for the evaluation of personnel.
- (16) To establish standards for conduct in the schools and for disciplinary actions.
- (17) To hear appeals from disciplinary actions.
- (18) To enter into contracts.
- (19) To publish policy manuals which shall include all school committee policies.
- (20) To establish policies governing curriculum, courses of instruction, and text books.
- (21) To provide for transportation services which meet or exceed standards of the board of regents for elementary and secondary education.
- (22) To make any reports to the department of education as are required by the board of regents for elementary and secondary education.
- (23) To delegate, consistent with law, any responsibilities to the superintendent as the committee may deem appropriate.
- (b) Nothing in this section shall be deemed to limit or interfere with the rights of teachers and other school employees to collectively bargain pursuant to chapters 9.3 and 9.4 of title 28 or to allow any school committee to abrogate any agreement reached by collective bargaining.
- (c) The school committees of each city, town, or regional school district shall have the power to bind their successors and successor committees by entering into contracts of employment in the exercise of their governmental functions.
- (d) Notwithstanding any provisions of the general laws to the contrary, the requirement defined in subsections (d) through (f) of this section shall apply. The school committee of each school district shall be responsible for maintaining a school budget which does not result in a debt.
- (e) The school committee shall, within thirty (30) days after the close of the first and second quarters of the state's fiscal year, adopt a budget as may be necessary to enable it to operate without incurring a debt, as described in subsection (d).
- (f) In the event that any obligation, encumbrance, or expenditure by a superintendent of schools or a school committee is in excess of the amount budgeted or that any revenue is less than the amount budgeted, the school committee shall within five (5) working days of its discovery of potential or actual over expenditure or revenue deficiency submit a written statement of the amount of and cause for the over obligation or over expenditure or revenue deficiency to the city or town council president and any other person who by local charter or statute serves as the city or town's executive

officer; the statement shall further include a statement of the school committee's plan for corrective actions necessary to meet the requirements of subsection (d). The plan shall be approved by the auditor general.

(g) Each school committee within the state shall establish an audit committee comprised of not fewer than three (3) members of the school committee, not more than one (1) of whom shall be a member of the school committee's finance committee, and at least one (1) other resident of the school district with expertise and experience in public financing and/or public accounting. The audit committee of each school committee shall meet at least quarterly; review all aspects of the financial affairs of the school district, including current audits; and report its findings and recommendations to the full school committee. SECTION 4. Section 16-3-11 of the General Laws in Chapter 16-3 entitled "Establishment of Regional School Districts" is hereby amended to read as follows: 16-3-11. SCHOOL COMMITTEES OF REGIONAL SCHOOL DISTRICTS - POWERS AND DUTIES. - (a) A regional school district established under the provisions of section 16-3-10 shall be a body politic and corporate with all the powers and duties conferred by law upon school committees and with the following additional powers and duties:

- (1) To adopt a name and a corporate seal.
- (2) To sue and be sued but only to the same extent and upon the same conditions that a city or town may sue or be sued.
- (3) (i) To acquire by purchase, gift, or other means of transfer or by condemnation, land, and improvements within the district as a site for a school or schools. To acquire also by this method the rights of way and other easements as may be required in connection with the use of the site.

(ii) For the purpose of acquiring land by condemnation for the site, the regional district is given all the powers conferred upon cities or towns for the condemnation of land for school purposes by section 16-9-5; provided, that the amount of land taken by the committee may exceed five (5) acres but shall not exceed thirty (30) acres for any one building site. The description, plat, and statement of the land taken under this chapter shall be signed by the chairperson of the regional district school committee and filed in the records of land evidence as provided in section 16-9-6. The owners of land or any persons entitled to any estate or interest in it taken by the committee shall have the same right of petition, the right of jury trial, and all other rights under the provisions of sections 16-9-7 and 16-9-8.

(iii) Upon the filing of the description, plat, and statement of the land taken, the title to the land shall vest absolutely and in fee simple in the regional school district notwithstanding that any of the land taken is devoted to a public use, and the district, acting by and through the district committee and its duly authorized agents, may immediately enter and take possession of the land without any process of law required by statute or common law, and remove any or all buildings, property, or other impediments, and occupy, use, and improve the land for the purposes of this chapter notwithstanding any other provision of law.

(iv) The district, through its committee, is authorized and empowered to pay for the cost of acquiring land for the school site from the proceeds received from the sale of bonds issued pursuant to the provisions of this chapter, whether the property is acquired by purchase or by condemnation, or partly by purchase and partly by condemnation.
- (4) To secure competent architectural and engineering services for the taking of surveys, the preparation of plans and specifications for the construction and equipment of a school or schools in the district, and to employ clerical assistance as may be necessary.
- (5) To construct, furnish, and equip schools and improve the grounds upon which the schools are located and to make additions to the schools as may be needed.
- (6) To make all contracts and agreements that may be necessary for the exercise of the powers vested in the district school committee by subdivisions (3), (4), and (5) of this subsection;
- (7) To issue under its corporate name and seal bonds in serial form to an amount not exceeding the debt limits as described in this chapter. The bonds shall be signed by the chairperson and treasurer of the regional school district committee; the principal and interest shall be payable in any coin or currency of the United States that, at the time of

payment, is legal tender for public and private debts, and the debt secured by the bonds shall be obligatory on the district to the same extent as other debts lawfully contracted by the district.

(8) To borrow temporarily and to issue temporary notes of the district, the proceeds of which shall be used only for the purposes set forth in subdivisions (3), (4), and (5) of this subsection. Each authorized issue shall constitute a separate loan. Each issue may be for a period of not more than three (3) years and notes issued for a shorter period may be refunded or renewed from time to time by the issue of other temporary notes maturing within the required period of three (3) years, provided, that the period from the date of issue of the original loan to the date of maturity of the refunding or renewal loans shall not be more than three (3) years. Temporary notes of the district shall be signed by the chairperson and treasurer of the regional district school committee, and may bear interest or be sold at a discount. The period and discount or interest rate and other particulars of the temporary notes shall be fixed by the district committee. The temporary notes and renewal notes, including interest or discount on the notes and the expense of preparing, issuing, and marketing the notes, shall, unless otherwise taken care of, be funded by the issue of serial bonds under the provisions of subdivision (7) of this subsection. The aggregate principal amount of temporary notes issued and outstanding under this subdivision shall not at any time exceed the sum of the serial bonds authorized to be issued.

(9) To incur temporary debt after the district school or schools are constructed and in operation in anticipation of revenue to be received.

(10) To apply for and receive, accept, and use any state or federal funds or assistance, or both, as may be provided, whether in the form of a grant or a loan, or both, on the same basis as other school districts, but subject to the provisions of this chapter; to receive, accept, and use any gift from private sources; to receive and disburse funds for any district purpose.

(11) To publish an annual report containing a detailed financial statement showing the total receipts and expenditures of the period covered by the report together with additional information relating to the maintenance and operating of the school or schools as may be deemed necessary by the regional district school committee.

(12) To engage legal counsel.

(13) To engage and employ a superintendent of the district who may also be a principal of a district school or schools on a contractual basis for either a definite or indefinite term as the regional school district school committee shall decide. The person employed shall have all the powers and duties imposed upon a superintendent of schools by law.

(b) The powers, duties, and liabilities of a regional school district as set forth in this chapter, together with any other powers and duties pertaining to school committees prescribed by the laws of this state and not inconsistent with the provisions of this chapter, shall be vested in and exercised by a regional district school committee organized in accordance with the terms of the agreement. The committee shall choose by ballot a chairperson from its membership. It shall also appoint a clerk and a treasurer who may be the same person, and who need not be a member or members of the committee. The treasurer shall receive and take charge of all money belonging to the district and shall pay all bills and indebtedness of the district that have been approved by the committee; provided, that expenditures, encumbrances, and accruals shall not in any fiscal year exceed the total revenue belonging to the district. Should the treasurer estimate that actual expenses may exceed total available revenue in any fiscal year, he or she shall notify the school committee and the superintendent of schools, and the chief elected officials of the cities or towns. Purchase orders or financial commitments shall not be authorized even on the order of the school committee unless it can be proven that there will not be an excess of expenditures, encumbrances, and accruals over revenues. The clerk and the treasurer shall give bond to the district in the sum and with the surety as shall be satisfactory to the committee and conditioned for the faithful performance of the duties of the office.

(c) Nothing contained in this section shall be construed to prohibit a regional district school committee from negotiating and contracting with school employees and teachers for services to be rendered in the ensuing fiscal years pursuant to chapters 9.3 and 9.4 of title 28.

(d) The regional district school committee shall annually cause an audit to be made of the accounts of the regional

school district and on completion of each audit, a report shall be made to the chairperson of the committee.

(e) (1) Notwithstanding any provisions of the general laws to the contrary, the requirement defined in this subsection shall apply. The school committee of each school district shall be responsible for maintaining a school budget which does not result in a debt.

(2) The school committee shall, within thirty (30) days after the close of the first and second quarters of the state's fiscal year, adopt the budget as may be necessary to enable it to operate without incurring a debt, as described in subdivision (1) of this subsection.

(3) In the event that any obligation, encumbrance or expenditure by a superintendent of schools or a school committee is in excess of the amount budgeted or that any revenue is less than the amount budgeted, the school committee shall within five (5) working days of its discovery of potential or actual over expenditure or revenue deficiency, submit a written statement of the amount of and cause for the over obligation or over expenditure or revenue deficiency to the town council president and such other person who by local charter or statute serves as the city or town's executive officer; the statement shall further include a statement of the school committee's plan for corrective actions necessary to meet the requirements of subdivision (1) of this subsection. The plan shall be approved by the auditor general.

(g) The school committee of each regional school district within the state shall establish an audit committee comprised of not fewer than three (3) members of the school committee, not more than one (1) of whom shall be a member of the school committee's finance committee, and at least one (1) other resident of the regional school district with expertise and experience in public financing and/or public accounting. The audit committee of each school committee shall meet at least quarterly; review all aspects of the financial affairs of the regional school district, including current audits; and report its findings and recommendations to the full school committee."

(3) Page 4, line 24, by deleting the section number "3" and inserting in place thereof the section number "5".

Respectfully submitted,

ARAM G. GARABEDIAN
Senator, District 14

The motion to amend prevails upon a roll call vote with 31 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS - 31: Senators Algieri, Alves, Bates, Breene, Caprio, Celona, Coderre, Cote, Damiani, Fogarty, Garabedian, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 4: Senators Blais, Connors, Felag, Paiva Weed.

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

45. (02-H7708) Joint Resolution creating a special legislative commission to study the tax and benefit provisions of the temporary disability insurance (TDI) program.

Committee on Finance recommends passage in concurrence.

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

The act is read and passed, 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, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos,

Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

46. (02-H8057) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

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

47. (02-H8139) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

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

48. (02-H7211) An Act relating to waters and navigation - drinking water supply system protection.

Ordered on the Calendar.

Senator Alves moves passage, seconded by Senators Enos, Walsh and others.

Senators Lenihan, Walsh and Perry discuss the act.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

YEAS - 35: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, McCaffrey, Montalbano, Parella, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 1: Senator Perry.

49. (02-H7961) (Substitute "A") An Act relating to waters and navigation - water supply facilities.

Ordered on the Calendar.

Senator Walsh moves passage, seconded by Senators Blais and Connors.

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 35 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS - 35: Senators Algieri, Alves, Blais, Caprio, Celona, Coderre, Connors, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 2: Senators Cote, Lenihan.

50. (02-S2172) An Act relating to motor and other vehicles - driver education course required before licensing.

Joint Committee on Highway Safety recommends passage.

Senator Damiani moves passage, seconded by Senator Polisena.

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

YEAS - 36: Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Hunter, Igliazzi, Irons, Issa, Kelly, Lenihan, McCaffrey, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

51. (02-H8217) An Act to vacate the forfeiture or revocation of the charter of Precision Woodworking Co., Inc.

Ordered on the Calendar.

Senator Celona moves passage, seconded by Senator Coderre.

The act is read and passed, in concurrence, 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 Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

52. (02-H7950) (Substitute "A" as amended) An Act relating to cities and towns - zoning.

Ordered on the Calendar.

Senator Sosnowski moves passage, seconded by Senator Bates.

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 37 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS - 37: Senators Algiere, Alves, Bates, Blais, Caprio, Celona, Coderre, Connors, Cote, Damiani, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 2: Breene, Enos.

53. (02-H6789) (Substitute "A") An Act relating to drinking water quality standards for private wells.

Ordered on the Calendar.

Senator Blais moves passage, seconded by Senators Sosnowski, Blais and Garabedian.

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

YEAS - 38: Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Felag,

Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

5. (02-S2519) (Substitute "A") An Act relating to health and safety - Rhode Island cesspool phase out act of 2002.

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

Senator Walsh moves passage, seconded by Senator Connors.

Senator Walsh, seconded by Senator Connors, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2519) (Substitute "A")

Mr. President:

I hereby move to amend (02-S 2519) (Substitute "A") entitled "AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND CESSPOOL PHASE OUT ACT OF 2002", as follows:

1. By striking all of the language after the enactment clause and substituting therefor the following: "SECTION 1. Title 23 of the General Laws entitled "Health and Safety" is hereby amended by adding thereto the following chapter:

CHAPTER 19.15
THE RHODE ISLAND CESSPOOL PHASE OUT ACT OF 2002

23-19.15-1. SHORT TITLE. - This chapter shall be known and may be cited as the "Rhode Island Cesspool Phase Out Act of 2002.

"

23-19.15-2. LEGISLATIVE FINDINGS. - The general assembly hereby recognizes and declares that:

- (1)** There exists within the state the need to abate pollution caused by cesspools.
- (2)** It is estimated that there are currently fifty thousand (50,000) cesspools within the state.
- (3)** Cesspools are a substandard and inadequate means of on-site sewage treatment because they overload the capacity of the soil to treat pollutants and frequently fail hydraulically.
- (4)** Cesspools contribute directly to ground and surface water contamination, contributing among other contaminants, nutrients and pathogens to the waters of the state.
- (5)** Cesspools degrade water quality and have been identified as a source of pollution in such environmentally sensitive

areas as Greenwich Bay, the coastal salt ponds, and other water resources by not adequately treating sanitary sewage.

- (6) Appropriate treatment of sanitary sewage reduces contamination risks to the groundwater and therefore risks to public health and the environment and restoration costs associated with groundwater contamination.
- (7) Appropriate treatment of sanitary sewage is essential to the protection of groundwater, from which drinking water is derived, and, reduces the risks associated with the degradation of the state's coastal ponds and other water bodies where groundwater is the primary source of freshwater for these waterbodies.
- (8) Advanced treatment of sanitary sewage, such as nitrogen-removal septic systems, further protects drinking water and groundwater and reduces the risks associated with the degradation of the state's coastal ponds and other water bodies where groundwater is the primary source of freshwater for these waterbodies, and also aides in the reduction of contamination risks to groundwater and restoration costs associated with groundwater contamination.
- (9) Risks associated with cesspools have been acknowledged at the federal level including the facts that: (i) cesspools do not treat sanitary sewage and the effluent contains nitrates, total suspended solids and coliform bacteria; (ii) the effluent may contain other constituents of concern such as phosphates, chlorides, grease, viruses and chemicals used to clean cesspools (e.g. trichloroethane and methylene chloride); (iii) the wastewaters from cesspools frequently exceed drinking water health standards for certain contaminants; and (iv) areas that rely on cesspools are more likely to rely on groundwater for their drinking water supplies.
- (10) A fund exists to assist homeowners with the costs of replacing cesspools and inadequate septic systems with an approved ISDS if the community in which the homeowner resides has created a wastewater management district in accordance with chapter 45-24-5.

23-19.15-3. DECLARATION OF PURPOSE. - The purpose of this chapter is to phase out use of cesspools within the state.

23-19.15-4. DEFINITIONS. - (a) Cesspool. Cesspool is defined as "any buried chamber," including, but not limited to, any metal tank, perforated concrete vault or covered hollow or excavation, which receives discharges of sanitary sewage from a building for the purpose of collecting solids and discharging liquids to the surrounding soil.

(b) Department. The department of environmental management as established in chapter 42-17.1.

(c) Director. The director of the department of environmental management or his or her designee.

(d) Failed cesspool. A cesspool where one (1) or more of the following conditions exist: (1) the cesspool fails to accept or dispose of sewage, as evidenced by indicators of sewage at the ground surface above or adjacent to the cesspool, or in the building served; (2) the cesspool extends below the seasonal high groundwater elevation; (3) pumping is required more than four (4) times a year; or (4) the cesspool is shown to have contaminated a drinking water well or watercourse.

(e) Individual sewage disposal system ("ISDS"). ISDS is defined as any piping, tanks, disposal areas, alternative toilets or other facilities designed to function as a unit to convey, store, treat and/or dispose of sanitary sewage, by means other than discharge into a public sewer system, that is approved by the department of environmental management.

(f) Watercourse. Watercourse is defined as Narragansett Bay and its tributaries, coastal and freshwater ponds, perennial and intermittent streams, vernal pools, coastal and freshwater wetlands.

23-19.15-5. CESSPOOL REMOVAL. - Cesspools shall be properly abandoned and replaced with an approved ISDS or tied into a public sewer system in accordance with the following risk based schedule:

- (1) All cesspools within one hundred feet (100') of any drinking water well, or any watercourse, or drain that is likely to intercept groundwater flow from the location of the cesspool, must be properly abandoned and replaced with an approved ISDS by December of 2007.

(2) All cesspools between one hundred and two hundred feet (100' and 200') of any drinking water well, or any watercourse, or any drain that is likely to intercept groundwater flow from the location of the cesspool must be properly abandoned and replaced with an approved ISDS by December of 2012.

23-19.15-6. WAIVER. - The director may grant a waiver, to the extent necessary, from applicable provisions listed in section 23-19.15-5, provided, the homeowner demonstrates undue hardship and the cesspool is not a failed system as defined herein. At no point in time, shall any waiver of the requirements of section 23-19.15-5 be extended beyond December 31st, 2015.

23-19.15-7. EXEMPTION. - The risk-based cesspool replacement schedule set forth in this chapter shall not apply to any cesspool:

- (1)** located in a community that has adopted an on-site wastewater management ordinance that requires the risk-based phased-in removal of cesspools by December of 2020, or;
- (2)** serving a building on property in an area that has been designated by the municipal wastewater facilities plan to be sewerred no later than five (5) years after the applicable deadline provided in section 23-19.15-5, provided: (i) it is not a failed cesspool as defined herein; (ii) the owner does not increase the design sewage flow in the cesspool or add bedrooms; (iii) the municipality holds bonding authorization or some other dedicated financial surety for expansion of sewers to the area of the building served by the cesspool; and (iv) the property owner certifies, in writing, that the dwelling/building will be connected to the sewer system within six (6) months of receipt of the notification to connect to the sewer system.

23-19.15-8. NOTICE TO REMOVE CESSPOOLS. - (a) The director shall require the removal of cesspools as set forth in this chapter. The owner of any cesspool which has not been properly abandoned and replaced with an approved ISDS as required by this act shall be in violation of this chapter and subject to enforcement action by the department in accordance with chapter 17.6 of title 42.

(b) Notwithstanding the above provisions, the director may require the abandonment and replacement of any cesspool with an approved ISDS if one (1) or more of the following conditions exist:

- (1)** a failed cesspool is indicated;
- (2)** if as a result of a watershed plan, such as a special area management (SAM) plan or a total maximum daily load (TMDL) study, a determination has been made that a cesspool within a particular geographic area must be abandoned and replaced earlier than as provided for in this chapter.
- (3)** the cesspool is a large capacity cesspool as defined pursuant to applicable federal regulations governing underground injection control (UIC) facilities.

23-19.15-9. REGULATIONS. - The department may promulgate rules and regulations as may be necessary to implement and carry out the provisions of this chapter.

23-19.15-10. SEVERABILITY AND CONSTRUCTION. - The provisions of this chapter shall be severable, and if any court declares any phrase, clause, sentence, or provision of this chapter to be invalid, or its applicability to any government, agency, person, or circumstance is declared invalid, the remainder of the chapter and its relevant applicability shall not be affected. The provisions of this chapter shall be liberally construed to give effect to the purposes thereof.

SECTION 2. Section 5-20.8-2 of the General Laws in Chapter 5-20.8 entitled "Real Estate Sales Disclosures" is hereby amended to read as follows:

5-20.8-2. DISCLOSURE REQUIREMENTS. - (a) As soon as practicable, but in any event, no later than prior to signing

any agreement to transfer real estate, the seller of the real estate shall deliver a written disclosure to buyer and to each agent with whom seller knows he or she or buyer has dealt in connection with the real estate. The written disclosure shall comply with the requirements set forth in subsection (b) and shall state all deficient conditions of which the seller has actual knowledge. Agent shall not communicate the offer of buyer until buyer has received a copy of the written disclosure and signed a written receipt of same. If buyer refuses to sign a receipt pursuant to this section, the seller or agent shall immediately sign and date a written account of the refusal. The agent is not liable for the accuracy or thoroughness of representations made by seller in the written disclosure or for deficient conditions not disclosed to the agent by the seller.

(b) (1) The Rhode Island real estate commission may approve a form of written disclosure as required under this chapter or the seller may use a disclosure form substantially conforming to the requirements of this section. The following provisions shall appear conspicuously at the top of any written disclosure form: "Prior to the signing of an agreement to transfer real estate (vacant land or real property and improvements consisting of a house or building containing one to four (4) dwelling units), seller is providing buyer with this written disclosure of all deficient conditions of which seller has knowledge. This is not a warranty by seller that no other defective conditions exist, which there may or may not be. Buyer should estimate the cost of repair or replacement of deficient conditions prior to submitting an offer on this real estate. Buyer is advised however not to rely solely upon the representation of seller made in this disclosure, but to conduct any inspections or investigations which buyer deems to be necessary to protect his or her best interest." Nothing contained in this section shall be construed to impose an affirmative duty on the seller to conduct inspections as to the condition of this real estate.

(2) The disclosure form shall include the following information:

- (i) Seller Occupancy - (Length of Occupancy)
- (ii) Year Built
- (iii) Basement - (Seepage, Leaks, Cracks, etc. Defects)
- (iv) Sump Pump - (Operational, Location, and Defects)
- (v) Roof (Layers, Age and Defects)
- (vi) Fireplaces - (Number, Working and Maintenance, Defects)
- (vii) Chimney - (Maintenance History, Defects)
- (viii) Woodburning Stove - (Installation Date, Permit Received, Defects)
- (ix) Structural Conditions - (Defects)
- (x) Insulation - (Wall, Ceiling, Floor, UFFI)
- (xi) Termites or other Pests - (Treatment Company)
- (xii) Radon - (Test, Company) "Radon has been determined to exist in the State of Rhode Island. Testing for the presence of radon in residential real estate prior to purchase is advisable."
- (xiii) Electrical Service - (Imp. & Repairs, Electrical Service, Amps, Defects)
- (xiv) Heating System - (Type, Imp. & Repairs, Underground Tanks, Zones, Supplemental Heating, Defects)
- (xv) Air Conditioning - (Imp. & Repairs, Type, Defects)
- (xvi) Plumbing - (Imp. & Repairs, Defects)
- (xvii) Sewage System - (Assessment, Annual Fees, Type, Cesspool/Septic Location, Last Pumped, Maintenance History, Defects deadlines for removal of cesspools as provided in section 23-19.15-5)
- (xviii) Water System - (Imp. & Repairs, Type, Defects) Private water supply (well). "Buyer understands that this property is, or will be served, by a private water supply (well) which may be susceptible to contamination and potentially harmful to health. If a public water supply is not available, the private water supply should be tested for coliforms, nitrates, and chlorides. Periodic testing is recommended."
- (xix) Domestic Hot Water - (Imp. & Repairs, Type, Defects, Capacity of Tank)
- (xx) Property Tax
- (xxi) Easements
- (xxii) Deed - (Type, Number of Parcels)
- (xxiii) Zoning - (Permitted use, Classification) "Buyers of real estate in the state of Rhode Island are legally obligated to comply with all local real estate ordinances; including, but not limited to, ordinances on the number of unrelated persons who may legally reside in a dwelling, as well as ordinances on the number of dwelling units permitted under the local zoning ordinances." If the subject property is located in a historic district, that fact must be disclosed to the buyer,

together with the notification that "property located in a historic district may be subject to construction, expansion or renovation limitations. Contact the local building inspection official for details."

(xxiv) Restrictions - (Plat or Other)

(xxv) Building Permits

(xxvi) Minimum Housing - (Violations)

(xxvii) Flood Plain - (Flood Insurance)

(xxviii) Wetlands. - The location of coastal wetlands, bay, fresh water wetlands, pond, marsh, river bank or swamp, as those terms are defined in chapter 1 of title 2 and the associated buffer areas may impact future property development. Seller must disclose to the buyer any such determination on all or part of the land made by the department of environmental management.

(xxix) Multi-family or other Rental Property - (Rental Income)

(xxx) Pools & Equipment, Type, Defects

(xxxi) Lead Paint - (Inspection) Every buyer of residential real estate built prior to 1978 is hereby notified that those properties may have lead exposures that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced IQ behavioral problems, and impaired memory. The seller of that property is required to provide the buyer with a copy of any lead inspection report in the seller's possession and notify the buyer of any known lead poisoning problem. Environmental lead inspection is recommended prior to purchase.

(xxxii) Fire

(xxxiii) Hazardous Waste - (Asbestos and Other Contaminants)

(xxxiv) Miscellaneous

(c) Any agreement to transfer real estate shall contain an acknowledgement that a completed real estate disclosure form has been provided to the buyer by the seller in accordance with the provisions of this section.

(d) The Rhode Island real estate commission has the right to amend the seller disclosure requirements by adding or deleting requirements when there is a determination that health, safety, or legal needs require a change. Any change to requirements shall be a rule change, subject to the administrative procedures act. The power of the commission to amend the written disclosure requirements are liberally construed so as to allow additional information to be provided as to the structural components, housing systems, and other property information as required by this chapter."

Respectfully submitted,

DONNA WALSH
Senator, District 25

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 34: Senators Algiere, Alves, Bates, Breene, Caprio, Celona, Coderre, Connors, Damiani, Felag, Fogarty, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Izzo, Kelly, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

Upon motion of Senator Walsh, seconded by Senator Connors, the bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS - 31: Senators Algiere, Alves, Bates, Breene, Caprio, Celona, Coderre, Connors, Damiani, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Izzo, Kelly, McBurney, Montalbano, Paiva Weed, Parella, Perry, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh.

NAYS - 5: Senators Blais, Issa, McCaffrey, Polisena, Walaska.

11. (02-S2981 as amended) An Act relating to waters and navigation - personal watercraft safety act.

Committee on Corporations recommends passage as amended.

Senator Sosnowski moves passage, seconded by Senator Raptakis.

Senator Sosnowski, seconded by Senator Raptakis, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2981 as amended)

Mr. President:

I hereby move to amend (02-S 2981 as amended) entitled "AN ACT RELATING TO WATERS AND NAVIGATION - PERSONAL WATERCRAFT SAFETY ACT", as follows:

On page 3, by deleting all the language shown on lines 2 through 5, inclusive, and substituting thereof the following language:

"(n) The town of Narragansett is hereby authorized to provide, by ordinance, regulations controlling the use of personal watercraft on any or all waters of the town. The ordinances may include a ban or limitation of personal watercraft on any waters in Narragansett.

(o) The town of South Kingstown is hereby authorized to provide, by ordinance regulations controlling the use of personal watercraft on Narrow River and Green Hill Pond. The ordinance may include a ban or limitation on operation on Narrow River and Green Hill Pond."

Respectfully submitted,

V. SUSAN SOSNOWSKI
Senator, District 6

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

YEAS - 35: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglionzi, Irons, Issa, Izzo, Kelly, McBurney, McCaffrey, Montalbano, Parella, Perry, Polisen, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh.

NAYS - 0.

Senator Blais, seconded by Senator Sosnowski, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2981 as amended)

Mr. President:

I hereby move to amend (02-S 2981 as amended) entitled "AN ACT RELATING TO WATERS AND NAVIGATION - PERSONAL WATERCRAFT SAFETY ACT", as follows:

By renumbering SECTION 2 as SECTION 3 and adding the following language on page two after line 5.

SECTION 2. Section 46-22-9.8 is amended to read as follows:

46-22-9.8. CERTIFICATE OF BOATING SAFETY EDUCATION. - (a) No person born on or after January 1, 1986 shall operate a vessel that is fitted with propulsion machinery of more than ten (10) horsepower on the waters of this state unless the person shall have successfully completed a boating safety education program as approved by the director of the department of environmental management.

(b) 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.

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

(d)

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) questions, 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.

(e) 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.

(f) A challenge exam, meeting the standards of subsection (d) of this section 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 education program as provided for in this section.

(g) (1) Any person having in his or her possession a certificate of completion of any 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.

(2) The following persons shall be exempt from the educational 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 requirements of subsection (a) 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.

(3) New residents of this state will be given sixty (60) days to meet the requirements of this chapter.

(4) 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.

(h) Any person born after January 1, 1986 operating a personal watercraft as defined in 46-22-2(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.

(i) Any person who violates any provision of this section shall be sanctioned as follows:

(1) For a first offense completion of an approved boating safety course;

(2) For a second offense a fine not to exceed one hundred dollars (\$100).

Respectfully submitted,

LEO R. BLAIS
Senator, District 21

The motion to amend prevails upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 33: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Upon motion of Senator Sosnowski, seconded by Senator Blais, the act is read and passed, as amended, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS - 34: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Damiani, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walsh.

NAYS - 4: Senators Connors, Cote, Enos, Walaska.

REPORT OF COMMITTEE

COMMITTEE ON CORPORATIONS

Senator Celona, from the Committee on Corporations, reports back, with recommendation of passage of the following measure:

(02-S 3060) An Act relating to the town charter of Lincoln.

Senator Celona requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Celona moves passage, seconded by Senator Montalbano.

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

YEAS - 36: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Felag, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Tassoni, Walton.

NAYS - 0.

CALENDAR

54. (02-S2015) An Act relating to the General Assembly.

Joint Committee on Naming State Constructions recommends passage.

Senate Majority Leader Irons moves passage, seconded by Senators Coderre, Bates, Goodwin and others.

The act is read and passed, 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, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

55. (02-S2016) An Act relating to the General Assembly.

Joint Committee on Naming State Constructions recommends passage.

Senate Majority Leader Irons moves passage, seconded by Senators Connors, Felag, Parella, Enos, Sosnowski and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS - 0.

56. (02-S2017) An Act relating to the General Assembly.

Joint Committee on Naming State Constructions recommends passage.

Senate Majority Leader Irons moves passage, seconded by Senators Coderre, Gibbs, Kelly, Sosnowski and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS - 0.

57. (02-S2018) An Act relating to the General Assembly.

Joint Committee on Naming State Constructions recommends passage.

Senate Majority Leader Irons moves passage, seconded by Senators Coderre, Izzo and Sosnowski.

The act is read and passed, 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, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

58. (02-S2019) An Act relating to the General Assembly.

Joint Committee on Naming State Constructions recommends passage.

Senate Majority Leader Irons moves passage, seconded by Senators Coderre, Algieri, Damiani, McBurney, Revens, Cote, Kelly and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS - 38: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

ABSTAIN - 1: Senator Graziano.

59. (02-H7063) (Substitute "A") An Act relating to towns and cities - uniform relocation payments.

Ordered on the Calendar.

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

60. (02-H7222) (Substitute "A" as amended) An Act relating to education - compulsory attendance.

Ordered on the Calendar.

Senator Coderre moves passage, seconded by Senator Connors.

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 37 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS - 37: Senators Algiere, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 2: Senators Alves, Paiva Weed.

61. (02-H7765) An Act relating to the permanent Joint Committee on Naming all New Buildings, Bridges, Edifices and other State Constructions.

Ordered on the Calendar.

Senator Algiere moves passage, seconded by Senators Enos and Blais.

The act is read and passed, 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 Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

62. (02-H7810) An Act relating to the General Assembly.

Ordered on the Calendar.

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

The act is read and passed, 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 Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

63. (02-H7878) (Substitute "A") An Act relating to taxation - tax sales.

Ordered on the Calendar.

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

64. (02-H7927) An Act relating to Joint Committee on Naming all New Buildings, Bridges, Edifices and other State Constructions.

Ordered on the Calendar.

Senator Sosnowski moves passage, seconded by Senator Algieri.

Senate Majority Leader Irons discusses the act.

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

YEAS - 37: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

65. (02-H8011) An Act naming the state pier in Newport at Washington Street in the city of Newport the "Louis Jagschitz State Pier".

Ordered on the Calendar.

Senator Paiva Weed moves passage, seconded by Senator Enos.

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

YEAS - 35: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

66. (02-H8067) An Act relating to the naming of Route 95 in Rhode Island.

Ordered on the Calendar.

Senator Blais moves passage, seconded by Senators Bates, Enos, Parella, Felag and others.

The act is read and passed, in concurrence, 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, Coderre, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

67. (02-H8109) An Act authorizing the town of South Kingstown to finance the acquisition of land for open space, recreation and agricultural purposes and to issue not more than \$1,300,000 bonds therefor.

Ordered on the Calendar.

Senator Sosnowski moves passage, seconded by Senator Walsh.

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

YEAS - 37: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

68. (02-H8110) An Act authorizing the town of South Kingstown to finance school facilities capital improvement projects and to issue not more than \$2,000,000 bonds therefor.

Ordered on the Calendar.

Senator Sosnowski moves passage, seconded by Senator Walsh.

The act is read and passed, in concurrence, 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, Coderre, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

69. (02-H8111) An Act authorizing the town of South Kingstown to finance the development and construction of multiuse playfields, bikeways and park facilities on property located off Broad Rock Road and to issue not more than \$925,000 bonds therefor.

Ordered on the Calendar.

Senator Sosnowski moves passage, seconded by Senator Walsh.

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

YEAS - 35: Senators Algieri, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

70. (02-H8224) An Act relating to solemnization of marriages.

Ordered on the Calendar.

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

REPORTS OF COMMITTEES

COMMITTEE ON CORPORATIONS

- Senator Celona, from the Committee on Corporations, reports back, with recommendation of passage of the following measures:
- (02-S 3018) Senate Resolution memorializing the United States Congress to allow the State of Rhode Island to create, implement, and oversee a pilot program allowing for the reimportation of prescription drugs from Canadian pharmacies.
- Read and ordered to be placed on the Calendar.
- (02-S 3046) An Act relating to the freezing of the tax rate and evaluation in the town of Exeter.
- Read and ordered to be placed on the Calendar.
- (02-H 7192) An Act relating to towns and cities - general powers.
- Read and ordered to be placed on the Calendar.
- (02-H 7274 as amended) An Act relating to businesses and professions - telecommunications.
- Read and ordered to be placed on the Calendar.
- (02-H 8022) An Act relating to towns and cities - town of Richmond.
- Read and ordered to be placed on the Calendar.
- (02-H 8126) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$7,500,000 for public safety projects.
- Read and ordered to be placed on the Calendar.
- (02-H 8195) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$3,000,000 for renovations and improvements to the McDermott Pool and the Thayer and Warburton Ice Arenas.
- Read and ordered to be placed on the Calendar.
- (02-H 8202) An Act relating to the establishment of a town charter in the town of Hopkinton.
- Read and ordered to be placed on the Calendar.
- (02-H 8207) An Act relating to parking surcharges in the Warwick Airport Parking District.
- Read and ordered to be placed on the Calendar.
- (02-H 7055) An Act relating to the town of North Providence - tax incentive program.
- Read and ordered to be placed on the Calendar.
- (02-H 7814) An Act relating to primary elections - city of East Providence.

Read and ordered to be placed on the Calendar.

(02-H 7896) An Act amending the charter of North Providence.

Read and ordered to be placed on the Calendar.

(02-H 8002) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$5,000,000 for drainage projects.

Read and ordered to be placed on the Calendar.

(02-H 8049) An Act relating to taxes - levy and assessment of local taxes.

Read and ordered to be placed on the Calendar.

(02-H 8164) An Act relating to taxation - levy and assessment of local taxes.

Read and ordered to be placed on the Calendar.

(02-H 8194) An Act authorizing the city of East Providence to finance the planning, construction and reconstruction of streets and/or sidewalks within the city and the design and construction of a new Library in the Riverside section of the city and to issue not more than \$4,500,000 bonds and notes therefor.

Read and ordered to be placed on the Calendar.

(02-H 8204) An Act relating to towns and cities - Middletown Water Supply System authorizing bonds and notes therefor in an amount not to exceed \$5,000,000.

Read and ordered to be placed on the Calendar.

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:

(02-S 2399) An Act relating to state affairs and government - outdoor lighting control.

Read and ordered to be placed on the Calendar.

(02-S 2703) An Act relating to health insurance coverage.

Read and ordered to be placed on the Calendar.

**FROM THE
HOUSE OF REPRESENTATIVES**

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

(02-H 7112) (Substitute "A" as amended) An Act relating to fair housing practices act.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7719) An Act relating to motor and other vehicles - registration of vehicles.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8042) An Act authorizing the formation of a regional school district representing the towns of Exeter and West Greenwich.

Read and ordered to be placed on the Calendar.

Also:

(02-H 8082) (Substitute "A") An Act relating to elections.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7121) (Substitute "A") An Act relating to property - homestead exemption.

Read and ordered to be placed on the Calendar.

Also:

(02-H 7771 as amended) An Act relating to alcoholic beverages - retail licenses.

Read and ordered to be placed on the Calendar.

Also:

(02-S 2923 as amended) An Act relating to solemnization of marriages.

Read and ordered to be placed on the desk.

Also:

(02-S 2924 as amended) An Act relating to solemnization of marriages.

Read and ordered to be placed on the desk.

Also:

(02-H 7120) An Act relating to property - Rhode Island Fair Housing Practices Act.

Read and referred to the Committee on Judiciary.

Also:

(02-H 8149) An Act relating to elections - statewide referenda elections.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7883) An Act relating to criminal offenses - weapons.

Read and referred to the Committee on Judiciary.

Also:

(02-H 8147) An Act relating to criminal offenses - disorderly conduct.

Read and referred to the Committee on Judiciary.

TRANSMITTAL

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

ANNOUNCEMENT

Senate Majority Leader Irons announces that the Senate will meet on Friday, May 31, 2002, at 12:00 o'clock Noon.

RECESS

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, and upon suggestion of Senator Coderre, the Senate recesses at 9:00 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Claire I. Gagnon, a lifelong resident of the city of Pawtucket, beloved sister of Robert D. "Pete the Barber" Gagnon of Cumberland, Flora Kelley and Clara Chrones, both of Pawtucket, Jeanne Vaillancourt of Lincoln and Elaine Frechette of West Palm Beach, Fla.; and several nieces and nephews. She will be sadly missed by all.

CALLED TO ORDER

The Senate is called to order at 1:14 o'clock P.M. on Friday, May 31, 2002.

ADJOURNMENT

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, the Senate adjourns at 1:15 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR PAUL S. KELLY

Lord, as we continue your work here in this Chamber, let us be reminded of the words spoken long ago by Abraham Lincoln that still ring true today. "Determine the thing that can and shall be done, and then we shall find a way." Amen.

Appendix

CONSENT CALENDAR

In order for Friday, May 31, 2002:

- 1.** (02-H7277) An Act relating to revaluation of the assessment of local taxes in the city of Providence.

Committee on Corporations recommends passage in concurrence.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, May 30, 2002

Appendix

CALENDAR

In order for Friday, May 31, 2002:

- 1.** (02-S2865) (Substitute "A") An Act relating to military affairs and defense - emergency health powers act.

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

- 2.** (02-S3040) An Act relating to corporations, associations and partnerships - Rhode Island certified capital companies act.

Committee on Finance recommends passage.

- 4.** (02-S3018) Senate Resolution memorializing the United States Congress to allow the State of Rhode Island to create, implement, and oversee a pilot program allowing for the reimportation of prescription drugs from Canadian pharmacies.

Committee on Corporations recommends passage.

5. (02-S3046) An Act relating to the freezing of the tax rate and evaluation in the town of Exeter.

Committee on Corporations recommends passage.

6. (02-S2399) (Substitute "A") An Act relating to state affairs and government - outdoor lighting control.

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

7. (02-H8051) (Substitute "A") An Act relating to taxation - situs and ownership of taxable property.

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

8. (02-S2703) (Substitute "A") An Act relating to health insurance coverage.

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

9. (02-H8057) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

10. (02-H8139) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

11. (02-H7063) (Substitute "A") An Act relating to towns and cities - uniform relocation payments.

Ordered on the Calendar.

12. (02-H7878) (Substitute "A") An Act relating to taxation - tax sales.

Ordered on the Calendar.

13. (02-H7055) An Act relating to the town of North Providence - tax incentive program.

Committee on Corporations recommends passage in concurrence.

14. (02-H7192) An Act relating to towns and cities - general powers.

Committee on Corporations recommends passage in concurrence.

16. (02-H7274) (Substitute "A") An Act relating to businesses and professions - telecommunications.

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

17. (02-H7814) An Act relating to primary elections - city of East Providence.

Committee on Corporations recommends passage in concurrence.

18. (02-H7896) An Act amending the charter of North Providence.

Committee on Corporations recommends passage in concurrence.

19. (02-H8002) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$5,000,000 for drainage projects.

Committee on Corporations recommends passage.

20. (02-H8022) An Act relating to towns and cities - town of Richmond.

Committee on Corporations recommends passage in concurrence.

21. (02-H8049) An Act relating to taxes - levy and assessment of local taxes.

Committee on Corporations recommends passage in concurrence.

22. (02-H8126) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$7,500,000 for public safety projects.

Committee on Corporations recommends passage in concurrence.

23. (02-H8164) An Act relating to taxation - levy and assessment of local taxes.

Committee on Corporations recommends passage in concurrence.

24. (02-H8194) An Act authorizing the city of East Providence to finance the planning, construction and reconstruction of streets and/or sidewalks within the city and the design and construction of a new Library in the Riverside section of the city and to issue not more than \$4,500,000 bonds and notes therefor.

Committee on Corporations recommends passage in concurrence.

25. (02-H8195) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$3,000,000 for renovations and improvements to the McDermott Pool and the Thayer and Warburton Ice Arenas.

Committee on Corporations recommends passage in concurrence.

26. (02-H8202) An Act relating to the establishment of a town charter in the town of Hopkinton.

Committee on Corporations recommends passage in concurrence.

27. (02-H8204) An Act relating to towns and cities - Middletown Water Supply System authorizing bonds and notes therefor in an amount not to exceed \$5,000,000.

Committee on Corporations recommends passage in concurrence.

28. (02-H8207) An Act relating to parking surcharges in the Warwick Airport Parking District.

Committee on Corporations recommends passage in concurrence.

29. (02-H7112) (Substitute "A" as amended) An Act relating to fair housing practices act.

Ordered on the Calendar.

30. (02-H7719) An Act relating to motor and other vehicles - registration of vehicles.

Ordered on the Calendar.

31. (02-H8042) An Act authorizing the formation of a regional school district representing the towns of Exeter and West Greenwich.

Ordered on the Calendar.

32. (02-H8082) (Substitute "A") An Act relating to elections.

Ordered on the Calendar.

33. (02-H7121) (Substitute "A") An Act relating to property - homestead exemption.

Ordered on the Calendar.

34. (02-H7771 as amended) An Act relating to alcoholic beverages - retail licenses.

Ordered on the Calendar.

35. (02-H7732) (Substitute "A" as amended) An Act making appropriations for the support of the state for the fiscal year ending June 30, 2003.

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

36. (02-H8215) An Act relating to motor vehicle violations - fine schedule reconciliation and conformation.

Ordered on the Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, May 30, 2002

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

Thank you for stopping by!

