

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

Volume 130, No. 67 *Monday, June 30, 2003* *Sixty-seventh Day*

The Senate meets pursuant to adjournment and is called to order by the Honorable William V. Irons, President of the Senate, at 4:40 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, Polisen, Revers, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT — 1: Senator Raptakis.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, June 25, 2003 proceedings is read in part.

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

FROM THE

HOUSE OF REPRESENTATIVES

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

(03-H 6423) An Act relating to public utilities and carriers — taxicabs and limited public motor vehicles.

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

Also:

(03-H 6464) An Act relating to property subject to taxation.

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

Also:

(03-H 6476) An Act relating to taxation — property subject to taxation.

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

Also:

(03-H 6499) (Substitute "A") An Act relating to property — mechanics’ liens.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5117 as amended) An Act relating to businesses and professions.

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

Also:

(03-H 5299) An Act relating to motor vehicles — funeral processions.

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

Also:

(03-H 6155) An Act relating to taxation — property subject to taxation.

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

Also:

(03-H 6316) An Act relating to taxation — levy and assessment of local taxes.

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

Also:

(03-H 5434) An Act relating to Rhode Island Veterans’ Home.

Read and referred to the Committee on Finance.

Also:

(03-H 6467) An Act relating to probate and practice.

Read and referred to the Committee on Judiciary.

Also:

(03-H 6552) An Act relating to labor and labor relations — correctional officers — arbitrators.

Read and referred to the Committee on Labor.

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 measure:

(03-S 1103) (Substitute "A") An Act relating to taxation — property subject to taxation.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

Appointment of Frank J. Rego of Rumford to the State Board of Elections for a term expiring June 1, 2015.

Read and ordered to be placed first 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 Algiere, the following measures on today’s Consent Calendar, by unanimous consent, are read and passed, in concurrence, upon a voice vote:

- 1. (03-H 6541) An Act to vacate the forfeiture or revocation of the charter of Service Vending, Inc.
- 2. (03-H 6544) An Act to vacate the forfeiture or revocation of the charter of East Providence Coalition, Inc.
- 3. (03-H 6574) An Act to vacate the forfeiture or revocation of the charter of Three Star Construction, Inc.
- 4. (03-H 6567) An Act to vacate the forfeiture or revocation of the charter of Malchar Chiropractic Center, Ltd.
- 5. (03-H 6568) An Act to vacate the forfeiture or revocation of the charter of Del Core Consultants, Inc.

CALENDAR

In order for the day is taken up as follows:

Appointment of Frank J. Rego of Rumford to the State Board of Elections for a term expiring June 1, 2015.

Ordered to be placed first on the Calendar.

Senator Damiani, seconded by Senators DaPonte, Celona, Bates, Algiere, Ruggerio, Alves, Perry, Caprio, Gallo, Issa, Fogarty, Polisena, Badeau, Senate Majority Leader Montalbano and many others, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Algiere, 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.

GUESTS

Upon suggestion of Senator Damiani, and by unanimous consent, the Honorable President welcomes to the Chamber Frank J. Rego, newly

confirmed member of the Rhode Island Board of Elections, along with his wife, Lisa Rego, his son Adam Rego, his son Joseph Rego and father Louis Rego along with his daughter Chelsea Rego who is at home with Mr. Rego’s mother, Mary Rego.

CALENDAR

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

- 5. (03-H 5435) (Substitute "A") An Act relating to complaints of harassment.
- 18. (03-H 5917) An Act relating to motor vehicles.
- 23. (03-H 5611) (Substitute "A") An Act relating to taxation.
- 24. (03-H 6033) An Act relating to towns and cities — relief of injured and deceased firefighters and police officers.

Senate Majority Leader Montalbano moves passage, seconded by Senator Algiere.

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 Algiere, Alves, Badeau, Bates, 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.

- 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".

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

- 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".

Senator Walaska moves passage, seconded by Senator Gallo.

Senator Walaska, seconded by Senators Gallo, Roberts and Paiva Weed, offers the following written motion to amend:

FLOOR AMENDMENT
TO
(03-H 5409) (Substitute "A")

Mr. President:

I hereby move to amend (03-H 5409) (Substitute "A") entitled "AN ACT RELATING TO BANKING LAW — DISHONORED CHECKS", as follows:

On page 2, by deleting lines 8 through 11, inclusive.

Respectfully submitted,

WILLIAM A. WALASKA
Senator, District 30

The motion to amend prevails upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS — 36: The Honorable President 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.

Upon motion of Senator Walaska, seconded by Senators Roberts, Gallo and Paiva Weed, 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 35 Senators voting in the affirmative, 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS — 35: 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, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

ABSTAINED — 1: Senator Algieri.

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".

Senator Polisena moves passage, seconded by Senate Majority Leader Montalbano and many others.

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

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".

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

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.

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

7. (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 Ruggerio, and without objection, ordered to be placed at the bottom of the Calendar.

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.

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

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 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.

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".

Senator Celona moves passage, seconded by Senator Tassoni.

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, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

10. (03-S 300) (Substitute "A" as amended) An Act relating to towns and cities — low and moderate income housing.

Committee on Commerce, Housing and Municipal Government 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.

13. (03-S 809) (Substitute "A") An Act relating to the Tockwotton Home, originally incorporated as Home For Aged Women.

Committee on Commerce, Housing and Municipal Government 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.

11. (03-S 357) (Substitute "A") An Act relating to mandated health benefits review act.

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

Senator Celona moves passage, seconded by Senator Tassoni.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS — 0.

12. (03-S 546) An Act relating to motor vehicles.

Committee on Commerce, Housing and Municipal Government recommends passage.

Senator Celona moves passage, seconded by Senator Tassoni.

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, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

14. (03-S 905) (Substitute "A") An Act relating to taxation — sales and use taxes — liability and computation.

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

Senator Alves moves passage, seconded by Senator Celona.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 33 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS — 33: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 1: Senator Blais.

15. (03-S 932) (Substitute "A") An Act relating to the Prudence Island Water District.

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

Senator Felag moves passage, seconded by Senators Celona, Connors and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

16. (03-S 1113) An Act relating to taxation.

Committee on Commerce, Housing and Municipal Government recommends passage.

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

17. (03-H 5768) An Act relating to corporations, associations and partnerships — business corporations.

Committee on Commerce, Housing and Municipal Government recommends passage in concurrence.

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

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, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

19. (03-S 420) An Act relating to tax exemptions for farmland.

Committee on Finance recommends passage.

Senator Breene moves passage, seconded by Senators Fogarty, Sosnowski and many others.

Senator Gibbs, seconded by Senators Breene, Alves, Paiva Weed and Sosnowski, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(03-S 420)

Mr. President:

I hereby move to amend (03-S 420) entitled "AN ACT RELATING TO TAX EXEMPTIONS FOR FARMLAND", as follows:

On page 1, line 17, after the word "sold", by adding the words "or donated".

Respectfully submitted,

JUNE N. GIBBS

Senator, District 12

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

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

NAYS — 0.

Upon motion of Senator Breene, seconded by Senators Sosnowski, Felag, Fogarty and others, the act is read and passed, as amended, 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, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

20. (03-S 1156) Joint Resolution making an appropriation to pay certain claims.

Committee on Finance recommends passage.

Senator Connors moves passage, seconded by Senator Pichardo.

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

YEAS — 32: The Honorable President Irons and Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Lanzi, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

21. (03-S 1160) Joint Resolution making an appropriation to pay certain veterans’ bonuses.

Committee on Finance recommends passage.

Senator Tassoni moves passage, seconded by Senators Paiva Weed and Fogarty.

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

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

NAYS — 0.

22. (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.

Committee on Finance recommends passage.

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

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

NAYS — 0.

25. (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.

Committee on Finance recommends passage in concurrence.

Senator Gibbs moves passage, seconded by Senator Paiva Weed.

The act is read and passed, in concurrence 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, 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.

FROM THE
HOUSE OF REPRESENTATIVES

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

(03-H 6174) (Substitute "A" as amended) An Act relating to making appropriations for the support of the state for the fiscal year ending June 30, 2004.

Read and referred to the Committee on Finance.

FROM THE DESK

Upon suggestion of Senator Ruggerio, and without objection, the following act is removed from the Desk and acted on as follows:

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

Senator Ruggerio moves passage, seconded by Senator Badeau.

Senator Badeau, seconded by Senator Ruggerio, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(03-H 5769)

Mr. President:

I hereby move to amend (03-S 5769) entitled "AN ACT RELATING TO BUSINESSES AND PROFESSIONS", as follows:

1. On page 1, line 4, by deleting the word and numeral "twelve (12)" and inserting in place thereof the word and numeral "thirteen (13)".
2. On page 1, line 5, by deleting the word and numeral "six (6)" and inserting in place thereof the word and numeral "eight (8)".
3. On page 1, line 6, by deleting the comma and inserting in place thereof a semi-colon.
4. On page 1, line 7, by deleting both commas and inserting in place thereof two semi-colons.
5. On page 1, line 8, by deleting the comma and inserting in place thereof a semi-colon.
6. On page 1, line 12, by deleting the word and numeral "six (6)" and inserting in place thereof the word and numeral "eight (8)".
7. On page 1, line 13, by deleting the word and numeral "four (4)" and inserting in place thereof the word and numeral "five (5)".

Respectfully submitted,

ROGER R. BADEAU
Senator, District 20

The motion to amend prevails upon a voice vote.

Upon motion of Senator Ruggerio, seconded by Senator Badeau, read and passed, as amended, 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, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

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 802) An Act relating to businesses and professions — home inspectors.

Read and ordered to be placed on the Calendar.

(03-S 1125) An Act relating to motor and other vehicles — motor fuel tax.

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

(03-H 5159) An Act relating to motor and other vehicles — operators’ and chauffeurs’ licenses.

Read and ordered to be placed on the Calendar.

(03-H 5216) (Substitute "A") An Act relating to airports and landing fields.

Read and ordered to be placed on the Calendar.

(03-H 5398) An Act relating to abandoned motor vehicles.

Read and ordered to be placed on the Calendar.

(03-H 5744) (Substitute "A") An Act relating to taxation — veterans’ exemption — total disability.

Read and ordered to be placed on the Calendar.

(03-H 6123) An Act relating to taxation.

Read and ordered to be placed on the Calendar.

(03-H 6218) An Act relating to town of Hopkinton.

Read and ordered to be placed on the Calendar.

(03-H 6417 as amended) An Act relating to levy and assessment of local taxes.

Read and ordered to be placed on the Calendar.

(03-H 6471) An Act relating to cities and towns — zoning.

Read and ordered to be placed on the Calendar.

(03-H 6475) An Act relating to cities and towns — exempting from taxation property of the Newport, Rhode Island Young Men’s Christian Association.

Read and ordered to be placed on the Calendar.

(03-H 6476) An Act relating to taxation — property subject to taxation.

Read and ordered to be placed on the Calendar.

(03-H 6527) An Act relating to taxation — elderly real property exemption.

Read and ordered to be placed on the Calendar.

(03-H 6547) 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.

COMMITTEE ON HEALTH
AND HUMAN SERVICES

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

(03-S 387) (Substitute "A") An Act relating to food and drugs — uniform controlled substances act.

Read and ordered to be placed on the Calendar.

(03-S 1105) (Substitute "A") Senate Resolution supporting health care access for all Rhode Island residents.

Read and ordered to be placed on the Calendar.

(03-H 6071) (Substitute "A") An Act relating to food and drugs — uniform controlled substances act.

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-S 1140 as amended) Joint Resolution to approve and publish and submit to the electors a proposition of amendment to the Constitution of the State (separation of powers).

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lenihan moves passage, seconded by Senators Sheehan, Badeau, Damiani, Parella, Gibbs, Celona, Paiva Weed, Walaska, Gallo, Fogarty, Sosnowski, Roberts and many others.

Senators Parella, Polisena, Sheehan, Blais, Algieri, Connors, Alves and Senate Majority Leader Montalbano discuss the act.

The resolution is read and passed, as amended, in concurrence, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS — 0.

(03-H 5081 as amended) Joint Resolution to approve and publish and submit to the electors a proposition of amendment to the Constitution of the State (separation of powers).

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lenihan moves passage, seconded by Senators Sheehan, Badeau, Damiani, Parella, Gibbs, Celona, Paiva Weed, Walaska, Gallo, Fogarty, Sosnowski, Roberts and many others.

Senators Parella, Polisena, Sheehan, Blais, Algieri, Connors, Alves and Senate Majority Leader Montalbano discuss the act.

The resolution is read and passed, as amended, in concurrence, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS — 0.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

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

(03-S 62) An Act relating to military affairs.

Read and ordered to be placed on the Calendar.

(03-S 258) An Act relating to taxation — sales and use taxes — liability and computation.

Read and ordered to be placed on the Calendar.

(03-S 1075) An Act relating to corporations — alternative fueled vehicle and filling station credit.

Read and ordered to be placed on the Calendar.

(03-H 5546) An Act relating to the economic development corporation.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

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

Senator Blais presents (03-S 1180) Senate Resolution congratulating the Western Rhode Island Civic Historical Society on the celebration of the fiftieth anniversary of the Paine Museum 1953-2003.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senator McCaffrey presents (03-S 1181) An Act to vacate the forfeiture or revocation of the charter of Gansett Steel Erectors Corp.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators McCaffrey, Revens, Walaska, Roberts and Lenihan present (03-S 1182) An Act relating to taxation — Warwick.

Read and ordered to be placed on the Calendar.

Senator Walaska presents (03-S 1183) Senate Resolution congratulating Patrick Lynch on receiving the American Cancer Society’s Courage Award.

Senator Walaska requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Irons, Revens and DaPonte present (03-S 1184) Senate Resolution congratulating Chris Rotelli on receiving the Tewaarton Trophy.

Senator Revens requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Irons, Montalbano and Algiere present (03-S 1185) Joint Resolution declaring and consenting to a recess of the General Assembly.

Senate Majority Leader Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senate Majority Leader Montalbano, seconded by the entire Senate, and by unanimous consent, read and passed, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS — 35: Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Parella, Perry, Pichardo, Polisen, Revers, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS — 0.

Senators Alves and Goodwin present (03-S 1186) An Act enabling the Rhode Island Lottery Commission to enter into a contract with Lincoln Park and Newport Grand Jai Alai.

Read and referred to the Committee on Finance.

Senators Irons and Damiani present (03-S 1187) An Act relating to special development districts — East Providence.

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

FROM THE
HOUSE OF REPRESENTATIVES

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

(03-H 6587) An Act relating to special development districts — East Providence.

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

NOW PRESIDING

The Honorable President yields the rostrum to the Honorable President Pro Tempore John C. Revers, Jr. at 6:00 o'clock P.M.

PERSONAL PRIVILEGE

President Irons, recognized on a point of personal privilege, addresses the body, regarding a recent newspaper article.

NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to the Honorable President, William V. Irons, at 6:20 o'clock P.M.

TRANSMITTAL

By unanimous consent, all Senate matters and House matters that have been amended by the Senate on the Secretary's desk 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.

ANNOUNCEMENTS

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet on Tuesday, July 1, 2003, at the rise of the Senate in Room 211 of the State House.

Also:

Senator Issa announces that the Committee on Education will meet on Tuesday, July 1, 2003, at the rise of the Senate in Room 212 of the State House.

Also:

Senator Connors announces that the Committee on Environment and Agriculture will meet on Tuesday, July 1, 2003, at 3:00 o'clock P.M. in the Senate Lounge 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 Bates announces that the Committee on Financial Services, Technology and Regulatory Issues will meet on Tuesday, July 1, 2003, at the rise of the Senate in the Senate Lounge of the State House.

Also:

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

BEST WISHES

Senator DaPonte extends congratulations and best wishes to Senator Polisena on the very special occasion of his recent birthday. The entire Senate joins in wishing Senator Polisena the very best.

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 motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Polisena, the Senate stands at recess at 6:26 o'clock P.M. until the call of the Chair, in memory of Ralph Macera, father of the Honorable William Macera, Mayor of Johnston.

CALLED TO ORDER

The Senate is called to order at 4:20 o'clock P.M. on Tuesday, July 1, 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 910) (Substitute "A") An Act relating to health insurance coverage — mandated hearing aid coverage.

Read and ordered to be placed on the Calendar.

(03-S 830) An Act relating to business and professions — Board of Medical Licensure and Discipline.

Read and ordered to be placed on the Calendar.

(03-H 6474) An Act relating to taxation.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

(03-S 348) An Act relating to District Court.

Read and ordered to be placed on the Calendar.

(03-S 490 as amended) An Act relating to the Rhode Island Justice Commission.

Read and ordered to be placed on the Calendar.

(03-S 662) An Act relating to courts and civil procedure — Family Court.

Read and ordered to be placed on the Calendar.

(03-S 667) An Act relating to court administration.

Read and ordered to be placed on the Calendar.

(03-S 1159) Joint Resolution creating a commission to provide for the determination, resolution, and settlement of the boundary line between the State of Connecticut and the State of Rhode Island and Providence Plantations from the mouth of the Ashaway River north to the Massachusetts border.

Read and ordered to be placed on the Calendar.

(03-H 5378) An Act relating to criminal offenses.

Read and ordered to be placed on the Calendar.

(03-H 5515) An Act relating to weapons.

Read and ordered to be placed on the Calendar.

(03-H 5516) (Substitute "A" as amended) An Act relating to criminal offenses - disorderly conduct.

Read and ordered to be placed on the Calendar.

(03-H 5629) An Act relating to the Department of Administration — state tax officials.

Read and ordered to be placed on the Calendar.

(03-H 5660) (Substitute "A") An Act relating to state affairs and government.

Read and ordered to be placed on the Calendar.

(03-H 5661) An Act relating to courts and civil procedure — Family Court.

Read and ordered to be placed on the Calendar.

(03-H 5662) An Act relating to courts and civil procedure — court administration.

Read and ordered to be placed on the Calendar.

(03-H 6452) An Act relating to courts and civil procedure — clerks of Supreme and Superior Courts.

Read and ordered to be placed on the Calendar.

(03-H 6499) (Substitute "A") An Act relating to property — mechanics’ liens.

Read and ordered to be placed on the Calendar.

(03-H 6534) An Act relating to Family Court.

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 432) (Substitute "A" as amended) An Act relating to corporations, associations and partnerships — Rhode Island Certified Capital Companies Act.

Read and ordered to be placed on the Calendar.

(03-S 1088) An Act relating to optional retirement for members of police force and fire fighters.

Read and ordered to be placed on the Calendar.

(03-S 1186) An Act enabling the Rhode Island Lottery Commission to enter into a contract with Lincoln Park and Newport Grand Jai Alai.

Read and ordered to be placed on the Calendar.

(03-H 6174) (Substitute "A" as amended) An Act relating to making appropriations for the support of the state for the fiscal year ending June 30, 2004.

Read and ordered to be placed on the Calendar.

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the Senate adjourns at 4:22 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR HANNA M. GALLO
LAST WEEK OF THE SESSION

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

Appendix

CALENDAR

In order for Tuesday, July 1, 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 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".
3. (03-H 5919 as amended) An Act relating to education — health and safety of pupils.
Committee on Education recommends passage as amended in concurrence.

4. (03-H 5331) An Act relating to alcoholic beverages — licenses generally.

Committee on Constitutional and Gaming Issues recommends passage in concurrence.

5. (03-S 300) (Substitute "A" as amended) An Act relating to towns and cities — low and moderate income housing.

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

6. (03-S 809) (Substitute "A") An Act relating to the Tockwotton Home, originally incorporated as Home For Aged Women.

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

7. (03-S 1113) An Act relating to taxation.

Committee on Commerce, Housing and Municipal Government recommends passage.

8. (03-S 802) (Substitute "A" as amended) An Act relating to businesses and professions — home inspectors.

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

9. (03-S 1125) An Act relating to motor and other vehicles — motor fuel tax.

Committee on Commerce, Housing and Municipal Government recommends passage.

10. (03-S 1175) An Act relating to motor and other vehicles — operators' and chauffeurs' licenses.

Committee on Commerce, Housing and Municipal Government recommends passage.

11. (03-H 5159) An Act relating to motor and other vehicles — operators' and chauffeurs' licenses.

Committee on Commerce, Housing and Municipal Government recommends passage in concurrence.

12. (03-H 5216) (Substitute "A") An Act relating to airports and landing fields.

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

13. (03-H 5398) An Act relating to abandoned motor vehicles.

Committee on Commerce, Housing and Municipal Government recommends passage in concurrence.

14. (03-H 5744) (Substitute "A") An Act relating to taxation — veterans’ exemption — total disability.

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

15. (03-H 6123) (Substitute "A") An Act relating to taxation.

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

16. (03-H 6218) An Act relating to town of Hopkinton.

Committee on Commerce, Housing and Municipal Government recommends passage in concurrence.

17. (03-H 6417 as amended) An Act relating to levy and assessment of local taxes.

Committee on Commerce, Housing and Municipal Government recommends passage as amended in concurrence.

18. (03-H 6471) (Substitute "A") An Act relating to cities and towns — zoning.

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

19. (03-H 6475) An Act relating to cities and towns — exempting from taxation property of the Newport, Rhode Island Young Men’s Christian Association.

Committee on Commerce, Housing and Municipal Government recommends passage in concurrence.

20. (03-H 6476) (Substitute "A") An Act relating to taxation — property subject to taxation.

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

21. (03-H 6527) An Act relating to taxation — elderly real property exemption.

Committee on Commerce, Housing and Municipal Government recommends passage in concurrence.

22. (03-H 6547) 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.

Committee on Commerce, Housing and Municipal Government recommends passage in concurrence.

23. (03-S 62) An Act relating to military affairs.

Committee on Finance recommends passage.

24. (03-S 258) (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".

25. (03-S 1075) (Substitute "A") An Act relating to corporations — alternative fueled vehicle and filling station credit.

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

26. (03-H 5546) An Act relating to the economic development corporation.

Committee on Finance recommends passage in concurrence.

27. (03-S 387) (Substitute "A") An Act relating to food and drugs — uniform controlled substances act.

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

28. (03-S 1105) (Substitute "A") Senate Resolution supporting health care access for all Rhode Island residents.

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

29. (03-H 6071) (Substitute "A") An Act relating to food and drugs — uniform controlled substances act.

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

30. (03-S 1182) An Act relating to taxation — Warwick.

Ordered on the Calendar.

31. (03-S 1103) (Substitute "A") An Act relating to taxation — property subject to taxation.

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

32. (03-S 117) An Act relating to textbooks.

Committee on Finance recommends passage.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Monday, June 30, 2003

