

Journal of the Senate

Sixty-sixth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable William V. Irons, President of the Senate, at 4:16 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT — 37: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT — 1: Senator Raptakis.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMUNICATION

The Honorable President presents the following communication:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

SENATE CHAMBER

June 26, 2003

The Honorable William V. Irons

President of the Senate

317 State House

Providence, RI 02903

Dear Mr. President:

Please be advised and let the record reflect that I will be absent from the chamber from Thursday, June 26th until Tuesday, July 1, 2003 as I will be out of the country attending memorial services for my father in Greece upon the one year anniversary of his death.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Warmest regards,

LEONIDAS P. RAPTAKIS

Senator, District 33

Received and ordered to be placed on file.

FROM THE
HOUSE OF REPRESENTATIVES

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

(03-H 5604) An Act relating to motor and other vehicles — traffic control devices.

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

Also:

(03-H 5936) An Act relating to criminal offenses — law practice.

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

Also:

(03-H 6381) (Substitute "A") An Act relating to dog racing in Burrillville, Lincoln and West Greenwich.

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

Also:

(03-H 6140) (Substitute "A") An Act relating to renaming Route 2, Exeter.

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

Also:

(03-H 6410) An Act relating to alcoholic beverages — brewpub manufacturer’s license.

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

Also:

(03-H 6541) An Act to vacate the forfeiture or revocation of the charter of Service Vending, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6544) An Act to vacate the forfeiture or revocation of the charter of East Providence Coalition, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6574) An Act to vacate the forfeiture or revocation of the charter of Three Star Construction, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 5808) (Substitute "A") An Act relating to statutes and statutory construction.

Read and referred to the Committee on Judiciary.

Also:

(03-H 6557) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES
COMMITTEE ON ENVIRONMENT
AND AGRICULTURE

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

(03-S 581) (Substitute "A" as amended) An Act relating to fishing.

Read and ordered to be placed on the Calendar.

COMMITTEE ON COMMERCE, HOUSING
AND MUNICIPAL GOVERNMENT

Senator Celona, from the Committee on Commerce, Housing and Municipal Government, reports back, with recommendation of passage of the following measure:

(03-S 800)(Substitute "A") An Act relating to businesses and professions — architects, engineers, land surveyors and landscape architects.

Read and ordered to be placed on the Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1. (03-S 1167) An Act to vacate the forfeiture or revocation of the charter of Nathanael Greene Fraternal Association.
2. Appointment of Denise A. Barge of Cranston VICE Henry V. Johnson, Jr. to the Rhode Island Mortgage and Finance Corporation for a term to expire July 1, 2004.
3. Appointment of Thomas P. Sandham of Tiverton (Representing Eastern Rhode Island Conservation District) to the Rhode Island Rural Development Council for a term expiring July 1, 2003.
4. Appointment of Laurence W. Ehrhardt, Sr. of North Kingstown (Public Member) VICE Pamela Pogue to the Coastal Resources Management Council for a term expiring January 31, 2006.
5. Appointment of Timothy J. Brown, P.E. of East Greenwich (Public Water Systems Member) VICE Richard O. Rafanovic to the Water Resources

Board for a term expiring March 1, 2006.

CALENDAR

In order for the day is taken up as follows:

Upon suggestion of Senate Majority Leader Montalbano, and without objection, the following acts will be considered in one vote:

- 9. (03-H 6217) An Act relating to motor vehicles — special registration plate — Coventry — police chief emeritus.
- 15. (03-H 5056) (Substitute "A") An Act relating to towns and cities — Chopmist Water District.
- 16. (03-H 5336) (Substitute "A") An Act relating to taxation — levy and assessment of local taxes.
- 17. (03-H 5850) An Act relating to businesses and professions — athlete agents.
- 19. (03-H 5954) An Act relating to business and professions — Board of Medical Licensure and Discipline.
- 20. (03-H 6111) (Substitute "A" as amended) An Act relating to businesses and professions — nurses.
- 21. (03-H 6299) An Act relating to cities and towns — exempting from taxation certain property of the Healing Co-Op, Inc.
- 22. (03-H 6337) (Substitute "A") An Act relating to homestead exemptions in the town of Lincoln.
- 23. (03-H 6418) An Act relating to fixing the date and time for holding the annual town meeting in Jamestown.
- 24. (03-H 6441) An Act relating to taxation.
- 25. (03-H 6508) An Act relating to taxation — property subject to taxation.
- 27. (03-H 5350 as amended) An Act relating to education — school committees and superintendents.
- 30. (03-H 5824) (Substitute "A") An Act relating to education — compulsory attendance.
- 31. (03-H 5825) (Substitute "A" as amended) An Act relating to education.
- 35. (03-H 6154) (Substitute "A") An Act relating to education — Board of Governors for Higher Education.
- 43. (03-H 5392) An Act relating to boxing and wrestling.
- 44. (03-H 6288) An Act relating to animals and animal husbandry — dog licenses.

The acts are 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: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

- 1. Appointment of Solomon A. Solomon of East Providence VICE John Innis Howell, Jr. to the Board of Governors for Higher Education for a term expiring January 31, 2006.

Committee on Education recommends that the Senate give its Advice and Consent to this Appointment.

Senator Damiani, seconded by Senate Majority Leader Montalbano and Senators Issa, DaPonte, Revens, Celona, McCaffrey, McBurney, Parella, Tassoni, Felag, Caprio and many others, moves that Advice and Consent of the Senate be given this appointment.

Senators Polisena, DaPonte, Algieri and Senate Majority Leader Montalbano discuss the appointment.

The Advice and Consent of the Senate is given this appointment, by unanimous consent, upon a roll call vote with 36 Senators voting in the

affirmative and 0 Senators voting in the negative as follows:

YEAS — 36: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

GUEST

Upon suggestion of Senator Damiani, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Solomon A. Solomon of East Providence, newly confirmed member of the Board of Governors for Higher Education.

CALENDAR

2. Appointment of Allen P. Rubine of Cranston VICE Associate Justice Ronald Gagnon as Associate Justice of the Rhode Island Superior Court.

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

Senator Roberts, seconded by Senators Revens, Algieri and Senate Majority Leader Montalbano, moves that Advice and Consent of the Senate be given this appointment.

Senators Revens, Algieri and Senate Majority Leader Montalbano discuss the appointment.

The Advice and Consent of the Senate is given this appointment, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS — 36: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

GUESTS

Upon suggestion of Senator Roberts, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Allen P. Rubine of Cranston, newly confirmed Associate Justice of the Rhode Island Superior Court, along with Barbara Rubine, Daniel, Michael and Jessica Rubine, Allan Shine, Michael Coleman and Kathi Crowe.

CALENDAR

3. (03-S 139) An Act relating to military affairs — continuation of employment.

Committee on Commerce, Housing and Municipal Government recommends passage.

Senator Damiani moves passage, seconded by Senator Gallo, Felag, Issa, Perry, Celona, Breene, Blais, Connors, Pichardo, Lanzi, Badeau and many others.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS — 34: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

4. (03-S 829) (Substitute "A") An Act relating to businesses and professions — physical therapists.

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

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

5. (03-H 5409) (Substitute "A") An Act relating to banking law — dishonored checks.

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

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

6. (03-S 776) (Substitute "A") An Act relating to taxation — sales and use taxes — liability and computation.

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

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

7. (03-S 1049 as amended) An Act relating to real property — recording of instruments.

Committee on Finance recommends passage as amended.

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

8. (03-S 1058) An Act relating to alcoholic beverages — retail licenses.

Committee on Finance recommends passage.

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

10. (03-H 5015) (Substitute "A") An Act relating to child protection — Amber Alert.

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

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

11. (03-S 824) An Act relating to businesses and professions — athlete agents.

Committee on Commerce, Housing and Municipal Government recommends passage.

Senator Issa moves passage, seconded by Senator Celona.

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

YEAS — 37: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

12. (03-S 1112) An Act relating to towns and cities — zoning ordinances.

Committee on Commerce, Housing and Municipal Government recommends passage.

Senator Blais moves passage, seconded by Senator Breene.

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

YEAS — 37: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

13. (03-S 1147) An Act relating to taxation — property subject to taxation.

Committee on Commerce, Housing and Municipal Government recommends passage.

Senator Breene moves passage, seconded by Senator Blais.

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: The Honorable President Irons and Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

14. (03-S 1148) An Act relating to taxation — elderly real property exemption.

Committee on Commerce, Housing and Municipal Government recommends passage.

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

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

YEAS — 37: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

18. (03-H 5951) (Substitute "B") An Act relating to businesses and professions — physical therapists.

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

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

26. (03-S 418) (Substitute "A") An Act relating to education — school committees and superintendents.

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

Senator Gallo moves passage, seconded by Senators Walaska, Sosnowski and Issa.

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

YEAS — 37: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

28. (03-H 5435) (Substitute "A") An Act relating to complaints of harassment.

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

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

29. (03-H 5458 as amended) An Act relating to education — cooperative service among school districts.

Committee on Education recommends passage as amended in concurrence.

Senator Issa moves passage, seconded by Senator Gallo.

The act is read and passed, as amended, 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: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

32. (03-H 5834 as amended) An Act relating to school committees and superintendents — middle schools.

Committee on Education recommends passage as amended in concurrence.

Upon suggestion of Senator Goodwin, and without objection, ordered to be placed on the Desk.

33. (03-H 5919 as amended) An Act relating to education — health and safety of pupils.

Committee on Education recommends passage as amended in concurrence.

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

34. (03-H 5956) An Act relating to education — alternative education programs.

Committee on Education recommends passage in concurrence.

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

36. (03-H 5291) An Act relating to courts and civil procedure — courts — state and municipal court compact.

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Damiani.

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: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

37. (03-S 153) (Substitute "A") An Act relating to workers’ compensation — general provisions.

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

Senator Badeau moves passage, seconded by Senators Damiani, Connors and Ruggerio.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 30 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS — 30: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McCaffrey, Montalbano, Paiva Weed, Perry, Pichardo, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS — 2: Senators Polisena, Walaska.

38. (03-H 5080) (Substitute "A") An Act relating to Labor Relations Board — formal hearing.

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

Senator Badeau moves passage, seconded by Senator Ciccone.

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 0 Senators voting in the negative as follows:

YEAS — 35: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS — 0.

39. (03-H 5769) An Act relating to businesses and professions.

Committee on Labor recommends passage in concurrence.

Senator Badeau moves passage, seconded by Senators Ruggerio and Ciccone.

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: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

40. (03-H 5972) An Act relating to plumbers.

Committee on Labor recommends passage in concurrence.

Senator Badeau moves passage, seconded by Senators Ciccone, DaPonte, Ruggerio, Goodwin and Lanzi.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative, 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS — 36: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

ABSTAINED — 1: Senator Fogarty.

41. (03-S 1157) An Act relating to alcoholic beverages — regulation of sales.

Committee on Constitutional and Gaming Issues recommends passage.

Senator Badeau moves passage, seconded by Senators Ciccone, Bates, Celona and Ruggerio.

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: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

42. (03-H 5331) An Act relating to alcoholic beverages — licenses generally.

Committee on Constitutional and Gaming Issues recommends passage in concurrence.

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

FROM THE DESK

Upon suggestion of Senator Ruggerio, the following act is removed from the Desk and acted on as follows:

(03-S 1033 as amended) An Act relating to domestic relations — solemnization of marriages.

Senator McCaffrey moves passage, seconded by Senator Ruggerio.

Senator McCaffrey, seconded by Senators Ruggerio, Damiani and Paiva Weed, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(03-S 1033)

Mr. President:

I hereby move to amend (03-S 1033) entitled "AN ACT RELATING TO DOMESTIC RELATIONS — SOLEMNIZATION OF MARRIAGES", as follows:

(1) On page 2, line 6, after the word "state" by inserting the following language: "shall promulgate rules and regulations as may be necessary to implement and carry out the provisions of this section and".

(2) On page 2, line 11, by deleting the words, "upon passage" and inserting in lieu thereof: "October 1, 2003".

Respectfully submitted,

MICHAEL J. McCaffrey

Senator, District 29

Senators Felag, Gibbs and McCaffrey discuss the amendment.

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS — 37: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

Upon motion of Senator McCaffrey, seconded by Senator Ruggerio, read and passed, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS — 37: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

TRANSMITTAL

By unanimous consent, all Senate matters, House matters that have been amended by the Senate on the Secretary’s desk, and (03-H 5756), (03-H 5766), (03-H 5064), (03-H 5646), (03-H 5871), (03-H 5953) (Substitute "A"), (03-H 5989) (Substitute "A"), (03-H 5992), (03-H 5993), (03-H 6001) (Substitute "A"), (03-H 6026) and (03-H 6271), are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith and all House matters, passed in concurrence, are ordered placed on the desk.

GUEST

Upon suggestion of Senator Gibbs, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Nicholas Tsongas, former State Representative from Providence.

NEW BUSINESS

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

Senators Damiani, Polisena and Sosnowski present (03-S 1173) An Act relating to health and safety — Lyme disease diagnosis and treatment.

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

Senators Fogarty, Goodwin, Tassoni, Walaska and Bates present (03-S 1174) An Act relating to towns and cities — Echo Lake Water District.

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

Senators Tassoni and Celona present (03-S 1175) An Act relating to motor and other vehicles — operators’ and chauffeurs’ licenses.

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

Senators Goodwin and Ruggerio present (03-S 1176) Senate Resolution honoring Father Raymond M. Kelly for fifty-four years of unselfish commitment and devotion in the service of others.

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Sosnowski, Felag, Breene and Blais present (03-S 1177) Senate Resolution supporting the Rhode Island dairy industry and dairy farmers.

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.

Senators Paiva Weed, Perry, Goodwin, Roberts and Sheehan present (03-S 1178) Joint Resolution memorializing the United States Congress to enact a Medicare prescription drug benefit.

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

Senators Sosnowski and Felag present (03-S 1179) Senate Resolution creating a special Senate commission to study wastewater reclamation and reuse in Rhode Island.

Read and referred to the Committee on Environment and Agriculture.

ANNOUNCEMENTS

Senator Fogarty announces that the Committee on Commerce, Housing and Municipal Government will meet today at the rise of the Senate in Room 212 of the State House.

Also:

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet on Monday, June 30, 2003, at the rise of the Senate in Room 211 of the State House.

Also:

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

Also:

Senator McCaffrey announces that the Committee on Judiciary will meet on Monday, June 30, 2003, at 2:00 o'clock P.M. in Room 313 of the State House.

Also:

Senator Alves announces that the Committee on Finance will meet on Monday, June 30, 2003, at 2:00 o'clock P.M. in Room 211 of the State House.

Also:

Senator Montalbano announces that the Senate will meet on Monday, June 30, 2003, at 4:00 o'clock P.M.

AMENDMENTS TO THE BUDGET

Senator Alves announces that in accordance with Senate Rule 7.10, proposed amendments to the Annual Budget Bill must be filed with the Secretary of the Senate, Raymond T. Hoyas, Jr., no later than 12:00 o'clock Noon on Tuesday, July 1, 2003, and that the full Senate will consider the Budget Bill on Wednesday, July 2, 2003.

RECESS

Upon suggestion of Senator DaPonte, and by unanimous consent, the Senate stands at recess at 5:12 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order at 4:38 o'clock P.M. on Monday, June 30, 2003.

REPORTS OF COMMITTEES

COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT

Senator Celona, from the Committee on Commerce, Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

(03-S 300) (Substitute "A" as amended) An Act relating to towns and cities — low and moderate income housing.

Read and ordered to be placed on the Calendar.

(03-S 357) (Substitute "A") An Act relating to mandated health benefits review act.

Read and ordered to be placed on the Calendar.

(03-S 546) An Act relating to motor vehicles.

Read and ordered to be placed on the Calendar.

(03-S 809) (Substitute "A") An Act relating to the Tockwotton Home, originally incorporated as Home For Aged Women.

Read and ordered to be placed on the Calendar.

(03-S 905) (Substitute "A") An Act relating to taxation — sales and use taxes — liability and computation.

Read and ordered to be placed on the Calendar.

(03-S 932) (Substitute "A") An Act relating to the Prudence Island Water District.

Read and ordered to be placed on the Calendar.

(03-S 1113) An Act relating to taxation.

Read and ordered to be placed on the Calendar.

(03-H 5768) An Act relating to corporations, associations and partnerships — business corporations.

Read and ordered to be placed on the Calendar.

(03-H 5917) An Act relating to motor vehicles.

Read and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

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

(03-S 420) An Act relating to tax exemptions for farmland.

Read and ordered to be placed on the Calendar.

(03-S 1156) Joint Resolution making an appropriation to pay certain claims.

Read and ordered to be placed on the Calendar.

(03-S 1160) Joint Resolution making an appropriation to pay certain veterans' bonuses.

Read and ordered to be placed on the Calendar.

(03-S 1161) An Act authorizing the town of Middletown to borrow up to \$2,500,000 for the purpose of financing the construction of sewers and sewerage systems through the issuance of its general obligation bonds or notes including but not limited to, any bonds or notes issued pursuant to financing agreements with the Rhode Island Clean Water Finance Agency.

Read and ordered to be placed on the Calendar.

(03-H 5611) (Substitute "A") An Act relating to taxation.

Read and ordered to be placed on the Calendar.

(03-H 6033) An Act relating to towns and cities — relief of injured and deceased firefighters and police officers.

Read and ordered to be placed on the Calendar.

(03-H 6535) An Act authorizing the town of Middletown to finance the construction, furnishing and equipping of an elementary school through the issuance of not more than \$8,400,000 bonds and/or notes.

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:

(03-H 6567) An Act to vacate the forfeiture or revocation of the charter of Malchar Chiropractic Center, Ltd.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6568) An Act to vacate the forfeiture or revocation of the charter of Del Core Consultants, Inc.

Read and ordered to be placed on the Consent Calendar.

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the Senate adjourns at 4:40 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR DANIEL DaPONTE

LAST WEEK OF THE SESSION

Dear Lord, as we near the end of this legislative session, help us to remain patient, practice our resolve and refrain from that which is unproductive. We ask you to keep our minds focused on what is truly important, the service to our people. Amen.

Appendix

CONSENT CALENDAR

In order for Monday, June 30, 2003:

1. (03-H 6541) An Act to vacate the forfeiture or revocation of the charter of Service Vending, Inc.

Ordered on the Consent Calendar.

2. (03-H 6544) An Act to vacate the forfeiture or revocation of the charter of East Providence Coalition, Inc.

Ordered on the Consent Calendar.

3. (03-H 6574) An Act to vacate the forfeiture or revocation of the charter of Three Star Construction, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Thursday, June 26, 2003

Appendix

CALENDAR

In order for Monday, June 30, 2003:

1. (03-S 829) (Substitute "A") An Act relating to businesses and professions — physical therapists.

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

2. (03-H 5409) (Substitute "A") An Act relating to banking law — dishonored checks.

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

3. (03-H 5015) (Substitute "A") An Act relating to child protection — Amber Alert.

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

4. (03-H 5951) (Substitute "B") An Act relating to businesses and professions — physical therapists.

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

5. (03-H 5435) (Substitute "A") An Act relating to complaints of harassment.

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

6. (03-H 5919 as amended) An Act relating to education — health and safety of pupils.

Committee on Education recommends passage as amended in concurrence.

7. (03-H 5331) An Act relating to alcoholic beverages — licenses generally.

Committee on Constitutional and Gaming Issues recommends passage in concurrence.

8. (03-S 581) (Substitute "A" as amended) An Act relating to fishing.

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

9. (03-S 800) (Substitute "A") An Act relating to businesses and professions — architects, engineers, land surveyors and landscape architects.

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

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Thursday, June 26, 2003