

## State of Rhode Island and Providence Plantations

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# Journal of the Senate

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**JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the sixth day of January in the year of Our Lord two thousand and four.**

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Volume 131, No. 61

Thursday, June 24, 2004

Sixty-first Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens Jr., President Pro Tempore of the Senate, at 2:54 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 0 Senators absent as follows:

**PRESENT** – 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 0:

### INVOCATION

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

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### APPROVAL OF RECORD

The Senate Journal of Tuesday, June 22, 2004 proceedings is read in part.

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

**GUESTS**

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber Myra Klingler of Providence, Anne Grant of Providence, Deborah DeBare of South Kingstown, Zulma Garcia of Providence, Susan Sweet of East Providence, Karen Jeffreys of North Kingstown, Jennifer Stevens of Providence, Sarah Hardy of Providence, Kate Williams of Providence, Stephanie Briggs of Woonsocket, Julia Guzman of Providence, Anita Corley of West Warwick, Erin Howard of Warwick, Victoria Paliotta of Cranston, Carmen Cruz of Providence, Marilia Merino of Pawtucket, Beth Hogan of Kingston, Sean Jacobs of Providence, Lisa Sapiro of Providence, Nicolis and Jose Garcia of Providence, Elizabeth Earls of South Kingstown, Jessica Buhler of Providence, Ann Rhodes of Providence and Natalie Almonte of Providence.

Upon suggestion of Senator Polisena and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber Andrew Dimitri and the Honorable Steve Smith, State Representative.

**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 measures:

**Senate Bill No. 3197 SUB A**

**BY** Senators Felag, Sosnowski, Paiva-Weed, Alves

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES MANAGEMENT COUNCIL

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3201**

**BY** Senator Sosnowski

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - WATER POLLUTION.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7052 SUB A**

**BY** Trillo, Gallison, Long, Ginaitt, Amaral

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - WATER POLLUTION

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7161** as amended

**BY** Ginaitt, Lewiss, McNamara, Dennigan

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES MANAGEMENT COUNCIL

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7647** SUB B as amended

**BY** Fox, Naughton, Moura, Ajello, Costantino

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7914** as amended

**BY** Ginaitt, Naughton

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - MAINTENANCE OF MARINE WATERWAYS AND BOATING FACILITIES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8198**

**BY** Flaherty, Naughton, Ginaitt, McNamara

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES.

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:

**Senate Bill No. 2798**

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO DEPARTMENT OF ADMINISTRATION - ORGAN TRANSPLANT FUND

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3136****BY** Senators Fogarty P, Gallo, Felag, Sheehan, Walaska**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF BURRILLVILLE TO FINANCE THE CONSTRUCTION, EQUIPPING AND FURNISHING OF AN ADDITION TO AND REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO THE W.L. CALLAHAN ELEMENTARY SCHOOL AND TO ISSUE NOT MORE THAN \$7,500,000 BONDS THEREFOR.

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:

**Senate Bill No. 2283 SUB A** as amended (Lt. Governor)**BY** Senators Tassoni, Polisena, Roberts, Perry**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CATASTROPHIC HEALTH INSURANCE PLAN ACT

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2882** as amended (Lt. Governor)**BY** Senator Goodwin**ENTITLED**, AN ACT RELATING TO INSURANCE -- ESTABLISHING A PILOT PRIMARY CARE PROGRAM FOR THE UNINSURED.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3102 SUB A** as amended**BY** Senators Roberts, Perry, Connors, Tassoni, Gibbs**ENTITLED**, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS -- THE RI HEALTHCARE REFORM ACT OF 2004 -- NONPROFIT INSURERS' MISSION AND GOVERNANCE

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7806 SUB A** as amended (Lieutenant Governor)**BY** Coderre E, Lowe, Moura, Kilmartin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7713** as amended (Lieutenant Governor)

**BY** Dennigan, Malik, Anguilla, Almeida

**ENTITLED**, AN ACT RELATING TO THE HEALTH CARE FOR FAMILIES ACT.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8225** SUB A as amended

**BY** Menard, Giannini

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- COMMUNITY RESIDENCES

Read and ordered to be placed on the Calendar

Also:

Appointment of Corinne Calise Russo of North Providence VICE Adelita S. Orefice as Director of the Department of Elderly Affairs.

Senator Roberts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Roberts, seconded by Senators Ruggerio, Montalbano, Paiva-Weed, Algieri, Blais, Gibbs, Badeau, Ciccone, Pichardo and many others, moves that advice and consent of the Senate be given this appointment.

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

NAYS- 0:

### GUESTS

Upon suggestion of Senator Roberts and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber Corinne Calise Russo, newly confirmed Director of the Department of Elderly Affairs along with Michael Russo, James DiMario, Judith DiMario, Antoinette Hoffman, Stephen Russo, Michelle Russo, Angelica Muscatelli, Angela Russo and Anthony Russo.

## NEW BUSINESS

**Senate Bill No. 3224****BY** Senator Revens**ENTITLED**, AN ACT RELATING TO STATE AID TO LIBRARIES.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senator Walaska.

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

**Senate Bill No. 3225****BY** Senators Pichardo, Roberts, Alves, Paiva-Weed**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- SPECIAL PROGRAM FOR CARE OF SEVERELY DISABLED ELDERLY RESIDENTS WHO NEED NURSING FACILITY SERVICES.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Connors.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

**Senate Resolution No. 3226****BY** Senator Sheehan**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE JUSTICES OF THE SUPREME COURT TO GIVE A WRITTEN OPINION UPON A QUESTION OF LAW.

Read and referred to Senate Committee on Judiciary

**COMMITTEE ON JUDICIARY**

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

**House Bill No. 7028** as amended**BY** Carter, San Bento, Shanley, Gallison, Moffitt**ENTITLED**, AN ACT RELATING TO MONUMENTS AND MEMORIALS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7074****BY** Williamson**ENTITLED**, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7147****BY** Giannini, Schadone, McNamara, Ginaitt, McHugh**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- KIDNAPPING

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7333** SUB A as amended**BY** Lewiss, Shanley, Anguilla, Malik, Schadone**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- REGULATION OF SALES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7400**

**BY** Giannini, Cerra, Shavers, Coderre E, Aubin

**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- ADOPTION OF CHILDREN

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7428**

**BY** Enos, Shanley, Gallison, Laroche, Lally

**ENTITLED**, AN ACT RELATING TO ELECTIONS -- LOCAL CANVASSING AUTHORITY.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7484** as amended

**BY** San Bento, Gallison, Lewiss, Coderre E

**ENTITLED**, AN ACT RELATING TO TAXATION -- TAX SALES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7725** as amended

**BY** Lima

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - - MISCELLANEOUS RULES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7891**

**BY** Lima, Giannini, Coderre E, Handy, Wasylyk

**ENTITLED**, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTION AND VOTING EQUIPMENT, AND SUPPLIES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8033**

**BY** Lima, Shavers

**ENTITLED**, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS AND OFFICIALS AND PRIMARY ELECTIONS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8046**

**BY** Lima

**ENTITLED**, AN ACT RELATING TO ELECTIONS -- TABULATION AND CERTIFICATION OF RETURNS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8047**

**BY** Lima

**ENTITLED**, AN ACT RELATING TO ELECTIONS -- RECOUNTS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8366** as amended

**BY** Lima, Cerra, Handy, Shavers, Palumbo

**ENTITLED**, AN ACT RELATING TO ELECTIONS - BALLOT SECURITY AND STORAGE.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7734** SUB B

**BY** Lewiss, Fox, Scott, Anguilla, Gorham

**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7751** SUB B

**BY** Lewiss, Anguilla, Fox, Lally, Schadone

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Read and ordered to be placed on the Calendar

## CALENDAR

## IN ORDER FOR THURSDAY, JUNE 24, 2004:

1. **2004-H 8219 SUB A as amended**

BY Watson

**ENTITLED,** AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE  
SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE  
30, 2005

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

Senator Alves moves passage, seconded by Senators Paiva-Weed, Ruggerio, Perry, Goodwin, Tassoni,  
Montalbano, Felag, Connors, Badeau and many others.

Senator Breene, seconded by Senator Algieri, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- H 8219 SUBSTITUTE A**

AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR  
THE FISCAL YEAR ENDING JUNE 30, 2005

Mr. President:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO  
MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR  
ENDING JUNE 30, 2005", as follows:

By adding the following new Article:

"ARTICLE \_\_\_\_\_

RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND LABOR AND LABOR RELATIONS  
SECTION 1. Chapter 36-4 of the General Laws entitled "Merit System" is hereby amended by adding  
thereto the following section:

**36-4-1.1. Definition.** – The term “employee” within state service shall refer only to a person duly  
appointed to a position that is created in accordance with the statutory provisions of the classified  
service, or the unclassified service, or the nonclassified service. Unless duly appointed, persons who are  
licensed, or regulated, or certified by any federal, state, or municipal governmental entity, or who are  
providing services under contract to the state of Rhode Island shall not be deemed employees as a result  
of being so licensed, regulated or certified or under contract. Further, and unless specifically provided  
otherwise by statute, the term shall not include persons who are employed by a quasi-public corporation.

SECTION 2. Section 36-11-1.1 of the General Laws in Chapter 36-11 entitled "Organization of State  
Employees" is hereby amended to read as follows:

**36-11-1.1. Definitions.** -- The following terms as used in this chapter shall have the following meaning:

(1) "Casual employees" shall mean those persons hired for an occasional period to perform special jobs  
or functions not necessarily related to the work performed by the regular employees in the collective  
bargaining unit.

(2) "Seasonal employees" shall mean those persons employed in positions which are part of an annual job employment program.

(3) "Employee" within state service shall refer only to a person duly appointed to a position that is created in accordance with the statutory provisions of the classified service, or the unclassified service, or the nonclassified service. Unless duly appointed, persons who are licensed, or regulated, or certified by any federal, state, or municipal governmental entity, or who are providing services under contract to the state of Rhode Island shall not be deemed employees as a result of being so licensed, regulated or certified or under contract. Further, and unless specifically provided otherwise by statute, the term shall not include persons who are employed by a quasi-public corporation.

SECTION 3. Section 28-7-3 of the General Laws in Chapter 28-7 entitled "Labor Relations Act" is hereby amended to read as follows:

**28-7-3. Definitions. --** When used in this chapter:

(1) "Board" means the labor relations board created by section 28-7-4.

(2) "Company union" means any committee employee representation plan or association of employees which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or terms and conditions of employment, which the employer has initiated or created or whose initiation or creation he or she has suggested, participated in or in the formulation of whose governing rules or policies or the conducting of whose management, operations, or elections the employer participates in or supervises, or which the employer maintains, finances, controls, dominates, or assists in maintaining or financing, whether by compensating any one for services performed in its behalf or by donating free services, equipment, materials, office or meeting space or any thing else of value, or by any other means.

(3) (i) "Employees" includes, but is not restricted to, any individual employed by a labor organization; any individual whose employment has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment; and shall not be limited to the employees of a particular employer, unless the chapter explicitly states otherwise. The term "employee" within state service shall refer only to a person duly appointed to a position that is created in accordance with the statutory provisions of the classified service, or the unclassified service, or the nonclassified service. Unless duly appointed, persons who are licensed, or regulated, or certified by any federal, state, or municipal governmental entity, or who are providing services under contract to the state of Rhode Island shall not be deemed employees as a result of being so licensed, regulated or certified or under contract. Further, and unless specifically provided otherwise by statute, the term shall not include persons who are employed by a quasi-public corporation.

(ii) "Employees" does not include any individual employed by his or her parent or spouse or in the domestic service of any person in his or her home, or any individuals employed only for the duration of a labor dispute, or any individuals employed as farm laborers.

(4) "Employer" includes any person acting on behalf of or in the interest of an employer, directly or indirectly, with or without his or her knowledge, but a labor organization or any officer or its agent shall only be considered an employer with respect to individuals employed by the organization.

(5) "Labor dispute" includes, but is not restricted to, any controversy between employers and employees or their representatives as defined in this section concerning terms, tenure, or conditions of employment or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to negotiate, fix, maintain, or change terms or conditions of employment, or concerning the violation of any of the rights granted or affirmed by this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(6) "Labor organization" means any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms or

conditions of employment, or of other mutual aid or protection and which is not a company union as defined in this section.

(7) "Person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(8) "Policies of this chapter" means the policies set forth in section 28-7-2.

(9) "Representatives" includes a labor organization or an individual whether or not employed by the employer of those whom he or she represents.

(10) "Unfair labor practice" means only those unfair labor practices listed in sections 28-7-13 and 28-7-13.1.

SECTION 4. This article shall take effect upon passage."

Respectfully submitted,  
SENATOR BREENE

Senator Ruggerio suggests that the Amendment is not germane and therefore is not properly before the body.

The Honorable President Pro Tempore rules that the Amendment is not properly before the body.

Senator Breene appeals the ruling of the chair.

The ruling of the chair is sustained upon a roll call vote with 26 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 26: The Honorable President Montalbano and, Alves, Badeau, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Algieri, Bates, Blais, Breene, Gibbs, Parella.

Senator Raptakis seconded by Senator Cote, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- H 8219 SUBSTITUTE A, As Amended**

**AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR  
THE FISCAL YEAR ENDING JUNE 30, 2005**

Mr. President:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, as amended, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

In Article 19, page 1, line 3, after the word "court" and prior to the word magistrate on line 4, by adding the words "with the advice and consent of the Senate".

Respectfully submitted,  
SENATOR RAPTAKIS

President Montalbano discusses the amendment.

The motion to amend fails of passage upon a roll call vote with 5 Senators voting in the affirmative and 30 Senators voting in the negative as follows:

YEAS- 5: Senators Blais, Breene, Cote, Parella, Raptakis.

NAYS- 30: The Honorable President Montalbano and Senators Algiere, Alves, Badeau, Bates, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Polisen, Revers, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

### **Statement of Conflict of Interest** **Pursuant to R.I. Gen. Laws § 36-14-6**

I, Senator Daniel J. Issa, holding the position of

Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving An Amendment (LC02861/5) to 2004H – 8219 Substitute A (As Amended), An Act Relating to Making Appropriations for the Support of the State for the Fiscal Year Ending June 30, 2005.

is presently before The Rhode Island State Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

I am a member of the Board of Governors for Higher Education.

3. [Please select one of the following]:

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24th day of June, 2004.

Senator Daniel J. Issa  
Signature

**Statement of Conflict of Interest**  
**Pursuant to R.I. Gen. Laws § 36-14-6**

I, Senator Joseph M. Polisena, holding the position of  
Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving An Amendment (LC02861/5) to 2004H – 8219 Substitute A (As Amended),  
An Act Relating to Making Appropriations for the Support of the State for the Fiscal Year Ending  
June 30, 2005.

is presently before The Rhode Island State Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

I am a part-time educator offering instruction at the Community College of Rhode Island.

3. [Please select one of the following]:

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24th day of June, 2004.

Senator Joseph M. Polisena  
Signature

Senator Raptakis seconded by Senators Parella, Blais and Cote, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- H 8219 SUBSTITUTE A, As Amended**

AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR  
THE FISCAL YEAR ENDING JUNE 30, 2005

Mr. President:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, as amended, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

- (1) Article 34, page 1, line 28, by restoring all of the stricken language.
- (2) Article 34, page 2, line 8, by restoring all of the stricken language.
- (3) Article 34, page 3, line 31, by deleting the language "under the".
- (4) Article 34, page 3, line 32, by deleting the language "requirements of section 35-3-4." and restoring all of the remaining stricken language.
- (5) Article 34, page 3, lines 33 and 34, by restoring all of the stricken language.

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Alves and Cote discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 10 Senators voting in the affirmative and 21 Senators voting in the negative and 2 Senators abstaining as follows:

YEAS- 10: Senators Algieri, Bates, Blais, Breene, Cote, Gibbs, Parella, Raptakis, Sheehan, Sosnowski.

NAYS- 21: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Lanzi, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Revens, Roberts, Ruggerio, Tassoni.

ABSTAINED- 2: Senators Issa, Polisena.

Senator Raptakis seconded by Senator Cote, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- H 8219 SUBSTITUTE A AS AMENDED**

AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR  
THE FISCAL YEAR ENDING JUNE 30, 2005

Mr. President:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A AS AMENDED, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

- (1) Article 39, page 3, by deleting all of the language appearing on lines 22 through 34, inclusive.
- (2) Article 39, page 4, by deleting all of the language appearing on lines 1 through 27, inclusive.
- (3) Article 39, page 4, line 28, by deleting the language "SECTION 3" and inserting in place thereof the language "SECTION 2".
- (4) Article 39, page 5, line 31, by deleting the language "SECTION 4" and inserting in place thereof the language "SECTION 3".

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Alves and Raptakis discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 3 Senators voting in the affirmative and 32 Senators voting in the negative as follows:

YEAS- 3: Senators Blais, Breene, Raptakis.

NAYS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senators Cote, Lenihan, Sheehan, Parella and Gibbs, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**

2004 -- H 8219 SUBSTITUTE A, AS AMENDED

AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR  
THE FISCAL YEAR ENDING JUNE 30, 2005

Mr. President:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, AS AMENDED, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

By deleting Article 45 in its entirety.

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Cote, Sheehan, Ciccone, Lenihan, Connors, Blais, Parella and President Montalbano discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 13 Senators voting in the affirmative and 22 Senators voting in the negative as follows:

YEAS- 13: Senators Algieri, Bates, Blais, Breene, Cote, Fogarty, Gibbs, Lenihan, Parella, Perry, Raptakis, Roberts, Sheehan.

NAYS- 22: The Honorable President Montalbano and Senators Alves, Badeau, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Pichardo, Polisena, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

Senators Algieri, Sheehan, Felag, Sosnowski, Lenihan, Roberts, Paiva-Weed and President Montalbano discuss the act.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 29 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Alves, Badeau, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Algiere, Bates, Blais, Breene, Gibbs, Parella, Sheehan.

### RECESS

Upon suggestion of Senator Paiva-Weed and by unanimous consent the Senate stands at recess at 4:29 o'clock P.M. until the call of the chair.

### CALL TO ORDER

The Senate is called to order at 7:38 o'clock P.M. on Thursday, June 24, 2004 by the Honorable President Joseph A. Montalbano.

### REPORTS OF COMMITTEES

#### COMMITTEE ON JUDICIARY

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

**Senate Bill No. 3215 SUB A**

**BY** Senators Polisena, Damiani, Raptakis, Tassoni

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8143**

**BY** Amaral

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and ordered to be placed on the Calendar

## 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:

**House Resolution No. 8600****BY** Kilmartin

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE IMPACT OF THE GOVERNMENT ACCOUNTING STANDARDS BOARD'S RULES AND REGULATIONS REGARDING OTHER POST EMPLOYMENT BENEFITS.

Read and ordered to be placed on the Calendar

**Statement of Conflict of Interest**

Pursuant to R.I. Gen. Laws § 36-14-6

I, M Teresa Paiva-Weed, holding the position of

Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving Workplace H-8392aa.

is presently before The Rhode Island State Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

My law firm represents Newport Grand

3. [Please select one of the following]:

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24th day of June, 2004.

Senator M Teresa Paiva-Weed  
Signature

### CALENDAR

**99. 2004-H 8392 as amended**

**BY Fox**

**ENTITLED, AN ACT RELATING TO WORKPLACE SAFETY**

Committee on Health & Human Services recommends passage as amended in concurrence.

Senator Sosnowski moves passage, seconded by Senators Roberts, Lenihan, Badeau, Sheehan, McCaffrey and others.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Paiva-Weed.

**3. 2004-S 2162 SUB B as amended**

**BY Issa**

**ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - OPERATORS' AND  
CHAUFFEURS' LICENSES**

Ordered on the Calendar

Senator Issa moves passage, seconded by Senators Tassoni and Bates.

The bill marked Substitute "B" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**Statement of Conflict of Interest****Pursuant to R.I. Gen. Laws § 36-14-6**

I, Senator Joseph A. Montalbano, holding the position of

President of the Rhode Island State Senate, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving The Appointment of Armeny Apkarian to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2007.

is presently before The Rhode Island State Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

3. [Please select one of the following]:

I am a Municipal Court Judge in North Providence.

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24<sup>th</sup> day of June, 2004.

President Joseph A. Montalbano  
Signature

**CALENDAR**

2. Reappointment of Armeny Apkarian of Cranston to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2007.

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

Senator McCaffrey, seconded by Senators Gallo, Badeau, Perry and Blais, 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 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Montalbano

**4. 2004-S 2176 as amended**

**BY Tassoni**

**ENTITLED,** AN ACT RELATING TO TAXATION -- MUNICIPAL LIEN  
CERTIFICATES

Ordered on the Calendar

Senator Tassoni moves passage, seconded by Senator Fogarty.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**5. 2004-S 2332 as amended**

**BY Badeau**

**ENTITLED,** AN ACT RELATING TO SUNDAY SALE OF ALCOHOLIC  
BEVERAGES

Ordered on the Calendar

Senator Badeau moves passage, seconded by Senators Lanzi, Cote, Ruggerio and many others.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 25 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 25: The Honorable President Montalbano and Senators Alves, Badeau, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Algieri, Bates, Blais, Breene, Gibbs, Parella, Raptakis.

**7. 2004-S 2339 SUB A****BY Sosnowski****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY --  
REGULATION OF VICIOUS DOGS

Ordered on the Calendar

Senator Sosnowski moves passage, seconded by Senator Damiani.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**8. 2004-S 2478 SUB B as amended****BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT-  
LOBBYING OF STATE EMPLOYEES

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senators Perry, Gallo, Lenihan, Sosnowski, Roberts and Sheehan.

The bill marked Substitute "B" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**Statement of Potential Conflict**

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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(s) 04-S 2506 Sub 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 potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 24th day of June, 2004

Raymond T. Hoyas

**9. 2004-S 2506 SUB A**

**BY Perry**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE  
ACCESSIBILITY ASSURANCE

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

Senator Perry moves passage, seconded by Senator Roberts.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Blais

**10. 2004-S 2511 SUB A**

**BY Polisena**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

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

Senator Caprio moves passage, seconded by Senators Ruggerio and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**11. 2004-S 2656 SUB A**

**BY Walaska**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
RHODE ISLAND HUMAN RESOURCES INVESTMENT COUNCIL

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

Senator Walaska moves passage, seconded by Senator Alves.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**12. 2004-S 2696**

**BY Tassoni**

**ENTITLED,** AN ACT RELATING TO THE BOARD OF MEDICAL LICENSURE  
AND DISCIPLINE

Committee on Health & Human Services recommends passage.

Senator Tassoni moves passage, seconded by Senator Roberts.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**13. 2004-S 2843 SUB A****BY McCaffrey****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
PUBLIC ACCOUNTANCY

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

Senator McCaffrey moves passage, seconded by Senators Damiani, Caprio, Ruggerio, Walaska and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 28 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 1: Senator Perry

**14. 2004-S 2863 SUB A****BY Revens****ENTITLED,** AN ACT RELATING TO DELINQUENT AND DEPENDENT  
CHILDREN -- O'ROURKE CHILDREN'S CENTER

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

Senator Revens moves passage, seconded by Senator Roberts.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**Statement of Potential Conflict**

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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
7. In my official capacity, I may be expected or required to vote or participate in the deliberations of bill(s) 04-S 2864 Sub A now pending before the Senate or a committee thereof.
8. I request that I be excused from voting, deliberating or taking action on the matter.
9. I do not desire to vote or deliberate because I have a potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
10. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 24th day of June, 2004

Raymond T. Hoyas

**15. 2004-S 2864 SUB A**

**BY Paiva-Weed**

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
GENERIC DRUGS**

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

Senator Paiva-Weed moves passage, seconded by Senators Roberts and Badeau.

Senator Roberts seconded by Senators Paiva-Weed, Sheehan, Badeau, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2864 SUBSTITUTE A**

**AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- GENERIC DRUGS**

Mr. President:

I hereby move to amend 2004 -- S 2864 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- GENERIC DRUGS", as follows:

1. On page 1, line 5, by deleting the word "for" and inserting in place thereof the words "which are".
2. On page 1, line 5, after the word "equivalent" by inserting the words "and interchangeable with specific".
3. On page 1, line 8, by deleting the word "therapeutically".

Respectfully submitted,  
SENATOR ROBERTS

The motion to amend prevails upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Blais

Senator Paiva-Weed moves passage of the act as amended, seconded by Senators Roberts, Badeau and Ciccone.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Blais

**16. 2004-S 2997 SUB A**

**BY Polisena**

**ENTITLED, AN ACT RELATING TO MOTOR VEHICLES**

Ordered on the Calendar

Senator Caprio moves passage, seconded by Senators Damiani and Badeau.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**17. 2004-S 3008 SUB A****BY Goodwin****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY TRANSIT SERVICE IN THE STATE OF RHODE ISLAND

Committee on Constitutional & Gaming Issues recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Goodwin moves passage, seconded by Senators Connors, Roberts and Ciccone.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**18. 2004-S 3099****BY Perry****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 --  
RESTRUCTURING STATE GOVERNMENT REGULATION OF HEALTH INSURANCE

Committee on Health & Human Services recommends passage.

Senator Perry moves passage, seconded by Senators Roberts, Parella and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**19. 2004-S 3101 SUB A****BY Alves****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH INSURANCE

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

Senator Roberts moves passage, seconded by Senators Paiva-Weed, Alves, and Sheehan.

Senator Roberts seconded by Senators Paiva-Weed, Alves and Sheehan, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 3101 SUBSTITUTE A**

**AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE DEPARTMENT OF  
BUSINESS REGULATION -- HEALTH INSURANCE**

Mr. President:

I hereby move to amend 2004 -- S 3101 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH INSURANCE", as follows:

(1) On page 2, line 13, by deleting the language "42-14-5" and inserting in lieu thereof the language "27-20.6-1(1)".

(2) On page 2, line 23, by deleting the language "27-19-6" and inserting in lieu thereof the language "42-62-13".

Respectfully submitted,  
SENATOR ROBERTS

The motion to amend prevails 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Alves moves passage of the act as amended, seconded by Senator Roberts.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**20. 2004-S 3103 SUB A****BY Tassoni****ENTITLED,** AN ACT RELATING TO HEALTH INSURANCE -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 -- HEALTH INSURANCE REGULATION

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

Senator Tassoni moves passage, seconded by Senator Roberts.

Senator Roberts seconded by Senators Tassoni, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 3103 SUBSTITUTE A**

AN ACT RELATING TO HEALTH INSURANCE -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 -- HEALTH INSURANCE REGULATION

Mr. President:

I hereby move to amend 2004 -- S 3103 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH INSURANCE -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 -- HEALTH INSURANCE REGULATION", as follows:

- (1) On page 9, line 7, by deleting the words "less than".
- (2) On page 9, line 7, by inserting the words "or less" following the numeral "(10)".

Respectfully submitted,  
SENATOR ROBERTS

Senator Paiva-Weed discusses the amendment.

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Tassoni moves passage of the act as amended, seconded by Senator Roberts.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**21. 2004-S 3106**

**BY Polisena**

**ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES -- SIZE, WEIGHT  
AND LOAD LIMITS

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Caprio moves passage, seconded by Senators Damiani and McCaffrey.

Senator Caprio seconded by Senator Damiani, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

**TO**

**2004 -- S 3106**

**AN ACT RELATING TO MOTOR VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS**

Mr. President:

I hereby move to amend 2004 -- S 3106, entitled "AN ACT RELATING TO MOTOR VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS", as follows:

(1) On page 1, line 6, by deleting the word "administration" and by inserting in its place thereof the word "transportation".

(2) On page 1, line 14, by deleting the word "administration" and by inserting in its place thereof the word "transportation".

Respectfully submitted,  
SENATOR CAPRIO

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Caprio moves passage of the act as amended, seconded by Senator Damiani.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**22. 2004-S 3151**

**BY Gallo**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,000,000 BONDS AND NOTES TO FINANCE THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT FOR A TERM NOT TO EXCEED TEN (10) YEARS

Committee on Finance recommends passage.

Senator Gallo moves passage, seconded by Senators Roberts and Lanzi.

Senator Gallo seconded by Senators Roberts and Lanzi, offers the following written motion to amend.

F L O O R   A M E N D M E N T  
TO  
2004 -- S 3151

AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,000,000 BONDS AND NOTES TO FINANCE THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT FOR A TERM NOT TO EXCEED TEN (10) YEARS

Mr. President:

I hereby move to amend 2004 -- S 3151, entitled "AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,000,000 BONDS AND NOTES TO FINANCE THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT FOR A TERM NOT TO EXCEED TEN (10) YEARS", as follows:

(1) On page 5, by inserting the following language between lines 10 and 11:

"SECTION 11. The general assembly finds and declares that maintenance of strong financial credit in Rhode Island cities and towns is essential to the citizens of this state. The director of finance of the city of Cranston shall file an application with the auditor general to issue bonds or notes issued hereunder pursuant to the provisions of this act. Upon receipt of the application the auditor general shall cause a review of the application to be made, taking into consideration the purpose of the financing, the ability of the city to provide other essential public improvements and services and to pay when due the principal and interest on its debts, the reasonableness of the amounts to be expended for each of the purposes or improvements to be financed, the amount of state aid payments likely to be made to the city based on the amount of state aid paid to that city over the prior two (2) fiscal years, the payments to be made on the proposed bond, and such other factors as the auditor general may deem necessary or advisable. As a condition to approving any such application, the auditor general shall review the recommendations of the Cranston financial review commission. If the review shows to the satisfaction of the auditor general that the city should be entitled to issue bonds or notes issued hereunder, the auditor general may authorize the city to issue such bond. Within sixty (60) days after the submission to it of an application, the auditor general shall authorize the issuance of bonds or notes issued hereunder, if the state auditor general is satisfied that the issuance of bonds or notes issued hereunder is appropriate and the city is taking appropriate

fiscal actions to improve the financial conditions of the city. If the auditor general is satisfied, the auditor general shall so indicate by issuing an approval of the request within said sixty (60) day period. Failure to issue an approval of the request within this sixty (60) day period shall be a denial of the application.

Notwithstanding the foregoing, from and after the City obtaining an investment grade rating from a recognized rating agency, this section shall have no force or effect and thereafter no application to, or review or approval by the Auditor General shall be required."

(2) On page 5, line 11, by deleting the word and numeral "SECTION 11" and inserting in place thereof the word and numeral "SECTION 12".

(3) On page 5 line 21, by deleting the word and numeral "SECTION 12". This and inserting in place thereof the word and numeral "SECTION 13".

Respectfully submitted,  
SENATOR GALLO

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Gallo moves passage of the act as amended, seconded by Senators Roberts and Lanzi.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**23. 2004-S 3152**

**BY Lanzi**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,400,000 BONDS AND NOTES TO FINANCE BUILDING REPAIRS, CONSTRUCTION AND RENOVATIONS TO THE CRANSTON WEST AREA CAREER AND TECHNICAL CENTER

Committee on Finance recommends passage.

Senator Lanzi moves passage, seconded by Senators Roberts and Gallo.

Senator Lanzi seconded by Senators Roberts and Gallo, offers the following written motion to amend.

**FLOOR AMENDMENT**

**TO**

**2004 -- S 3152**

**AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,400,000 BONDS AND NOTES TO FINANCE BUILDING REPAIRS, CONSTRUCTION AND RENOVATIONS TO THE CRANSTON WEST AREA CAREER AND TECHNICAL CENTER**

Mr. President:

I hereby move to amend 2004 -- S 3152, entitled "AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,400,000 BONDS AND NOTES TO FINANCE BUILDING REPAIRS, CONSTRUCTION AND RENOVATIONS TO THE CRANSTON WEST AREA CAREER AND TECHNICAL CENTER", as follows:

(1) On page 5, by inserting the following language between lines 10 and 11:

"SECTION 11. The general assembly finds and declares that maintenance of strong financial credit in Rhode Island cities and towns is essential to the citizens of this state. The director of finance of the city of Cranston shall file an application with the auditor general to issue bonds or notes issued hereunder pursuant to the provisions of this act. Upon receipt of the application the auditor general shall cause a review of the application to be made, taking into consideration the purpose of the financing, the ability of the city to provide other essential public improvements and services and to pay when due the principal and interest on its debts, the reasonableness of the amounts to be expended for each of the purposes or improvements to be financed, the amount of state aid payments likely to be made to the city based on the amount of state aid paid to that city over the prior two (2) fiscal years, the payments to be made on the proposed bond, and such other factors as the auditor general may deem necessary or advisable. As a condition to approving any such application, the auditor general shall review the recommendations of the Cranston Financial Review Commission. If the review shows to the satisfaction of the auditor general that the city should be entitled to issue bonds or notes issued hereunder, the auditor general may authorize the city to issue such bonds. Within sixty (60) days after the submission to it of an application, the auditor general shall authorize the issuance of bonds or notes issued hereunder, if the state auditor general is satisfied that the issuance of bonds or notes issued hereunder is appropriate and the city is taking appropriate fiscal actions to improve the financial conditions of the city. If the auditor general is satisfied, the auditor general shall so indicate by issuing an approval of the request within said sixty (60) day period. Failure to issue an approval of the request within this sixty (60) day period shall be a denial of the application.

Notwithstanding the foregoing, from and after the City obtaining an investment grade rating from a recognized rating agency, this section shall have no force or effect and thereafter no application to, or review or approval by the Auditor General shall be required."

(2) On page 5, line 11, by deleting the word and numeral "SECTION 11" and inserting in place thereof the word and numeral "SECTION 12".

(3) On page 5, line 22, by deleting the word and numeral "SECTION 12" and inserting in place thereof the word and numeral "SECTION 13".

Respectfully submitted,  
Senator Lanzi

The motion to amend prevails 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 Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Lanzi moves passage of the act as amended, seconded by Senators Roberts and Gallo.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**24. 2004-S 3182**

**BY Gallo**

**ENTITLED, AN ACT RELATING TO EDUCATION -- EDUCATION EQUITY  
AND PROPERTY TAX RELIEF**

Committee on Finance recommends passage.

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

Senator Gallo seconded by Senators Sosnowski, Walaska and Fogarty, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

**TO**

**2004 -- S 3182**

**AN ACT RELATING TO EDUCATION -- EDUCATION EQUITY AND PROPERTY TAX RELIEF**

Mr. President:

I hereby move to amend 2004 -- S 3182, entitled "AN ACT RELATING TO EDUCATION -- EDUCATION EQUITY AND PROPERTY TAX RELIEF", as follows:

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

"SECTION 1. Title 16 of the General Laws entitled "Education" is hereby amended by adding thereto the following chapter:

**CHAPTER 7.2**

**THE EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT**

**16-7.2-1. Legislative findings.** – (a) The general assembly recognizes the need for an equitable distribution of resources among the state's school districts, property tax relief and a predicable method of

distributing education aid. The general assembly finds that there is a need to reform the way public education is financed because:

- (1) All children should have access to an adequate and meaningful education regardless of their residence or economic means;
  - (2) A school funding system should treat property taxpayers equably, limit the portion of school budgets financed by property taxes, and establish sufficient cost controls on school spending;
  - (3) The state should ensure that its school funding structure adequately reflects the different needs of students, and closes the educational inequities among the state's school districts; and
  - (4) The state education funding system should provide a predictable amount and source of funding to ensure stability in the funding of schools.
- (b) The intent of this chapter is to promote a school finance system in Rhode Island that is predicated on student need and taxpayer ability to pay. A new school funding system in the state should promote educational equity for all students and reduce the reliance on the property tax to fund public education. This legislation is intended to ensure educational opportunity to each pupil in each city or town on substantially equal terms. Adequate per pupil support will be provided through a combination of state school aid and local education property tax levies.

**16-7.2-2. Joint legislative committee to establish a permanent education foundation aid formula for Rhode Island.**

– (a) There is hereby established a joint legislative committee to develop a basic foundation support program and an appropriate transition plan to fully implement a new funding system. The committee shall consist of ten (10) members, five (5) of which shall be appointed by the speaker of the house, one of which shall be from the minority party, and five (5) members appointed by the president of the senate, one of which shall be from the minority party. The speaker of the house and president of the senate shall each appoint a committee co-chair.

The joint legislative committee is directed to consider the following framework in developing a new education foundation support program:

- (1) A state education funding formula that is student population and needs driven. Student counts should include enrollments, students eligible for free and reduced lunch, those participating in language assistance programs, and special education. Provisions should be made for those school districts that experience declining enrollments.
  - (2) The accounting for "extraordinary special education expenditures" in special education spending for one child in a given fiscal year.
  - (3) A per pupil foundation amount to be used in the calculation of school funding. The per pupil foundation amount should be based on what the cost is to provide an equitable and adequate education, and consider various cost factors, such as pupil-teacher ratios, teacher and staff compensation, technology investments, educational supplies, teacher training and professional development, student performance assessments, curriculum offerings and support services and other costs associated with the delivery of educational services.
  - (4) Per pupil cost, based on a least cost option plan to provide purchase of service contracts in areas such as equipment, repair, benefits, transportation, general purchasing, capital construction, data processing and health and other insurance programs. In addition, the department of education should assist regional collaboratives in identifying opportunities to maximize multiple school district participation for "high cost" programs.
  - (5) Various methods of funding the system.
  - (6) A transition education funding plan.
- (b) The speaker of the house and president of the senate, in consultation with the committee co-chairs, are hereby directed to appoint a foundation aid technical advisory group, and a property tax relief technical advisory group.

(c) The foundation aid technical advisory group shall advise and assist the committee in recommending foundation aid amounts by: (1) identifying specific resources and least cost options to provide every child the opportunity to necessary educational opportunities to meet education performance standards; and (2) systematically calculating the amount of per pupil funding necessary to support an effective and efficient educational system. The group may create task forces to consider the needs of special populations, comprehensive education programs, and noneducational support activities, composed of experts in these areas. In developing a foundation aid amount, the group shall consider, among other factors, pupil-teacher ratios, compensation, collective bargaining practices, technology investments, educational supplies, teacher training and professional development, student performance assessments, curriculum offerings and support services and all other costs and needs associated with the delivery of educational services.

(d) The property tax relief technical advisory group shall advise and assist the committee in identifying the options and the impact of replacing existing local education property tax levies that support the funding of elementary and secondary education with other resources.

(e) The joint committee shall issue a report outlining its findings and recommendations no later than October 1, 2005.

All state agencies and departments shall be directed to cooperate with and provide all necessary information to the joint legislative committee.

SECTION 2. This act shall take effect upon passage.”

Respectfully submitted,  
SENATOR GALLO

The motion to amend prevails upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Gallo moves passage of the act as amended, seconded by Senators Sosnowski, Walaska and Fogarty.

Senator Sosnowski discusses the act.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**25. 2004-S 3184****BY Roberts****ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$7,000,000 BONDS AND NOTES TO FINANCE REPAIRS, RENOVATIONS AND FIRE CODE UPGRADES TO SCHOOL BUILDINGS IN THE CITY OF CRANSTON

Committee on Finance recommends passage.

Senator Roberts moves passage, seconded by Senators Gallo and Lanzi.

Senator Roberts seconded by Senators Gallo and Lanzi, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
TO  
2004 -- S 3184

AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$7,000,000 BONDS AND NOTES TO FINANCE REPAIRS, RENOVATIONS AND FIRE CODE UPGRADES TO SCHOOL BUILDINGS IN THE CITY OF CRANSTON

Mr. President:

I hereby move to amend 2004 -- S 3184, entitled "AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$7,000,000 BONDS AND NOTES TO FINANCE REPAIRS, RENOVATIONS AND FIRE CODE UPGRADES TO SCHOOL BUILDINGS IN THE CITY OF CRANSTON", as follows:

(1) On page 5, by inserting the following language between lines 9 and 10:

"SECTION 11. The general assembly finds and declares that maintenance of strong financial credit in Rhode Island cities and towns is essential to the citizens of this state. The director of finance of the city of Cranston shall file an application with the auditor general to issue bonds or notes issued hereunder pursuant to the provisions of this act. Upon receipt of the application the auditor general shall cause a review of the application to be made, taking into consideration the purpose of the financing, the ability of the city to provide other essential public improvements and services and to pay when due the principal and interest on its debts, the reasonableness of the amounts to be expended for each of the purposes or improvements to be financed, the amount of state aid payments likely to be made to the city based on the amount of state aid paid to that city over the prior two (2) fiscal years, the payments to be made on the proposed bond, and such other factors as the auditor general may deem necessary or advisable. As a condition to approving any such application, the auditor general shall review the recommendations of the Cranston Financial Review Commission. If the review shows to the satisfaction of the auditor general that the city should be entitled to issue bonds or notes issued hereunder, the auditor general may authorize the city to issue such bond. Within sixty (60) days after the submission to it of an application, the auditor general shall authorize the issuance of bonds or notes issued hereunder, if the state auditor general is satisfied that the issuance of bonds or notes issued hereunder is appropriate and the city is taking appropriate fiscal actions to improve the financial conditions of the city. If the auditor general is satisfied, the auditor general shall so indicate by issuing an approval of the request within said sixty (60) day period. Failure to issue an approval of the request within this sixty (60) day period shall be a denial of the application.

Notwithstanding the foregoing, from and after the City obtaining an investment grade rating from a recognized rating agency, this section shall have no force or effect and thereafter no application to, or review or approval by the Auditor General shall be required.”

(2) On page 5, line 10, by deleting the word and numeral “SECTION 11” and inserting in place thereof the word and numeral “SECTION 12”.

(3) On page 5, line 20, by deleting the word and numeral “SECTION 12” and inserting in place thereof the word and numeral “SECTION 13”.

Respectfully submitted,  
SENATOR ROBERTS

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

NAYS- 0:

Senator Roberts moves passage of the act as amended, seconded by Senators Gallo and Lanzi.

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

NAYS- 0:

**26. 2004-S 3186**

**BY Roberts**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,500,000 BONDS AND NOTES TO FINANCE REPAIRS AND RENOVATIONS TO BUILDINGS OWNED BY THE CITY OF CRANSTON (UP TO \$500,000 OF WHICH MAY BE USED FOR FIRE CODE UPGRADES

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Roberts moves passage, seconded by Senators Gallo and Lanzi.

Senator Roberts seconded by Senators Gallo and Lanzi, offers the following written motion to amend.

## FLOOR AMENDMENT

TO

2004 -- S 3186

AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,500,000 BONDS AND NOTES TO FINANCE REPAIRS AND RENOVATIONS TO BUILDINGS OWNED BY THE CITY OF CRANSTON (UP TO \$500,000 OF WHICH MAY BE USED FOR FIRE CODE UPGRADES

Mr. President:

I hereby move to amend 2004 -- S 3186, entitled "AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,500,000 BONDS AND NOTES TO FINANCE REPAIRS AND RENOVATIONS TO BUILDINGS OWNED BY THE CITY OF CRANSTON (UP TO \$500,000 OF WHICH MAY BE USED FOR FIRE CODE UPGRADES", as follows:

(1) On page 5, by inserting the following language between lines 11 and 12:

“SECTION 11. The general assembly finds and declares that maintenance of strong financial credit in Rhode Island cities and towns is essential to the citizens of this state. The director of finance of the city of Cranston shall file an application with the auditor general to issue bonds or notes issued hereunder pursuant to the provisions of this act. Upon receipt of the application the auditor general shall cause a review of the application to be made, taking into consideration the purpose of the financing, the ability of the city to provide other essential public improvements and services and to pay when due the principal and interest on its debts, the reasonableness of the amounts to be expended for each of the purposes or improvements to be financed, the amount of state aid payments likely to be made to the city based on the amount of state aid paid to that city over the prior two (2) fiscal years, the payments to be made on the proposed bond, and such other factors as the auditor general may deem necessary or advisable. As a condition to approving any such application, the auditor general shall review the recommendations of the Cranston Financial Review Commission. If the review shows to the satisfaction of the auditor general that the city should be entitled to issue bonds or notes issued hereunder, the auditor general may authorize the city to issue such bond. Within sixty (60) days after the submission to it of an application, the auditor general shall authorize the issuance of bonds or notes issued hereunder, if the state auditor general is satisfied that the issuance of bonds or notes issued hereunder is appropriate and the city is taking appropriate fiscal actions to improve the financial conditions of the city. If the auditor general is satisfied, the auditor general shall so indicate by issuing an approval of the request within said sixty (60) day period. Failure to issue an approval of the request within this sixty (60) day period shall be a denial of the application.

Notwithstanding the foregoing, from and after the City obtaining an investment grade rating from a recognized rating agency, this section shall have no force or effect and thereafter no application to, or review or approval by the Auditor General shall be required.”

(2) On page 5, line 12, by deleting the word and numeral “SECTION 11” and inserting in place thereof the word and numeral “SECTION 12”.

(3) On page 5, line 23, by deleting the word and numeral “SECTION 12” and inserting in place thereof the word and numeral “SECTION 13”.

Respectfully submitted,  
SENATOR ROBERTS

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

NAYS- 0:

Senator Roberts moves passage of the act as amended, seconded by Senators Gallo and Lanzi.

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

NAYS- 0:

**27. 2004-S 3187**

**BY Gallo**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES TO FINANCE THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT THE CITY OF CRANSTON

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Gallo moves passage, seconded by Senators Roberts and Lanzi.

Senator Gallo seconded by Senators Roberts and Lanzi, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

**TO**

**2004 -- S 3187**

**AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES TO FINANCE THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT THE CITY OF CRANSTON**

Mr. President:

I hereby move to amend 2004 -- S 3187, entitled "AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES TO FINANCE THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT

THE CITY OF CRANSTON", as follows:

(1) On page 5, by inserting the following language between lines 11 and 12:

"SECTION 11. The general assembly finds and declares that maintenance of strong financial credit in Rhode Island cities and towns is essential to the citizens of this state. The director of finance of the city of Cranston shall file an application with the auditor general to issue bonds or notes issued hereunder pursuant to the provisions of this act. Upon receipt of the application the auditor general shall cause a review of the application to be made, taking into consideration the purpose of the financing, the ability of the city to provide other essential public improvements and services and to pay when due the principal and interest on its debts, the reasonableness of the amounts to be expended for each of the purposes or improvements to be financed, the amount of state aid payments likely to be made to the city based on the amount of state aid paid to that city over the prior two (2) fiscal years, the payments to be made on the proposed bond, and such other factors as the auditor general may deem necessary or advisable. As a condition to approving any such application, the auditor general shall review the recommendations of the Cranston financial review commission. If the review shows to the satisfaction of the auditor general that the city should be entitled to issue bonds or notes issued hereunder, the auditor general may authorize the city to issue such bond. Within sixty (60) days after the submission to it of an application, the auditor general shall authorize the issuance of bonds or notes issued hereunder, if the state auditor general is satisfied that the issuance of bonds or notes issued hereunder is appropriate and the city is taking appropriate fiscal actions to improve the financial conditions of the city. If the auditor general is satisfied, the auditor general shall so indicate by issuing an approval of the request within said sixty (60) day period. Failure to issue an approval of the request within this sixty (60) day period shall be a denial of the application.

Notwithstanding the foregoing, from and after the City obtaining an investment grade rating from a recognized rating agency, this section shall have no force or effect and thereafter no application to, or review or approval by the Auditor General shall be required."

(2) On page 5, line 12, by deleting the word and numeral "SECTION 11" and inserting in place thereof the word and numeral "SECTION 12".

(3) On page 5, line 23, by deleting the word and numeral "SECTION 12." and inserting in place thereof the word and numeral "SECTION 13."

Respectfully submitted,

SENATOR GALLO

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

NAYS- 0:

Senator Gallo moves passage of the act as amended, seconded by Senators Roberts and Lanzi.

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

NAYS- 0:

**28. 2004-S 3188**

**BY Lanzi**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,900,000 BONDS AND NOTES TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF NEW PUBLIC LIBRARY BRANCHES IN THE CITY OF CRANSTON (UP TO \$900,000 OF WHICH SHALL BE FOR A BRANCH IN THE ARLINGTON NEIGHBORHOOD AND UP TO \$2,000,000 OF WHICH SHALL BE FOR A BRANCH IN WESTERN CRANSTON)

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Lanzi moves passage, seconded by Senators Roberts and Gallo.

Senator Lanzi seconded by Senators Roberts and Gallo, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 3188**

AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,900,000 BONDS AND NOTES TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF NEW PUBLIC LIBRARY BRANCHES IN THE CITY OF CRANSTON (UP TO \$900,000 OF WHICH SHALL BE FOR A BRANCH IN THE ARLINGTON NEIGHBORHOOD AND UP TO \$2,000,000 OF WHICH SHALL BE FOR A BRANCH IN WESTERN CRANSTON)

Mr. President:

I hereby move to amend 2004 -- S 3188, entitled "AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,900,000 BONDS AND NOTES TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF NEW PUBLIC LIBRARY BRANCHES IN THE CITY OF CRANSTON (UP TO \$900,000 OF WHICH SHALL BE FOR A BRANCH IN THE ARLINGTON NEIGHBORHOOD AND UP TO \$2,000,000 OF WHICH SHALL BE FOR A BRANCH IN WESTERN CRANSTON)", as follows:

(1) On page 5, by inserting the following language between lines 13 and 14:

"SECTION 11. The general assembly finds and declares that maintenance of strong financial credit in Rhode Island cities and towns is essential to the citizens of this state. The director of finance of the city of Cranston shall file an application with the auditor general to issue bonds or notes issued hereunder pursuant to the provisions of this act. Upon receipt of the application the auditor general shall cause a review of the application to be made, taking into consideration the purpose of the financing, the ability of the city to provide other essential public improvements and services and to pay when due the principal and interest on its debts, the reasonableness of the amounts to be expended for each of the purposes or improvements to be financed, the amount of state aid payments likely to be made to the city based on the amount of state aid paid to that city over the prior two (2) fiscal years, the payments to be made on the proposed bond, and such other factors as the auditor general may deem necessary or advisable. As a condition to approving any such application, the auditor general shall review the recommendations of the Cranston Financial Review Commission. If the review shows to the satisfaction of the auditor general that the city should be entitled to issue bonds or notes issued hereunder, the auditor general may authorize the city to issue such bonds. Within sixty (60) days after the submission to it of an application, the

auditor general shall authorize the issuance of bonds or notes issued hereunder, if the state auditor general is satisfied that the issuance of bonds or notes issued hereunder is appropriate and the city is taking appropriate fiscal actions to improve the financial conditions of the city. If the auditor general is satisfied, the auditor general shall so indicate by issuing an approval of the request within said sixty (60) day period. Failure to issue an approval of the request within this sixty (60) day period shall be a denial of the application. Notwithstanding the foregoing, from and after the City obtaining an investment grade rating from a recognized rating agency, this section shall have no force or effect and thereafter no application to, or review or approval by the Auditor General shall be required.”

(2) On page 5, line 14, by deleting the word and numeral “SECTION 11” and inserting in place thereof the word and numeral “SECTION 12”.

(3) On page 5, line 26, by deleting the word and numeral “SECTION 12.” and inserting in place thereof the word and numeral “SECTION 13.”

Respectfully submitted,  
SENATOR LANZI

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

NAYS- 0:

Senator Lanzi moves passage of the act as amended, seconded by Senators Roberts and Gallo.

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

NAYS- 0:

**29. 2004-S 3204**

**BY Revens**

**ENTITLED, AN ACT RELATING TO THE CITY OF WARWICK**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Revens moves passage, seconded by Senators Lenihan, Walaska and McCaffrey.

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

NAYS- 0:

### NEW BUSINESS

#### Senate Resolution No. 3229

**BY** Senators Montalbano J, Paiva-Weed, Ruggerio

**ENTITLED**, JOINT RESOLUTION DECLARING AND CONSENTING TO A RECESS OF THE GENERAL ASSEMBLY.

Senator Paiva-Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Paiva-Weed moves passage, seconded by Senators Algieri and Ruggerio.

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

NAYS- 0:

### Statement of Conflict of Interest

Pursuant to R.I. Gen. Laws § 36-14-6

I, Senator M Teresa Paiva-Weed, holding the position of

Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving Sports, Racings 2004-S-2338.

is presently before The Rhode Island State Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

My law firm represents Newport Grand

3. [Please select one of the following]:

- (X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)
- ( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24th day of June, 2004.

M Teresa Paiva-Weed  
Signature

### CALENDAR

#### 6. 2004-S 2338 SUB A

**BY Alves**

**ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND  
EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES**

Committee on Constitutional & Gaming Issues recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Alves moves passage, seconded by Senators Ruggerio, Goodwin, Tassoni, Ciccone and others.

Senator Alves seconded by Senators Goodwin, Ruggerio, Badeau, offers the following written motion to amend.

### FLOOR AMENDMENT TO

2004 -- S 2338 SUBSTITUTE A

**AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES**

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

- (1) On page 18, line 1, by deleting the words "single" and "and explanation".

(2) On page 18, line 22, by inserting after the word "State." the following language:

"Notwithstanding any provisions of this section 41-9.1-9, in the event that certification by the Commission of the statement of intent does not occur, then any vote by the qualified electors of the state and the Town of West Warwick on the question referenced in subsection (a) above shall be deemed non-binding."

(3) On page 22, line 23, by inserting after the number "9" the following language:

", subject to the receipt of any and all municipal approvals".

(4) On page 46, line 31, by inserting after the word "expenditure" the following language:  
"to the board of elections".

Respectfully submitted,  
SENATOR ALVES

Senators Alves and Lenihan discusses the amendment.

The motion to amend prevails 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Parella, Perry, Pichardo, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Breene seconded by Senator Blais, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2338 SUBSTITUTE A**

**AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES**

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

(1) On page 15, by adding the following language between lines 16 and 17:

"(20) The Commission is authorized and empowered to procure all slot machines and gaming devices permitted hereunder.

(21) The Commission shall procure a central communications monitoring system and shall require that all slot machines and gaming devices permitted pursuant to this chapter be linked to the central communications monitoring system."

(2) On page 15, line 17, by deleting the numeral "(20)" and inserting in place thereof the numeral "(22)".

Respectfully submitted,  
SENATOR BREENE

Senators Blais, Alves and Cote discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 7 Senators voting in the affirmative and 24 Senators voting in the negative as follows:

YEAS- 7: Senators Algieri, Bates, Blais, Breene, Gibbs, Parella and Raptakis

NAYS- 24: The Honorable President Montalbano and Senators Alves, Badeau, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Perry, Pichardo, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senator Lenihan, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
TO  
2004 -- S 2338 SUBSTITUTE A

AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

On page 45, by inserting the following language between lines 25 and 26:

**"41-9.1-41. Sports arena. - -** No sports arena or facility shall be constructed on the casino property in West Warwick which will seat more than four thousand (4,000) persons."

On page 45, line 26, be deleting the section number "41-9.1-41" and inserting in place thereof "41-9.1-42".

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Alves and Goodwin discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 7 Senators voting in the affirmative and 26 Senators voting in the negative as follows:

YEAS- 7: Senators Bates, Breene, Gibbs, Lenihan, Parella, Raptakis, Sheehan.

NAYS- 26: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Perry, Pichardo, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senator Parella, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
TO  
2004 -- S 2338 SUBSTITUTE A

AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

1. On page 45, between lines 25 and 26, by inserting the following language:

**"41-9.1-41. Convention facilities.** – No convention facility larger than fifty thousand (50,000) square feet shall be constructed on property owned by any gambling facility in the town of West Warwick."

2. On page 45, line 26, by deleting the section number "41-9.1-41" and inserting in place thereof the section number "41-9.1-42".

Respectfully submitted,  
SENATOR RAPTAKIS

Senator Alves discusses the amendment.

The motion to amend fails of passage upon a roll call vote with 3 Senators voting in the affirmative and 25 Senators voting in the negative as follows:

YEAS- 3: The Honorable President Montalbano and Senators Bates, Parella, Raptakis.

NAYS- 25: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Lanzi, McBurney, McCaffrey, Perry, Pichardo, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senator Cote, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2338 SUBSTITUTE A**

AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

(1) On page 22, line 11, by deleting "One hundred fifty thousand dollars (\$150,000)", and inserting in place thereof the following:

"An amount equal to one dollar (\$1.00) per every member of the population of the state of Rhode Island".

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Alves discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 11 Senators voting in the affirmative and 22 Senators voting in the negative as follows:

YEAS-11: Senators Blais, Breene, Connors, Cote, DaPonte, Gibbs, Lenihan, Parella, Pichardo, Raptakis, Sheehan.

NAYS- 22: The Honorable President Montalbano and Senators Algiere, Alves, Badeau, Bates, Ciccone, Damiani, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Perry, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senators Parella and Damiani, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2338 SUBSTITUTE A**

**AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES**

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

On page 22, between lines 13 and 14, by inserting the words:

“(h) Funding covenant of casino licensee in favor of education. One percent (1%) of the yearly budgeted amount by the general assembly to cities and towns for education shall be provided by the casino licensee as the legislature shall designate.”

Respectfully submitted,  
Senator Raptakis

Senator Alves discusses the amendment.

The motion to amend fails of passage upon a roll call vote with 12 Senators voting in the affirmative and 18 Senators voting in the negative as follows:

YEAS- 12: Senators Algiere, Bates, Blais, Breene, Damiani, Fogarty, Gibbs, Lenihan, Parella, Pichardo, Raptakis, Sheehan.

NAYS- 18: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Cote, DaPonte, Felag, Gallo, Goodwin, Lanzi, McBurney, McCaffrey, Perry, Revens, Roberts, Ruggerio, Tassoni, Walaska.

Senator Raptakis seconded by Senators Parella, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2338 SUBSTITUTE A**

**AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES**

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

On page 22, between lines 13 and 14, by adding thereto the following language:

“(h) An amount equal to ten percent (10%) of all monies allocated to the town of West Warwick from or related to a casino in West Warwick shall be distributed by the applicant equally to the cities and towns of Cranston, Coventry, Warwick and East Greenwich, and one percent (1%) to the remaining municipalities in the state”.

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Alves, Lenihan and Sheehan discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 11 Senators voting in the affirmative and 20 Senators voting in the negative as follows:

YEAS- 11: Senators Algieri, Bates, Blais, Breene, Cote, Fogarty, Gibbs, Lenihan, Parella, Raptakis, Sheehan.

NAYS- 20: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Damiani, DaPonte, Felag, Goodwin, Lanzi, McBurney, McCaffrey, Perry, Pichardo, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senator Parella, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2338 SUBSTITUTE A**

**AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES**

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

(1) On page 20, line 27, by deleting the language "one hundred million dollars (\$100,000,000)" and inserting in place thereof the language "five hundred million dollars (\$500,000,000)".

(2) On page 20, lines 28 to 31, by deleting all of the language appearing on lines 28 through 31, inclusive, and inserting in place thereof the following:

"by the casino licensee to the state in ten (10) equal installments of fifty million dollars (\$50,000,000) each as follows: (i) the first payment shall be due on the date of the issuance of the casino license; (ii) thereafter, the remaining second through the tenth payment shall be due on an annual basis, with each payment to be due on the yearly anniversary date of the issuance of the casino license, until the entire casino license fee of five hundred million dollars (\$500,000,000) is paid."

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Alves, Raptakis and Badeau discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 6 Senators voting in the affirmative and 26 Senators voting in the negative as follows:

YEAS- 6: Senators Bates, Blais, Breene, Gibbs, Parella, Raptakis.

NAYS- 26: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Perry, Pichardo, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senator Parella, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2338 SUBSTITUTE A**

**AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF  
GAMBLING ACTIVITIES AND OTHER FACILITIES**

Mr. President:

I hereby move to amend 2004 -- S 2338 SUBSTITUTE A, entitled "AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES", as follows:

1. On page 21, line 3, by deleting the number and percentage "25.00%" and inserting in place thereof the number and percentage "30.00%";
2. On page 21, line 4, by deleting the number and percentage "27.00%" and inserting in place thereof the number and percentage "30.00%";
3. On page 21, line 5, by deleting the number and percentage "29.00%" and inserting in place thereof the number and percentage "30.00%";
4. On page 21, line 6, by deleting the number and percentage "31.00%" and inserting in place thereof the number and percentage "35.00%";
5. On page 21, line 7, by deleting the number and percentage "33.00%" and inserting in place thereof the number and percentage "35.00%";
6. On page 21, line 13, by deleting the number and percentage "25.00%" and inserting in place thereof the number and percentage "30.00%";
7. On page 21, line 14, by deleting the number and percentage "28.00%" and inserting in place thereof the number and percentage "30.00%";

8. On page 21, line 16, by deleting the number and percentage "32.00%" and inserting in place thereof the number and percentage "35.00%".

Respectfully submitted,  
SENATOR RAPTAKIS

Senator Alves discusses the amendment.

The motion to amend fails of passage upon a roll call vote with 3 Senators voting in the affirmative and 27 Senators voting in the negative as follows:

YEAS- 3: Senators Gibbs, Parella, Raptakis.

NAYS- 27: The Honorable President Montalbano and Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Perry, Pichardo, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senators Lenihan, Sheehan, Raptakis, Cote, Gibbs, Parella, Tassoni, Goodwin, Ciccone, Blais, Connors, Ruggerio and Perry discuss the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon roll call vote with 23 Senators voting in the affirmative and 11 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 23: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Perry, Pichardo, Polisena, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 11: Senator Algiere Bates, Blais, Breene, Gibbs, Lenihan, Parella, Raptakis, Revens, Roberts, Sheehan.

ABSTAINED- 1: Senator Paiva-Weed.

**30. 2004-S 3208**

**BY Felag**

**ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --  
RHODE ISLAND VETERANS' HOME

Committee on Finance recommends passage.

Senator Felag moves passage, seconded by Senators Issa, Tassoni, Parella, Damiani, Algiere and 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 Montalbano and Senators Algiere, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**31. 2004-S 3220**

**BY Fogarty P**

**ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Ordered on the Calendar

Senator Fogarty moves passage, seconded by Senators Gallo, McCaffrey and others.

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 Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**32. 2004-H 7031 SUB A as amended**

**BY Picard**

**ENTITLED,** AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES

Committee on Constitutional & Gaming Issues recommends indefinite postponement of the original bill and passage of Substitute A as amended in concurrence.

Senator Goodwin moves passage, seconded by Senators McCaffrey, Badeau, Cote and Ciccone.

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

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

NAYS- 0:

**33. 2004-H 7066 as amended**

**BY Kilmartin**

**ENTITLED,** AN ACT RELATING TO UNFAIR SALES PRACTICES

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

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

The act is read and passed, by unanimous consent, as amended, in concurrence, 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 Montalbano and Senators Algieri, Badeau, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**34. 2004-H 7073 SUB A**

**BY McNamara**

**ENTITLED, AN ACT RELATING TO RHODE ISLAND UNIFORM COMMERCIAL  
DRIVER'S LICENSE ACT**

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

Senator Raptakis moves passage, seconded by Senators Connors, Ciccone and Sosnowski.

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

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

NAYS- 0:

**Statement of Potential Conflict**

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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(s) 04- H- 7129 Sub 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 potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 24th day of June, 2004

Raymond T. Hoyas

**35. 2004-H 7129 SUB A**

**BY Laroche**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- PHARMACY FREEDOM OF CHOICE -- FAIR COMPETITION AND PRACTICES

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

Senator Polisena moves passage, seconded by Senators Tassoni, Damiani and Algieri.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 30: Senators Algieri, Alves, Bates, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Blais

**37. 2004-H 7190**

**BY Gallison**

**ENTITLED,** AN ACT RELATING TO RHODE ISLAND VETERANS' HOME

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Felag and Parella.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

## Statement of Conflict of Interest

Pursuant to R.I. Gen. Laws § 36-14-6

I, Senator J. Michael Lenihan, holding the position of  
Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving 2004H-7284 (Substitute A), An Act Relating to Real Estate Sales Disclosure

:

is presently before The Rhode Island Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

My spouse is a licensed real estate broker.

3. [Please select one of the following]:

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24<sup>th</sup> day of June, 2004.

Senator Lenihan  
Signature

### 38. 2004-H 7284 SUB A

**BY Shanley**

**ENTITLED, AN ACT RELATING TO REAL ESTATE SALES DISCLOSURES**

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

Senator Sosnowski moves passage, seconded by Senator Sheehan.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Lenihan

**39. 2004-H 7318**

**BY Scott**

**ENTITLED, AN ACT RELATING TO RENAMING ROUTE 2, EXETER**

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

Senator Breene moves passage, seconded by Senators Felag, Blais, Damiani, Sosnowski and others.

Senators Sheehan and Breene discuss the act.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**Statement of Potential Conflict**

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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(s) 04- H- 7320 Sub 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 potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 24th day of June, 2004

Raymond T. Hoyas

**40. 2004-H 7320 SUB A**

**BY Anguilla**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND  
PROFESSIONS-PHARMACIES

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

Senator Roberts moves passage, seconded by Senators Badeau and Cote.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Blais

**41. 2004-H 7321**

**BY Lewiss**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - -  
CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS  
AND INFORMATION ACT

Committee on Judiciary recommends passage in concurrence.

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

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**43. 2004-H 7327**

**BY Flaherty**

**ENTITLED,** AN ACT RELATING TO INSURANCE --CONTINUING  
EDUCATION REQUIREMENTS

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

Senator Raptakis moves passage, seconded by Senator Polisena.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**46. 2004-H 7418 as amended**

**BY Brien T**

**ENTITLED,** AN ACT RELATING TO SUNDAY SALE OF ALCOHOLIC  
BEVERAGES

Committee on Constitutional & Gaming Issues recommends passage as amended in concurrence.

Senator Goodwin moves passage, seconded by Senator Paiva-Weed.

The act is read and passed, as amended, upon a roll call vote with 25 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 25: Senators Badeau, Bates, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senator Algieri Blais, Breene, Gibbs, Parella, Raptakis.

**47. 2004-H 7441 SUB A****BY Lima****ENTITLED,** AN ACT RELATING TO TRUTH IN LENDING AND RETAIL  
SELLING

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

Senator Goodwin moves passage, seconded by Senators Paiva-Weed and Lanzi.

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

NAYS- 0:

**48. 2004-H 7442****BY Lima****ENTITLED,** AN ACT RELATING TO UNFAIR SALES PRACTICES

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

Senator Blais moves passage, seconded by Senators Bates, Pichardo and Lanzi.

Senator Paiva-Weed seconded by Senator Blais, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- H 7442**

**AN ACT RELATING TO UNFAIR SALES PRACTICES**

Mr. President:

I hereby move to amend 2004 -- H 7442, entitled "AN ACT RELATING TO UNFAIR SALES PRACTICES", as follows:

On page 1, line 4, by inserting after the word "at" the following language: "any retail or wholesale store location,".

Respectfully submitted,  
SENATOR PAIVA-WEED

The motion to amend prevails upon a roll call vote with 27 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 27: Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Blais moves passage of the act as amended, seconded by Senators Paiva-Weed.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 26 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 26: Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**53. 2004-H 7566 as amended**

**BY Carter**

**ENTITLED,** AN ACT MAKING AN APPROPRIATION TO PAY CERTAIN  
VETERANS' BONUSES

Committee on Finance recommends passage as amended in concurrence.

Senator Paiva-Weed moves passage, seconded by Senator McBurney.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 27 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Pichardo, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**50. 2004-H 7503 SUB A as amended**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
DISABILITY BUSINESS ENTERPRISES

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

Senator Lanzi moves passage, seconded by Senator Connors.

Senator Lanzi seconded by Senator Connors, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- H 7503 SUBSTITUTE A, As Amended**

**AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- DISABILITY BUSINESS ENTERPRISES**

Mr. President:

I hereby move to amend 2004 -- H 7503 SUBSTITUTE A, As Amended, entitled "AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- DISABILITY BUSINESS ENTERPRISES", as follows:

1. On page 4, lines 2 and 3, by deleting the language "37-2-9(2)(14)" and inserting the language "37-2-9(b)(14)" in place thereof.
2. On page 4, line 28, by deleting the language "37-2-9(2)(14)" and inserting the language "37-2-9(b)(14)" in place thereof.
3. On page 4, line 34, and page 5, line 1, by deleting the language "37-2-9(2)(14)" and inserting the language "37-2-9(b)(14)" in place thereof.
4. On page 5, line 2, by deleting all of the language appearing on line 2 and inserting in place thereof the following:

"SECTION 2. Chapter 37-2.2 of the General Laws entitled "Disability Business Enterprises" is hereby amended by adding thereto the following section:

**37-2.2-5. Nonapplicability to road and highway construction businesses.** – Notwithstanding anything to the contrary, the provisions of this chapter shall not apply to any business whose primary business is road or highway construction.

SECTION 3. This act shall take effect upon passage."

Respectfully submitted,  
SENATOR LANZI

The motion to amend prevails upon a roll call vote with 28 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais, Breene.

Senator Lanzi moves passage of the act as amended, seconded by Senator Connors.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**54. 2004-H 7606****BY Shavers****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
DISTRESSED AREAS ECONOMIC REVITALIZATION ACT

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

Senator Paiva-Weed moves passage, seconded by Senator Gibbs.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**56. 2004-H 7670 as amended****BY Fox****ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS --  
BOXING AND WRESTLING

Committee on Constitutional & Gaming Issues recommends passage as amended in concurrence.

Senator Goodwin moves passage, seconded by Senators Tassoni and Felag.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**57. 2004-H 7680****BY Rose****ENTITLED,** AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE  
-- UNCLAIMED PROPERTY

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator McCaffrey.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**59. 2004-H 7805**

**BY Coderre E**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
MOTOR VEHICLE REPAIR SHOP ACT

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

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

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**60. 2004-H 7810**

**BY Kilmartin**

**ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES --  
REGULATION OF SALES

Committee on Judiciary recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senator Tassoni.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**63. 2004-H 7935 as amended****BY Corvese****ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT**

Committee on Finance recommends passage as amended.

Senator Blais moves passage, seconded by Senators Bates.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### **Statement of Conflict of Interest**

**Pursuant to R.I. Gen. Laws § 36-14-6**

I, Senator Marc A. Cote, holding the position of

Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving 2004H-7997, An Act Relating to Businesses and Professions - - Real Estate Brokers and Salespersons.

is presently before The Rhode Island Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

I am a licensed real estate broker.

3. [Please select one of the following]:

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24<sup>th</sup> day of June, 2004.

Senator Cote  
Signature

**Statement of Conflict of Interest**  
**Pursuant to R.I. Gen. Laws § 36-14-6**

I, Senator J. Michael Lenihan, holding the position of  
Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving 2004H-7997, An Act Relating to Businesses and Professions - - Real Estate Brokers and Salespersons.

is presently before The Rhode Island Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

My spouse is a licensed real estate broker.

3. [Please select one of the following]:

- (X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)
- ( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 24<sup>th</sup> day of June, 2004.

Senator Lenihan  
Signature

**66. 2004-H 7997**  
**BY McCauley**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - -  
REAL ESTATE BROKERS AND SALESPERSONS**

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

Senator Raptakis moves passage, seconded by Senators Blais and Polisena.

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative and 2 Senators abstaining as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 2: Senators Cote and Lenihan

**67. 2004-H 8030**

**BY Benson**

**ENTITLED,** AN ACT RELATING TO THE PERMANENT JOINT COMMITTEE  
ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND  
OTHER STATE CONSTRUCTIONS

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

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

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**68. 2004-H 8042 SUB A**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE  
RATING

Committee on Financial, Technology, Regulatory recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

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

**69. 2004-H 8109**

**BY Handy**

**ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL JOINT

COMMISSION TO STUDY A STATEWIDE COORDINATION OF  
ENVIRONMENTAL HEALTH AND SAFETY ISSUES,  
INFORMATION AND RESOURCES FOR RHODE ISLAND  
SCHOOLS

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Sosnowski, Roberts, Pichardo.

The resolution is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: Senators Algieri, Alves, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**70. 2004-H 8197**

**BY Flaherty**

**ENTITLED,** AN ACT RELATING TO AERONAUTICS -- PERMANENT AIR  
QUALITY MONITORING ACT

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

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

**71. 2004-H 8202**

**BY Flaherty**

**ENTITLED,** AN ACT RELATING TO AERONAUTICS -- NOISE MONITORING  
ACT

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

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

**73. 2004-H 8296**

**BY Anguilla**

**ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES

Committee on Judiciary recommends passage in concurrence.

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

**78. 2004-H 8566****BY McManus****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

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

Senator Blais moves passage, seconded by Senator Bates.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**80. 2004-H 8580****BY Rose****ENTITLED,** AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE, TO FINANCE THE ACQUISITION OF A SITE AND THE DESIGN AND CONSTRUCTION OF A MULTI-PURPOSE COMMUNITY/RECREATION COMPLEX IN LIEU OF CONVERTING MARTIN MIDDLE SCHOOL TO SUCH PURPOSE, AS WAS PREVIOUSLY APPROVED BY THE VOTERS OF EAST PROVIDENCE, AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR

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

Senator Damiani moves passage, seconded by Senator Pichardo.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, 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:

**81. 2004-H 8616****BY Long**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION, EXTENSION AND IMPROVEMENT OF A WATER WORKS SYSTEM, TO ISSUE NOT MORE THAN \$6,200,000 BONDS AND NOTES THEREFOR AND TO IMPOSE ADDITIONAL WATER RATES UNDER CHAPTER 273 OF THE PUBLIC LAWS OF 1968, AS AMENDED, TO PAY THE PRINCIPAL AND INTEREST ON SUCH BONDS AND NOTES

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator McCaffrey.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

**36. 2004-H 7150 SUB A as amended****BY Anguilla**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT- LOBBYING OF STATE EMPLOYEES

**42. 2004-H 7323 SUB B****BY Kilmartin**

**ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS

**44. 2004-H 7404 SUB B****BY Naughton**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES

**45. 2004-H 7417 SUB A****BY Kennedy**

**ENTITLED,** AN ACT RELATING TO INSURANCE

**49. 2004-H 7474 as amended****BY Lally****ENTITLED,** AN ACT RELATING TO SMALL CLAIMS AND CONSUMER CLAIMS**51. 2004-H 7512****BY Gallison****ENTITLED,** AN ACT RELATING TO COASTAL RESOURCES MANAGEMENT COUNCIL -- ADMINISTRATIVE PENALTIES**52. 2004-H 7538****BY Ajello****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- DEPARTMENT OF TRANSPORTATION**55. 2004-H 7614 SUB A****BY Slater****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY**58. 2004-H 7711 SUB B****BY Fox****ENTITLED,** AN ACT RELATING TO THE RHODE ISLAND HUMAN RESOURCE INVESTMENT COUNCIL**61. 2004-H 7887 SUB A****BY McNamara****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL COMMISSION TO STUDY TRANSIT SERVICE IN THE STATE OF RHODE ISLAND**62. 2004-H 7933 SUB A****BY Brien T****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES**64. 2004-H 7971 SUB A****BY Carter****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION**65. 2004-H 7973 as amended****BY Slater****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOCIAL WORKERS**72. 2004-H 8242****BY Gorham****ENTITLED,** AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS

74. **2004-H 8420 SUB A**  
BY Landroche  
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY
75. **2004-H 8438**  
BY Fox  
ENTITLED, AN ACT RELATING TO INSURANCE - COMMERCIAL SPECIAL RISKS
76. **2004-H 8455 as amended**  
BY Slater  
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
NURSING POOLS
77. **2004-H 8542 as amended**  
BY Carter  
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --RHODE  
ISLAND VETERANS' HOME
79. **2004-H 8574 SUB A**  
BY Kennedy  
ENTITLED, AN ACT RELATING TO HOUSING
83. **2004-H 8638 as amended**  
BY Ginaitt  
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION – WATER  
POLLUTION
84. **2004-H 8640**  
BY Ginaitt  
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -WATERS  
AND NAVIGATION
85. **2004-H 8665 SUB A as amended**  
BY Anguilla  
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - OPERATORS' AND  
CHAUFFEURS' LICENSES
86. **2004-H 8675**  
BY Faria  
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO  
TAXATION
87. **2004-H 8682**  
BY Aubin  
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO  
TAXATION

**89. 2004-H 8691****BY Crowley****ENTITLED,** JOINT RESOLUTION CONGRATULATING IAN M. SHEPHERD ON ATTAINING THE RANK OF EAGLE SCOUT AND RECEIVING THE ROGERS HIGH SCHOOL "DR. PETER P. INTEGLIA PHYSICAL EDUCATION AWARD"**90. 2004-H 7488 SUB A****BY Jacquard****ENTITLED,** AN ACT RELATING TO HEALTH INSURANCE COVERAGE -- MANDATED HEARING AID COVERAGE**93. 2004-H 7659 as amended****BY Giannini****ENTITLED,** AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- O'ROURKE CHILDREN'S CENTER**95. 2004-H 7765****BY Lewiss****ENTITLED,** AN ACT RELATING TO MARRIAGE LICENSES**97. 2004-H 8127 SUB A****BY Anguilla****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE ACCESSIBILITY ASSURANCE**98. 2004-H 8346 SUB A****BY Costantino****ENTITLED,** AN ACT RELATING TO THE HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES

Senator Paiva-Weed moves passage, seconded by Senator Algieri.

The acts are 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**TRANSMITTAL**

By unanimous consent, all matters on the Clerk's desk, with the exception of (04 H-8219 Sub A), are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

**NEW BUSINESS****Senate Resolution No. 3227****BY** Senators Blais, Sosnowski, Damiani**ENTITLED**, SENATE RESOLUTION ESTABLISHING A SPECIAL SENATE COMMISSION TO STUDY THE RHODE ISLAND MOTOR VEHICLES EMISSIONS INSPECTION PROGRAM.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senator Damiani and others.

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

Also:

**Senate Resolution No. 3228****BY** Senators Connors, Paiva-Weed, Goodwin**ENTITLED**, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY THE CONSOLIDATION OF RHODE ISLAND'S 39 CITIES' AND TOWNS' MUNICIPAL AND SCHOOL FINANCIAL DEPARTMENTS.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senator Pichardo, Breene and Lenihan.

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

**REPORTS OF COMMITTEES  
COMMITTEE ON EDUCATION**

Senator Issa, from the Committee on Education, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 2891 SUB A****BY** Senator Gallo**ENTITLED**, AN ACT RELATING TO EDUCATION -- CIVIC EDUCATION COMMISSION

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7154**

**BY** Giannini, Cerra, McNamara, Enos, Ajello

**ENTITLED**, AN ACT RELATING TO SCHOOL COMMITTEES AND SUPERINTENDENTS --  
MIDDLE SCHOOLS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7298 SUB A**

**BY** McNamara, Giannini, Cerra, Aubin

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

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7722 SUB A**

**BY** Smith

**ENTITLED**, AN ACT RELATING TO EDUCATION -- ALTERNATIVE EDUCATION  
PROGRAMS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7989**

**BY** Crowley, Fox, Williamson

**ENTITLED**, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND  
SUPERINTENDENTS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7990**

**BY** Story

**ENTITLED**, AN ACT RELATING TO EDUCATION -- CIVIC EDUCATION COMMISSION.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8010 SUB A**

**BY** McNamara

**ENTITLED**, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8492**

**BY** Winfield

**ENTITLED**, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS.

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, of the following measures:

**House Bill No. 7096**

**BY** McNamara, Kilmartin

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TRAFFIC CONTROL DEVICES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7403** SUB A as amended

**BY** Dennigan, Lewiss, Anguilla, Almeida, Williams

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - NURSES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7948** as amended

**BY** Carter, Malik, Rose, Gallison, Brien T

**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8148** (Dept. Human Services)

**BY** Moffitt

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- DISPOSITION OF BODIES TO BE BURIED WITH PUBLIC FUNDS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8256**

**BY** Costantino, Slater, Ajello

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- TOWING STORAGE ACT.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8477**

**BY** Gorham, Winfield, Aubin

**ENTITLED**, AN ACT PROVIDING FOR THE CONSTRUCTION OF A NEW MIDDLE SCHOOL AND THE ACQUISITION OF LAND THEREFOR AND FOR THE RENOVATION OF THE PONAGANSET HIGH SCHOOL AND PONAGANSET MIDDLE SCHOOL BY THE FOSTER-GLOCESTER REGIONAL SCHOOL DISTRICT AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$45,720,000.00 IN BONDS THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8491 SUB A** as amended

**BY** Crowley, Shavers

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8517**

**BY** Costantino, Corvese, Kennedy, Menard, Lima

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 -- RESTRUCTURING STATE GOVERNMENT REGULATION OF HEALTH INSURANCE.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8527** as amended

**BY** Lima, Naughton, Cerra, Handy, Benson

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ADAPTIVE TELEPHONE EQUIPMENT LOAN PROGRAM COMMITTEE.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8650**

**BY** Scott, Carter

**ENTITLED**, AN ACT CREATING THE EXETER FIRE DISTRICT.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8687**

**BY** Long, Callahan, Shavers

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO BORROW UP TO \$1,500,000 FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND EXTENSION OF SEWERS AND SEWER LINES 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

Also:

**House Bill No. 8688**

**BY** Long, Callahan, Shavers

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO BORROW UP TO \$4,500,000 FOR THE PURPOSE OF FINANCING THE MAINTENANCE AND 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

Also:

**House Bill No. 8689**

**BY** Long, Callahan, Shavers

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO BORROW UP TO \$1,000,000 FOR THE PURPOSE OF FINANCING WATERLINE EXTENSION 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

Also:

**House Bill No. 8690**

**BY** Long, Callahan, Shavers

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE ACQUISITION AND PRESERVATION OF OPEN SPACE AND ACQUIRING, PRESERVING, RESTORING OR IMPROVING RECREATIONAL AREAS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7817 SUB A** as amended

**BY** Brien T, Corvese, Fox, Laroche, Enos

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2554 SUB B** as amended

**BY** Senator Goodwin

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8578**

**BY** McHugh

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF AN AUDITORIUM AT THE MIDDLE SCHOOL/HIGH SCHOOL IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$3,000,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8577****BY** McHugh

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE CAPITAL COSTS ASSOCIATED WITH THE TOWN'S WITHDRAWAL FROM THE CHARIHO REGIONAL SCHOOL DISTRICT INCLUDING THE ACQUISITION OF LAND FOR AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A MIDDLE SCHOOL/HIGH SCHOOL COMPLEX AND THE RENOVATION, REHABILITATION, REPAIR, IMPROVEMENT AND EQUIPPING OF AND/OR ADDITIONS TO EXISTING SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$34,900,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7406 SUB A (Attorney General)****BY** Dennigan, Lewiss, Almeida, Williams, Coderre E

**ENTITLED**, AN ACT IMPLEMENTING AN AMENDMENT TO THE TOBACCO MASTER SETTLEMENT AGREEMENT AND RELATING TO ENFORCEMENT OF THE TOBACCO MANUFACTURERS' MASTER SETTLEMENT AGREEMENT AND FUNDS ESCROW

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7336 SUB A****BY** Lewiss, Fox, Kennedy, Carter, Naughton

**ENTITLED**, AN ACT RELATING TO LIBRARIES - STATE AID

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7975 SUB A****BY** Slater, Tejada, Almeida, Williams, Dennigan

**ENTITLED**, AN ACT RELATING TO MEDICAL ASSISTANCE -- DENTISTS, DENTAL HYGIENISTS AND DENTAL ASSISTANTS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8260****BY** Moura, Slater

**ENTITLED**, AN ACT RELATING TO THE INDEBTEDNESS OF TOWNS AND CITIES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7716 SUB A****BY** Shanley, Scott, Lewiss, Enos, Corvese**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8661****BY** Costantino**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - - DEPARTMENT OF TRANSPORTATION.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8668****BY** Kennedy**ENTITLED**, AN ACT RELATING BUSINESSES AND PROFESSIONS -- SUNDAY BUSINESS.

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

Also:

**House Bill No. 8445 SUB A****BY** Fox**ENTITLED**, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION

Received and referred to the Senate Committee on Judiciary

Also:

**House Bill No. 7458****BY** Moura, Brien T, Petrarca, McCauley, Smith**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS -- RESIDENCY.

Received and referred to the Senate Committee on Finance

Also:

**House Bill No. 8698****BY** Carter, Benson, Lally**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE FIRE SUPPRESSION SYSTEMS, HEATING AND VENTILATION SYSTEMS, SEPTIC SYSTEMS AND OTHER REPAIRS AND RENOVATIONS AND/OR RELATED EQUIPMENT AT THE DAVISVILLE, FOREST PARK, FISHING COVE AND WICKFORD ELEMENTARY SCHOOLS

AND THE WICKFORD MIDDLE SCHOOL AND TO ISSUE NOT MORE THAN \$9,000,000 BONDS AND NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7630**

**BY** Costantino, Anguilla, Slater, Lewiss, San Bento

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - PHARMACEUTICAL ASSISTANCE TO THE ELDERLY.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7628** as amended

**BY** Costantino, Slater, Lewiss

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7650**

**BY** Winfield, Menard, Gallison, Aubin, Schadone

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8311**

**BY** Crowley

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - EAST BAY ECONOMIC INITIATIVE.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8513** SUB A as amended

**BY** Giannini, Naughton, Lewiss, Corvese, Kennedy

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH INSURANCE

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8558** as amended

**BY** Malik, Anguilla

**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE -- SHELLFISH AND AQUACULTURE.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8430** as amended

**BY** Carter, Shanley, Malik, Rose, Lewiss

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ECONOMIC DEVELOPMENT CORPORATION.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3050 SUB A** as amended

**BY** Senators Sheehan, Lenihan, Sosnowski, Paiva-Weed, Montalbano J

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ECONOMIC DEVELOPMENT CORPORATION

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8663 SUB A**

**BY** Almeida, Ajello, Williams

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- RACIAL PROFILING

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3170 SUB A** as amended

**BY** Senators Montalbano J, McCaffrey, Walaska, Felag, Cote

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8614** SUB A as amended

**BY** Picard, Trillo, San Bento, Lowe, Lewiss

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8601** as amended

**BY** Handy, Montanaro, Palumbo, McNamara, Cerra

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,500,000 BONDS AND NOTES TO FINANCE REPAIRS AND RENOVATIONS TO BUILDINGS OWNED BY THE CITY OF CRANSTON (UP TO \$500,000 OF WHICH MAY BE USED FOR FIRE CODE UPGRADES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8602** SUB A

**BY** Jacquard, McNamara, Cerra, Montanaro, Palumbo

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$7,000,000 BONDS AND NOTES TO FINANCE REPAIRS, RENOVATIONS AND FIRE CODE UPGRADES TO SCHOOL BUILDINGS IN THE CITY OF CRANSTON

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8603** as amended

**BY** Montanaro, Handy, Palumbo, Jacquard, Cerra

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES TO FINANCE THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT THE CITY OF CRANSTON.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8604** as amended

**BY** Jacquard, Cerra, McNamara, Palumbo, Montanaro

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,000,000 BONDS AND NOTES TO FINANCE THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT FOR A TERM NOT TO EXCEED TEN (10) YEARS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8605** as amended

**BY** Palumbo, Montanaro, McNamara, Cerra, Mumford

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,400,000 BONDS AND NOTES TO FINANCE BUILDING REPAIRS, CONSTRUCTION AND RENOVATIONS TO THE CRANSTON WEST AREA CAREER AND TECHNICAL CENTER.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8205** SUB A

**BY** Naughton, Slater, Giannini, Lima, Handy

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- FAMILY INDEPENDENCE ACT

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8418**

**BY** Landroche, Kilmartin

**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES --LIABILITY AND COMPUTATION.

Received and referred to the Senate Committee on Finance

**House Bill No. 8017**

**BY** Schadone

**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTION

Received and referred to the Senate Committee on Finance

## **RECESS**

Upon suggestion of Senator Paiva-Weed and by unanimous consent the Senate stands at recess at 10:39 o'clock P.M. until the call of the chair.

## **CALL TO ORDER**

The Senate is called to order at 2:38 o'clock P.M. on Friday, June 25, 2004 by the Honorable President Joseph A. Montalbano.

**REPORTS OF COMMITTEES  
COMMITTEE ON FINANCE**

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

**Senate Bill No. 2088 SUB A**

**BY** Senators Bates, Blais, Breene, Paiva-Weed, Sosnowski  
**ENTITLED**, AN ACT RELATING TO TAXATION

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2886 SUB A**

**BY** Senators Paiva-Weed, Gallo, Sheehan, Perry, Roberts  
**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- FAIR MARKET DRUG PRICING

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7019** as amended

**BY** Picard  
**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- LICENSE AND REGISTRATION RENEWAL

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3160**

**BY** Senators DaPonte, Damiani  
**ENTITLED**, AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE, TO FINANCE THE ACQUISITION OF A SITE AND THE DESIGN AND CONSTRUCTION OF A MULTI-PURPOSE COMMUNITY/RECREATION COMPLEX IN LIEU OF CONVERTING MARTIN MIDDLE SCHOOL TO SUCH PURPOSE, AS WAS PREVIOUSLY APPROVED BY THE VOTERS OF EAST PROVIDENCE, AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3162**

**BY** Senator Pichardo

**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION.

Read and ordered to be placed on the Calendar

**REPORTS OF COMMITTEES**

**COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT**

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

**House Bill No. 7424** (Attorney General)

**BY** Kennedy, Giannini, San Bento, Lewiss, Anguilla

**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - UNFAIR SALES PRACTICES.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3012**

**BY** Senators Ruggerio, Paiva-Weed, Goodwin, DaPonte

**ENTITLED**, AN ACT RELATING TO THE DOWNCITY SECTION OF PROVIDENCE.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2407 SUB A** (Attorney General)

**BY** Senator McCaffrey

**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- GIFT CERTIFICATES

Read and ordered to be placed on the Calendar

**REPORTS OF COMMITTEES**

**COMMITTEE ON JUDICIARY**

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

**House Bill No. 8444**

**BY** Lally

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and ordered to be placed on the Calendar

Reappointment of Bruce D. Campbell of Foster to the Narragansett Bay Commission for a term expiring April 1, 2007.

Read and ordered to be placed on the Calendar

Also:

Reappointment of Joseph A. Cirillo of Middletown to the Board of Registration and Examination of Architects for a term expiring April 1, 2009.

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, of the following measures:

**Senate Bill No. 2160 SUB A**

**BY** Senators Badeau, Perry, Ruggerio, Walaska, Ciccone

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2687** as amended

**BY** Senators Roberts, Perry, Tassoni

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ADAPTIVE TELEPHONE EQUIPMENT LOAN PROGRAM COMMITTEE (telephone access to text of newspapers).

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2709** as amended

**BY** Senator Issa

**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3108** as amended

**BY** Senator Paiva-Weed

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3146** as amended

**BY** Senator Felag

**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE -- SHELLFISH AND AQUACULTURE.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8699**

**BY** Giannini

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- SPECIAL PROGRAM FOR CARE OF SEVERELY DISABLED ELDERLY RESIDENTS WHO NEED NURSING FACILITY SERVICES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8452** SUB A as amended

**BY** Williamson, Landroche, Murphy

**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8570** SUB A

**BY** Crowley, Shanley, Shavers, San Bento, Lally

**ENTITLED**, AN ACT RELATING TO PUB CRAWLS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7883** (Lieutenant Governor)

**BY** Fox, Gallison, Malik, Brien T, Cerra

**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MILITARY SERVICE AND VETERANS.

Read and ordered to be placed on the Calendar

Also:

**House Resolution No. 8613 SUB A**

**BY** Picard, San Bento, Lewiss, Lowe, Long

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE LEAD HAZARD MITIGATION LAW WHICH SHALL TAKE EFFECT JULY 1, 2004

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8412 SUB A**

**BY** Murphy, Fox, Menard, Lima, Watson

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Read and ordered to be placed on the Calendar

#### **REPORTS OF COMMITTEES**

##### **COMMITTEE ON FINANCIAL SERVICES, TECHNOLOGY AND REGULATORY ISSUES**

Senator Walaska, from the Committee on Financial Services, Technology and Regulatory Issues, reports back, with recommendation of passage of the following measure:

**House Bill No. 7596**

**BY** Schadone, Brien T, Malik, Winfield, Anguilla

**ENTITLED**, AN ACT RELATING TO INSURANCE -- INTERSTATE INSURANCE PRODUCT REGULATION COMPACT

Read an ordered to be placed on the Senate Calendar

Also:

Appointment of Alma Felix Green of Hope VICE Jose V. Monteiro, Jr. to the Rhode Island Economic Development Corporation for a term expiring February 1, 2005.

Read and ordered to be placed on the Calendar

Also:

Reappointment of Keith W. Stokes of Newport to the Rhode Island Economic Development Corporation for a term expiring February 1, 2008.

Read and ordered to be placed on the Calendar

### RECESS

Upon suggestion of Senator Paiva-Weed and by unanimous consent the Senate stands at recess at 2:42 o'clock P.M. until the call of the chair.

### CALL TO ORDER

The Senate is called to order at 5:06 o'clock P.M. on Friday, June 25, 2004 by the Honorable President Joseph A. Montalbano.

### NEW BUSINESS

#### **Senate Resolution No. 3230**

**BY** Senators Pichardo, Ruggerio

**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE HONORABLE DR. LEONEL FERNANDEZ ON BEING ELECTED PRESIDENT OF THE DOMINICAN REPUBLIC FOR A SECOND TERM.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Ciccone.

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

### CALENDAR

#### **1. 2004-S 2283 SUB A as amended**

**BY** Tassoni

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
CATASTROPHIC HEALTH INSURANCE PLAN ACT

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

Senator Tassoni moves passage, seconded by Senators Perry and Damiani.

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

YEAS- 34: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin,

Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2. 2004-S 2554 SUB B as amended**

**BY Goodwin**

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES**

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senators Damiani, Badeau and Ciccone.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon roll call vote with 31 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais, Fogarty.

**3. 2004-S 2680 SUB A as amended**

**BY Alves**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
NURSING POOLS**

Ordered on the Calendar

Senator Alves moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**4. 2004-S 2798**

**BY Blais**

**ENTITLED, AN ACT RELATING TO DEPARTMENT OF ADMINISTRATION -  
ORGAN TRANSPLANT FUND**

Committee on Finance recommends passage.

Senator Blais moves passage, seconded by Senators Damiani, Algieri, Breene, Paiva-Weed and others.

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**5. 2004-S 2882 as amended**

**BY Goodwin**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- ESTABLISHING A  
PILOT PRIMARY CARE PROGRAM FOR THE UNINSURED

Committee on Health & Human Services recommends passage as amended.

Senator Goodwin moves passage, seconded by Senators Roberts and Parella.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**6. 2004-S 2891 SUB A**

**BY Gallo**

**ENTITLED,** AN ACT RELATING TO EDUCATION -- CIVIC EDUCATION  
COMMISSION

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

Senator Gallo moves passage, seconded by Senators Roberts, DaPonte, Pichardo and Fogarty.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**7. 2004-S 3050 SUB A as amended**

**BY Sheehan**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT  
- ECONOMIC DEVELOPMENT CORPORATION

Ordered on the Calendar

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

**9. 2004-S 3136**

**BY Fogarty P**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF BURRILLVILLE TO  
FINANCE THE CONSTRUCTION, EQUIPPING AND FURNISHING  
OF AN ADDITION TO AND REMODELING, RECONSTRUCTING  
AND MAKING EXTRAORDINARY REPAIRS TO THE W.L.  
CALLAHAN ELEMENTARY SCHOOL AND TO ISSUE NOT MORE  
THAN \$7,500,000 BONDS THEREFOR

Committee on Finance recommends passage.

Senator Fogarty moves passage, seconded by Senator Gallo.

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 Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**11. 2004-S 3197 SUB A**

**BY Felag**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION --  
COASTAL RESOURCES MANAGEMENT COUNCIL

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

Senator Felag moves passage, seconded by Senators DaPonte and several others.

Senator Sosnowski seconded by Senators Damiani and Felag, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 3197, SUBSTITUTE A**

**AN ACT RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES  
MANAGEMENT COUNCIL**

Mr. President:

I hereby move to amend 2004 -- S 3197, SUBSTITUTE A, entitled "AN ACT RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES MANAGEMENT COUNCIL", as follows:

(1) On page 5, line 31, after the word "Program", by inserting the following language: ", but not including those facilities defined in 300.4 of the Rhode Island Coastal Resources Management Program,".

(2) On page 9, line 1, by striking the words "upon passage", and inserting in lieu thereof the following language: "January 15, 2005".

Respectfully submitted,  
SENATOR SOSNOWSKI

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

NAYS- 0:

Senator Felag moves passage of the act as amended, seconded by Senators Sosnowski and Damiani.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - WATER POLLUTION**

Committee on Environment & Agriculture recommends passage.

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

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**13. 2004-S 3215 SUB A**

**BY Polisena**

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN**

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

Senator Polisena moves passage, seconded by Senator Damiani.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**94. 2004-S 2088 SUB A**

**BY Bates**

**ENTITLED, AN ACT RELATING TO TAXATION**

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

Senator Bates moves passage, seconded by Senators Badeau, Ciccone, Connors, Gibbs, Algieri, Gallo, Damiani and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

### Statement of Potential Conflict

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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(s) 04- S-2886 Sub 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 potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 25th day of June, 2004

Raymond T. Hoyas

### **95. 2004-S 2886 SUB A**

**BY Paiva-Weed**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FAIR MARKET  
DRUG PRICING**

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

Senator Paiva-Weed moves passage, seconded by Senators Parella, Felag, Issa, Perry, Damiani, Polisena, Ciccone, Algieri and others.

Senator Paiva-Weed seconded by Senator Roberts, offers the following written motion to amend.

F L O O R   A M E N D M E N T  
TO  
2004 -- S 2886 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- FAIR MARKET DRUG PRICING

Mr. President:

I hereby move to amend 2004 -- S 2886 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- FAIR MARKET DRUG PRICING", as follows:

1. By deleting the title and inserting in place thereof the following title: "AN ACT RELATING TO PRESCRIPTION DRUG DISCOUNT FOR THE UNINSURED".

2. By deleting all the language after the enactment clause and inserting in place thereof the following language:

"SECTION 1. Title 42 of the General Laws entitled "State Affairs and Government" is hereby amended by adding thereto the following chapter:

CHAPTER 66.2.1

PRESCRIPTION DRUG DISCOUNT PROGRAM FOR THE UNINSURED

**42-66.2.1-1. Short title.** -- This act shall be called the "Rhode Island Prescription Drug Discount Program for the Uninsured."

**42-66.2.1-2. Discount drug program.** -- The departments of human services and elderly affairs shall develop a prescription drug discount program for the uninsured to be implemented on or before March 15, 2005, and the department of elderly affairs shall issue a request for proposal to entities for the management of the discount program.

**42-66.2.1-3. Program eligibility.** -- (a) Persons who are residents of this state between nineteen (19) and sixty-five (65) years of age and have an annual family income at or below two hundred percent (200%) of the federal poverty level, and are uninsured for prescription drugs shall be eligible for the prescription drug discount program offered under the provisions of this chapter.

(b) Persons eligible shall not include an individual who is eligible, or has been eligible for the four (4) months prior to the application for the drug discount program offered under the provisions of this chapter, for outpatient prescription drug coverage under a health benefits program paid for in whole or in part by an employer, Medicaid, Medicare, or another state or federal health plan or pharmaceutical assistance program that uses state or federal funds to pay part or all of the individual's prescription drug costs.

**42-66.2.1-4. Annual enrollment fee.** -- There shall be an annual enrollment fee sufficient to cover all expenses related to the management of the discount program and shall not exceed thirty dollars (\$30.00) per year. Pharmacy dispensing fees shall be uniformly established in advance, and paid directly to the pharmacy by the program beneficiaries.

**42-66.2.1-5. Reporting requirements.** -- The departments of human services and elderly affairs shall issue a report on April 15, 2005 to the Joint Legislative Committee on Health Care Oversight on the status of the prescription drug discount program design and implementation.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,  
SENATOR ALVES

The motion to amend prevails 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Paiva-Weed moves passage of the act as amended, seconded by Senators Roberts and Damiani.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 34: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, 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:

ABSTAINED- 1: Senator

**96. 2004-H 7019 as amended**

**BY Picard**

**ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES -- LICENSE AND REGISTRATION RENEWAL

Committee on Finance recommends passage as amended in concurrence.

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

**97. 2004-S 3160**

**BY DaPonte**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE, TO FINANCE THE ACQUISITION OF A SITE AND THE DESIGN AND CONSTRUCTION OF A MULTI-PURPOSE COMMUNITY/RECREATION COMPLEX IN LIEU OF CONVERTING MARTIN MIDDLE SCHOOL TO SUCH PURPOSE, AS WAS PREVIOUSLY APPROVED BY THE VOTERS OF EAST PROVIDENCE, AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senator Damiani.

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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:

**98. 2004-S 3162**

**BY Pichardo**

**ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Finance recommends passage.

Senator Pichardo moves passage, seconded by Senators Goodwin and Perry.

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**8. 2004-S 3102 SUB A as amended**

**BY Roberts**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS -- THE RI HEALTHCARE REFORM ACT OF 2004 -- NONPROFIT INSURERS' MISSION AND GOVERNANCE

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

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

**Statement of Potential Conflict**

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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(s) 04- S-2160 Sub 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 potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 25th day of June, 2004

Raymond T. Hoyas

**99. 2004-S 2160 SUB A**

**BY Badeau**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
PHARMACIES**

Ordered on the Calendar

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 34: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, 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:

ABSTAINED- 1: Senator Blais

**100. 2004-S 2687 as amended**

**BY Roberts**

**ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS  
-- ADAPTIVE TELEPHONE EQUIPMENT LOAN PROGRAM  
COMMITTEE**

Ordered on the Calendar

Senator Roberts moves passage, seconded by Senators Sheehan, Gallo and Walaska.

The act is read and passed, by unanimous consent, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**101. 2004-S 2709 as amended**

**BY Issa**

**ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -  
RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS

Ordered on the Calendar

Senator Issa moves passage, seconded by Senators Blais, Felag, Gallo and Tassoni.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Polisena.

**102. 2004-S 3108 as amended**

**BY Paiva-Weed**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senators Ruggerio, Goodwin and Parella.

The act is read and passed, by unanimous consent, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**103. 2004-S 3146 as amended**

**BY Felag**

**ENTITLED,** AN ACT RELATING TO FISH AND WILDLIFE -- SHELLFISH  
AND AQUACULTURE

Ordered on the Calendar

Senator Felag moves passage, seconded by Senators Sosnowski, Damiani and Breene.

The act is read and passed, by unanimous consent, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**105. 2004-H 8452 SUB A as amended**

**BY Williamson**

**ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT  
OF LOCAL TAXES

Ordered on the Calendar

Senator Alves moves passage, seconded by Senators Ruggerio and McCaffrey.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**111. 2004-S 3012**

**BY Ruggerio**

**ENTITLED,** AN ACT RELATING TO THE DOWNCITY SECTION OF  
PROVIDENCE

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Ruggerio moves passage, seconded by Senator Goodwin.

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

NAYS- 0:

**112. 2004-S 2407 SUB A**

**BY McCaffrey**

**ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GIFT  
CERTIFICATES**

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

Senator McCaffrey moves passage, seconded by Senator Damiani.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**114. Reappointment of Bruce D. Campbell of Foster to the Narragansett Bay Commission  
for a term expiring April 1, 2007.**

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

Senator Blais, seconded by Senators Damiani, Sosnowski, Breene and Algieri 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 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin,

Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

115. Reappointment of Joseph A. Cirillo of Middletown to the Board of Registration and Examination of Architects for a term expiring April 1, 2009.

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

Senator Gibbs, seconded by Senators Blais, Perry, Breene, Parella, Algieri, DaPonte, Paiva-Weed 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 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**116. 2004-H 8444**

**BY Lally**

**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

Senator Blais moves passage, seconded by Senators Paiva-Weed and Damiani.

The act is read and passed, by unanimous consent, in concurrence, 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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

117. Appointment of Alma Felix Green of Hope VICE Jose V. Monteiro, Jr. to the Rhode Island Economic Development Corporation for a term expiring February 1, 2005.

Committee on Financial, Technology, Regulatory recommends that the Senate give its Advice and Consent to this appointment.

Senator Blais, seconded by Senators Breene, Pichardo, Bates, Goodwin, McCaffrey and Alves moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 35 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

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

NAYS- 1: Senator Polisena

118. Reappointment of Keith W. Stokes of Newport to the Rhode Island Economic Development Corporation for a term expiring February 1, 2008.

Committee on Financial, Technology, Regulatory recommends that the Senate give its Advice and Consent to this reappointment.

Senator Paiva-Weed, seconded by Senators Gibbs, Breene and Algieri 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 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

### TRANSMITTAL

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

### REPORTS OF COMMITTEES 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 measure:

**Senate Bill No. 2905 SUB A**

**BY** Senators Gallo, Walaska, Fogarty P, Felag, Sheehan

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - STROKE TASK FORCE

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8192** SUB A as amended

**BY** Naughton, Crowley, Giannini, Carter, Petrarca

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- STROKE TASK FORCE

Read and ordered to be placed on the Calendar

**REPORTS OF COMMITTEES  
COMMITTEE ON EDUCATION**

Senator Issa, from the Committee on Education, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 2672** SUB A

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO EDUCATION -- CURRICULUM

Read and ordered to be placed on the Calendar

Also:

**House Resolution No. 7936** SUB A as amended

**BY** Tejada, Almeida, Slater, Williams, Ajello

**ENTITLED**, JOINT RESOLUTION STRONGLY URGING THE BOARD OF GOVERNORS FOR HIGHER EDUCATION TO REVIEW ITS ADMISSION AND RESIDENCY POLICIES WITH REGARD TO INTERNATIONAL STUDENTS

Read and ordered to be placed on the Calendar

**REPORTS OF COMMITTEES  
COMMITTEE ON FINANCE**

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

**Senate Bill No. 2031** SUB A

**BY** Senators Revens, Paiva-Weed, Gibbs

**ENTITLED**, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - AIRPLANES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2489** (Lieutenant Governor)

**BY** Senators Issa, Connors, Walaska

**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MILITARY SERVICE AND VETERANS.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2608 SUB A**

**BY** Senators Walaska, Cote, Bates, Blais, Ruggerio

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - JOBS DEVELOPMENT ACT

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2651 SUB A** (Lt. Governor)

**BY** Senators Roberts, Felag, Alves, Pichardo, Paiva-Weed

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE INFORMATION TECHNOLOGY AND INFRASTRUCTURE DEVELOPMENT FUND

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3142** as amended

**BY** Senator Tassoni

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT OF MUNICIPAL EMPLOYEES.

Read and ordered to be placed on the Calendar

Also:

**Senate Resolution No. 3213**

**BY** Senator DaPonte

**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7492** as amended

**BY** Lewiss, Gallison, Anguilla, Crowley, Mumford

**ENTITLED**, AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7493** as amended

**BY** Lewiss, Gallison, Anguilla, Crowley, Mumford

**ENTITLED**, AN ACT RELATING TO EDUCATION - TEACHERS' RETIREMENT.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8085** SUB A

**BY** McCauley

**ENTITLED**, AN ACT RELATING TO TAXATION -- ALTERNATIVE FUELED VEHICLE AND FILLING STATION TAX CREDIT

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8393** as amended

**BY** Almeida, Williams, Slater

**ENTITLED**, AN ACT AUTHORIZING SUIT AGAINST THE CITY OF PROVIDENCE

**BY** Senators THE FAMILY AND ESTATE OF CAROL WALKER.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8418**

**BY** Landroche, Kilmartin

**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES --LIABILITY AND COMPUTATION.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8667**

**BY** Menard, Petrarca, McManus

**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES.

Read and ordered to be placed on the Calendar

**REPORTS OF COMMITTEES****COMMITTEE ON CONSTITUTIONAL AND GAMING ISSUES**

Senator Goodwin, from the Committee on Constitutional and Gaming Issues, reports back, with recommendation of passage of the following measure:

**Senate Bill No. 2832 SUB A**

**BY** Senators Sosnowski, Breene, Paiva-Weed, Felag, Fogarty P

**ENTITLED**, AN ACT RELATING TO REGISTRATION OF VEHICLES (create firefighter license plates)

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, of the following measure:

**House Bill No. 7844 SUB A as amended**

**BY** Williamson, Williams, Voccola, Flaherty, Rose

**ENTITLED**, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES

Senate passed Sub A as amended in concurrence

**CALENDAR**

In order for the day is taken up as follows:

**8. 2004-S 3102 SUB A as amended**

**BY Roberts**

**ENTITLED**, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS -- THE RI HEALTHCARE REFORM ACT OF 2004 -- NONPROFIT INSURERS' MISSION AND GOVERNANCE

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

Senator Roberts moves passage, seconded by Senators Tassoni, Sheehan, Paiva-Weed, Gibbs, Felag and many others.

Senator Roberts seconded by Senators Tassoni, offers the following written motion to amend.

F L O O R   A M E N D M E N T  
TO  
2004 -- S 3102 SUBSTITUTE A

AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS --  
THE RI HEALTHCARE REFORM ACT OF 2004 -- NONPROFIT INSURERS' MISSION AND  
GOVERNANCE

Mr. President:

I hereby move to amend 2004 -- S 3102 SUBSTITUTE A, entitled "AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS -- THE RI HEALTHCARE REFORM ACT OF 2004 -- NONPROFIT INSURERS' MISSION AND GOVERNANCE", as follows:

(1) On page 3, line 16, by inserting the following language between the period "." and the word "Once":

"Each appointing authority shall make one such appointment on or after July 1, 2004, and the remaining will be made on or after July 1, 2005."

(2) On page 4, line 14, by deleting the word "forbidden".

Respectfully submitted,  
SENATOR ROBERTS

The motion to amend prevails upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

Senator Roberts moves passage of the act as amended, seconded by Senator Tassoni.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**14. 2004-H 7028 as amended**

**BY Carter**

**ENTITLED, AN ACT RELATING TO MONUMENTS AND MEMORIALS**

Committee on Judiciary recommends passage as amended in concurrence.

Senator McCaffrey moves passage, seconded by Senators Breene, Algieri, Sheehan, Ruggerio and others.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### NOW PRESIDING

The Honorable President Pro Tempore Minority yields the rostrum to the Honorable President Joseph A. Montalbano at 8:21 o'clock P.M.

### CALENDAR

#### **15. 2004-H 7052 SUB A**

**BY Trillo**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION - WATER POLLUTION

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

#### **61. 2004-H 8205 SUB A**

**BY Naughton**

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- FAMILY INDEPENDENCE ACT

Ordered on the Calendar

Senator Alves moves passage, seconded by Senators Paiva-Weed, Ruggerio, McCaffrey, Sosnowski, Gibbs, Pichardo, Sheehan, Felag, Issa, and many others.

Senators Breene and Alves discuss the act.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**16. 2004-H 7074**

**BY Williamson**

**ENTITLED, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Polisena, Damiani and Tassoni.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**17. 2004-H 7096**

**BY McNamara**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TRAFFIC CONTROL DEVICES**

Ordered on the Calendar

Senator Tassoni moves passage, seconded by Senator Cote.

The act is read and passed, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 2 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 29: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senator Connors, DaPonte.

ABSTAINED- 1: Senator Montalbano

**18. 2004-H 7147**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- KIDNAPPING

Committee on Judiciary recommends passage in concurrence.

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

**19. 2004-H 7154**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO SCHOOL COMMITTEES AND  
SUPERINTENDENTS -- MIDDLE SCHOOLS

Committee on Education recommends passage in concurrence.

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

**20. 2004-H 7161 as amended**

**BY Ginaitt**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION --  
COASTAL RESOURCES MANAGEMENT COUNCIL

Committee on Environment & Agriculture recommends passage as amended in concurrence.

Senator Sosnowski moves passage, seconded by Senators Breene, Damiani and Gibbs.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**NOW PRESIDING**

The Honorable President yields the floor to the Honorable President Pro Tempore Minority at 8:29 o'clock P.M.

## CALENDAR

**21. 2004-H 7298 SUB A****BY McNamara****ENTITLED, AN ACT RELATING TO THE RHODE ISLAND STUDENT  
INVESTMENT INITIATIVE**

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

Senator Issa moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**22. 2004-H 7333 SUB A****BY Lewiss****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES --  
REGULATION OF SALES**

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

Senator Algieri moves passage, seconded by Senators Breene, Ciccone and Polisena.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**24. 2004-H 7400****BY Giannini****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS -- ADOPTION  
OF CHILDREN

Committee on Judiciary recommends passage in concurrence.

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

**28. 2004-H 7484 as amended****BY San Bento****ENTITLED,** AN ACT RELATING TO TAXATION -- TAX SALES

Committee on Judiciary recommends passage as amended in concurrence.

Senator Paiva-Weed moves passage, seconded by Senators Ciccone and Raptakis.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Montalbano.

**Statement of Potential Conflict**

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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(s) 04- H- 7626 Sub 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 potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 24th day of June, 2004

Raymond T. Hoyas

### CALENDAR

#### 29. 2004-H 7626 SUB A

**BY Costantino**

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
GENERIC DRUGS**

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

Senator Paiva-Weed moves passage, seconded by Senator Roberts.

Senator Roberts seconded by Senator Paiva-Weed, offers the following written motion to amend.

### FLOOR AMENDMENT TO 2004 -- H 7626 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- GENERIC DRUGS

Mr. President:

I hereby move to amend 2004 -- H 7626 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- GENERIC DRUGS", as follows:

1. On page 1, line 5, by deleting the word "for" and inserting in place thereof the words "which are".
2. On page 1, line 5, after the word "equivalent" by inserting the words "and interchangeable with specific".
3. On page 1, line 8, by deleting the word "therapeutically".

Respectfully submitted,  
SENATOR ROBERTS

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, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Paiva-Weed moves passage of the act as amended, seconded by Senator Roberts, Gibbs and Parella.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 33: Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Montalbano

**32. 2004-H 7647 SUB B**

**BY Fox**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and the Substitute A and passage of Substitute B.

Senator Sosnowski moves passage, seconded by Senators Polisena, Damiani, Gibbs, Ruggerio and others.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**34. 2004-H 7658 as amended**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - BOARD OF RADIOLOGIC TECHNOLOGY

Committee on Health & Human Services recommends passage as amended in concurrence.

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

**35. 2004-H 7666 as amended**

**BY Handy**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Health & Human Services recommends passage as amended in concurrence.

Senator Roberts moves passage, seconded by Senators Perry, Ruggerio, Sheehan, Connors and several others.

Senators Polisena discusses the act.

The act is read and passed, in concurrence, upon a roll call vote with 16 Senators voting in the affirmative and 13 Senators voting in the negative as follows:

YEAS- 16: The Honorable President Montalbano and Senators Alves, Badeau, Caprio, Ciccone, DaPonte, Gibbs, Goodwin, Issa, Lanzi, McBurney, Paiva-Weed, Perry, Pichardo, Roberts, Ruggerio,.

NAYS- 13: Senators Algieri, Breene, Connors, Cote, Damiani, Felag, Lenihan, McCaffrey, Polisena, Raptakis, Sosnowski, Tassoni, Walaska.

**38. 2004-H 7722 SUB A**

**BY Smith**

**ENTITLED, AN ACT RELATING TO EDUCATION -- ALTERNATIVE  
EDUCATION PROGRAMS**

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

Senator Issa moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon roll call vote with 32 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Cote, Lenihan.

**39. 2004-H 7725 as amended**

**BY Lima**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - -  
MISCELLANEOUS RULES**

Committee on Judiciary recommends passage as amended in concurrence.

Senator McCaffrey moves passage, seconded by Senators Caprio, Polisena, Damiani and Lanzi.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

YEAS- 33: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Connors

**40. 2004-H 7734 SUB B**

**BY Lewiss**

**ENTITLED, AN ACT RELATING TO PROBATE PRACTICE**

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

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

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**44. 2004-H 7872**

**BY Costantino**

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
TEMPORARY DISABILITY INSURANCE -- GENERAL  
PROVISIONS**

Committee on Health & Human Services recommends passage in concurrence.

Senator Roberts moves passage, seconded by Senator Goodwin.

The act is read and passed, by unanimous consent, in concurrence, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**46. 2004-H 7914 as amended****BY Ginaitt****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -  
MAINTENANCE OF MARINE WATERWAYS AND BOATING  
FACILITIES

Committee on Environment & Agriculture recommends passage as amended in concurrence.

Senator Sosnowski moves passage, seconded by Senators Damiani, Gibbs and Parella.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**53. 2004-H 8042 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE  
RATING

Committee on Financial, Technology, Regulatory recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

Senator Walaska moves passage, seconded by Senator Bates.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**56. 2004-H 8143****BY Amaral****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Damiani and Felag.

The act is read and passed, by unanimous consent, in concurrence, 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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**58. 2004-H 8197**

**BY Flaherty**

**ENTITLED,** AN ACT RELATING TO AERONAUTICS -- PERMANENT AIR  
QUALITY MONITORING ACT

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

Senator Caprio moves passage, seconded by Senator McCaffrey.

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

YEAS- 34: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**59. 2004-H 8198**

**BY Flaherty**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

Committee on Environment & Agriculture recommends passage in concurrence.

Senator Sosnowski moves passage, seconded by Senators Polisena and Breene.

Senator Sosnowski seconded by Senators Polisena and Breene, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

**TO**

**2004 -- H 8198**

**AN ACT RELATING TO TOWNS AND CITIES**

Mr. President:

I hereby move to amend 2004 -- H 8198, entitled "AN ACT RELATING TO TOWNS AND CITIES", as follows:

- (1) On page 1, line 12, by striking the word "appoint", and inserting in lieu thereof the word "designate".
- (2) On page 1, line 14, by striking the word "confirmation", and inserting in lieu thereof the word "approval".
- (3) On page 1, line 14, by deleting the words "have the qualifications and"
- (4) On page 2, line 16, after the words "and/or education", by inserting the following "to the extent feasible,"

Respectfully submitted,  
SENATOR SOSNOWSKI

The motion to amend prevails upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Sosnowski moves passage of the act as amended, seconded by Senators Polisena and Breene.

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

YEAS- 34: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**60. 2004-H 8202**

**BY Flaherty**

**ENTITLED, AN ACT RELATING TO AERONAUTICS -- NOISE MONITORING  
ACT**

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

Senator Caprio moves passage, seconded by Senator McCaffrey.

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

YEAS- 32: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**62. 2004-H 8225 SUB A as amended**

**BY Menard**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- COMMUNITY RESIDENCES

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

Senator Roberts moves passage, seconded by Senator Bates.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**65. 2004-H 8296**

**BY Anguilla**

**ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES

Committee on Judiciary recommends passage in concurrence.

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

The act is read and passed, by unanimous consent, 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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**68. 2004-H 8430 as amended**

**BY Carter**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

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- ECONOMIC DEVELOPMENT CORPORATION

Ordered on the Calendar

Senator Breene moves passage, seconded by Senators Algieri, Sosnowski, Bates and Ruggerio.

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

YEAS- 32: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**69. 2004-H 8477**

**BY Gorham**

**ENTITLED,** AN ACT PROVIDING FOR THE CONSTRUCTION OF A NEW MIDDLE SCHOOL AND THE ACQUISITION OF LAND THEREFOR AND FOR THE RENOVATION OF THE PONAGANSET HIGH SCHOOL AND PONAGANSET MIDDLE SCHOOL BY THE FOSTER-GLOCESTER REGIONAL SCHOOL DISTRICT AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$45,720,000.00 IN BONDS THEREFOR

Ordered on the Calendar

Senator Fogarty moves passage, seconded by Senators Gallo, Tassoni and Walaska.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**72. 2004-H 8513 SUB A**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH INSURANCE

Ordered on the Calendar

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

**76. 2004-H 8577**

**BY McHugh**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE CAPITAL COSTS ASSOCIATED WITH THE TOWN'S WITHDRAWAL FROM THE CHARIHO REGIONAL SCHOOL DISTRICT INCLUDING THE ACQUISITION OF LAND FOR AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A MIDDLE SCHOOL/HIGH SCHOOL COMPLEX AND THE RENOVATION, REHABILITATION, REPAIR, IMPROVEMENT AND EQUIPPING OF AND/OR ADDITIONS TO EXISTING SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$34,900,000 BONDS AND/OR NOTES THEREFOR

Ordered on the Calendar

Senator Algieri moves passage, seconded by Senator Breene.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**77. 2004-H 8578**

**BY McHugh**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF AN AUDITORIUM AT THE MIDDLE SCHOOL/HIGH SCHOOL IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$3,000,000 BONDS AND/OR NOTES THEREFOR

Ordered on the Calendar

Senator Algieri moves passage, seconded by Senator Breene.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan,

McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**78. 2004-H 8600**

**BY Kilmartin**

**ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE IMPACT OF THE GOVERNMENT ACCOUNTING STANDARDS BOARD'S RULES AND REGULATIONS REGARDING OTHER POST EMPLOYMENT BENEFITS

Committee on Environment & Agriculture recommends passage in concurrence.

Senator Sosnowski moves passage, seconded by Senators Walaska and Damiani.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**79. 2004-H 8601 as amended**

**BY Handy**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,500,000 BONDS AND NOTES TO FINANCE REPAIRS AND RENOVATIONS TO BUILDINGS OWNED BY THE CITY OF CRANSTON (UP TO \$500,000 OF WHICH MAY BE USED FOR FIRE CODE UPGRADES

Ordered on the Calendar

Senator Roberts moves passage, seconded by Senators Lanzi, Gallo and Polisena.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**80. 2004-H 8602 SUB A****BY Jacquard**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$7,000,000 BONDS AND NOTES TO FINANCE REPAIRS, RENOVATIONS AND FIRE CODE UPGRADES TO SCHOOL BUILDINGS IN THE CITY OF CRANSTON

Ordered on the Calendar

Senator Roberts moves passage, seconded by Senators Lanzi and Gallo.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**81. 2004-H 8603 as amended****BY Montanaro**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES TO FINANCE THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT THE CITY OF CRANSTON

Ordered on the Calendar

Senator Lanzi moves passage, seconded by Senators Roberts, Gallo and Walaska.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**82. 2004-H 8604 as amended****BY Jacquard**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,000,000 BONDS AND NOTES TO FINANCE

THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT  
FOR A TERM NOT TO EXCEED TEN (10) YEARS

Ordered on the Calendar

Senator Gallo moves passage, seconded by Senators Roberts and Lanzi.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**83. 2004-H 8605 as amended**

**BY Palumbo**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,400,000 BONDS AND NOTES TO FINANCE BUILDING REPAIRS, CONSTRUCTION AND RENOVATIONS TO THE CRANSTON WEST AREA CAREER AND TECHNICAL CENTER

Ordered on the Calendar

Senator Lanzi moves passage, seconded by Senators Roberts and Walaska.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**89. 2004-H 8687**

**BY Long**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO BORROW UP TO \$1,500,000 FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND EXTENSION OF SEWERS AND SEWER LINES 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

Ordered on the Calendar

Senator Gibbs moves passage, seconded by Senators Parella, Bats and Polisena.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**90. 2004-H 8688****BY Long**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO BORROW UP TO \$4,500,000 FOR THE PURPOSE OF FINANCING THE MAINTENANCE AND 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

Ordered on the Calendar

Senator Ruggerio moves passage, seconded by Senator Gibbs.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**Statement of Conflict of Interest****Pursuant to R.I. Gen. Laws § 36-14-6**

I, M Teresa Paiva-Weed, holding the position of

Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving Gaming Referendum (H. 7844 SubA).

is presently before The Rhode Island State Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

My law firm represents Newport Grand

3. [Please select one of the following]:

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 25th day of June, 2004.

Senator M Teresa Paiva-Weed  
Signature

**137. 2004-H 7844 SUB A as amended**

**BY Williamson**

**ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS --  
AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER  
FACILITIES**

Ordered on the Calendar

Senator Alves moves passage, seconded by Senators Ruggerio, Goodwin, Damiani, Badeau, Ciccone, McCaffrey and many others.

Senators Caprio, Raptakis, Sheehan and Alves, discuss the act.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 23 Senators voting in the affirmative and 12 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 23: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Perry, Pichardo, Polisena, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 12: Senator Algieri, Bates, Blais, Breene, Caprio, Gibbs, Lenihan, Parella, Raptakis, Revens, Roberts, Sheehan.

ABSTAINED- 1: Senator Paiva-Weed.

**91. 2004-H 8689**

**BY Long**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO BORROW UP TO \$1,000,000 FOR THE PURPOSE OF FINANCING WATERLINE EXTENSION 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

Ordered on the Calendar

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

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**92. 2004-H 8690**

**BY Long**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE ACQUISITION AND PRESERVATION OF OPEN SPACE AND ACQUIRING, PRESERVING, RESTORING OR IMPROVING RECREATIONAL AREAS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR

Ordered on the Calendar

Senator Gibbs moves passage, seconded by Senators Parella, Bates and Felag.

The act is read and passed, by unanimous consent, in concurrence, 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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**93. 2004-H 8698**

**BY Carter**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE FIRE SUPPRESSION SYSTEMS, HEATING AND VENTILATION SYSTEMS, SEPTIC SYSTEMS AND OTHER REPAIRS AND RENOVATIONS AND/OR RELATED EQUIPMENT AT THE DAVISVILLE, FOREST PARK, FISHING COVE AND WICKFORD ELEMENTARY SCHOOLS AND THE WICKFORD MIDDLE SCHOOL AND TO ISSUE NOT MORE THAN \$9,000,000 BONDS AND NOTES THEREFOR

Ordered on the Calendar

Senator Sheehan moves passage, seconded by Senators Lenihan Walaska and Fogarty.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**104. 2004-H 8699**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- SPECIAL PROGRAM FOR CARE OF SEVERELY DISABLED ELDERLY RESIDENTS WHO NEED NURSING FACILITY SERVICES

Ordered on the Calendar

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

**106. 2004-H 8570 SUB A**

**BY Crowley**

**ENTITLED,** AN ACT RELATING TO PUB CRAWLS

Ordered on the Calendar

Senator Bates moves passage, seconded by Senators Algieri, Breene and Polisena.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 31 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Ciccone.

**107. 2004-H 7883**

**BY Fox**

**ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --  
MILITARY SERVICE AND VETERANS

Ordered on the Calendar

Senator Felag moves passage, seconded by Senators Breene, Parella and others.

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

YEAS- 34: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**108. 2004-H 8613 SUB A**

**BY Picard**

**ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE  
COMMISSION TO STUDY THE LEAD HAZARD MITIGATION LAW  
WHICH SHALL TAKE EFFECT JULY 1, 2004

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senators Badeau, Walaska, Felag and others.

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

**109. 2004-H 8412 SUB A**

**BY Murphy**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Cote.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 31 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Sheehan.

**110. 2004-H 7424**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW - GENERAL  
REGULATORY PROVISIONS - UNFAIR SALES PRACTICES

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

Senator Caprio moves passage, seconded by Senators Walaska, Damiani and others.

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

NAYS- 0:

**113. 2004-H 7425 as amended**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING TO INSURANCE

Ordered on the Calendar

Senator Walaska moves passage, seconded by Senator Caprio.

Senator Walaska seconded by Senators Caprio, offers the following written motion to amend.

**FLOOR AMENDMENT**

**TO**

**2004 -- H 7425, As Amended**

**AN ACT RELATING TO INSURANCE**

Mr. Speaker:

I hereby move to amend 2004 -- H 7425, As Amended entitled "AN ACT RELATING TO INSURANCE", as follows:

(1) On page 4, between lines 20 and 21, by deleting the language that was inserted by Floor Amendment LC Number 01188/5, and inserting in place thereof the following language:

“SECTION 2. – Joint Study Commission –

(a) There shall be established a joint study commission comprised of ten (10) members, five (5) from the house of representatives, four (4) from the majority party and one from the minority party, to be appointed by the speaker of the house; and five (5) from the senate, four (4) from the majority party and one from the minority party to be appointed by the president of the senate. The commission shall study and examine the stabilization, fiscal health, and proper functioning of the Rhode Island Workers’ Compensation system and the Rhode Island Insurers’ Insolvency Fund.

(b) Upon the passage of this act, the members of the commission shall meet at the call of the speaker of the house and the president of the senate. The speaker of the house and the president of the senate shall select co-chairpersons from among the members. Vacancies shall be filled in like manner as the original appointment.

(c) The committee shall file its report to the general assembly by June 1, 2005.”

Respectfully submitted,  
SENATOR WALASKA

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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Walaska moves passage of the act as amended, seconded by Senator Caprio.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

**NOW PRESIDING**

The Honorable President Pro Tempore Minority yields the floor to the Honorable President at 9:13 o'clock P.M.

**TRANSMITTAL**

By unanimous consent, all Senate matters and House matters that have been amended by the Senate, and H- 7844 Sub as amended on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

**GUESTS**

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President welcomes to the Chamber Laura Gallo and Julie Gallo, daughter of Senator Gallo, along with Jon Forsythe.

**NEW BUSINESS****Senate Bill No. 3234**

**BY** Senators Perry, Roberts, Paiva-Weed, Gallison

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- AUDITS.

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senator Badeau.

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

**RECESS**

Upon suggestion of Senator Paiva-Weed and by unanimous consent the Senate stands at recess at 9:16 o'clock P.M. until the call of the chair.

**CALL TO ORDER**

The Senate is called to order at 10:55 o'clock P.M. on Friday, June 25, 2004 by the Honorable President Joseph A. Montalbano.

**REPORTS OF COMMITTEES****COMMITTEE ON CONSTITUTIONAL AND GAMING ISSUES**

Senator Goodwin, from the Committee on Constitutional and Gaming Issues, reports back, with recommendation of passage of the following measure:

**House Bill No. 7322** SUB A as amended

**BY** Voccola, Moran

**ENTITLED**, AN ACT RELATING TO REGISTRATION OF 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 measure:

**House Bill No. 7458**

**BY** Moura, Brien T, Petrarca, McCauley, Smith

**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS -- RESIDENCY.

Read and ordered to be placed on the Calendar

**COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT**

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

**House Bill No. 8237** SUB A as amended

**BY** Moura, Schadone, Long

**ENTITLED**, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION AND PRACTICES

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, of the following measures:

**House Bill No. 8550**

**BY** Aubin, Lowe

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF BURRILLVILLE TO FINANCE THE CONSTRUCTION, EQUIPPING AND FURNISHING OF AN ADDITION TO AND REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO THE W.L. CALLAHAN ELEMENTARY SCHOOL AND TO ISSUE NOT MORE THAN \$7,500,000 BONDS THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7710 SUB A****BY** Lima**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7156 as amended****BY** McNamara, Giannini, Ginaitt, Ajello, Cerra**ENTITLED**, AN ACT RELATING TO HEALTH - DEFIBRILLATORS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7436 SUB A****BY** Naughton, Flaherty, Ginaitt, McNamara, Costantino**ENTITLED**, 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:

**House Bill No. 8590****BY** Scott, McHugh**ENTITLED**, AN ACT IN AMENDMENT OF CHAPTER 55 OF THE PUBLIC LAWS, 1958, AS AMENDED, ENTITLED "AN ACT AUTHORIZING THE TOWNS OF CHARLESTOWN, RICHMOND AND HOPKINTON, TO JOIN A REGIONAL SCHOOL DISTRICT, INCORPORATING SAID REGIONAL SCHOOL DISTRICT, AND PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION AND OPERATION OF A REGIONAL SCHOOL SYSTEM FOR THE JOINT USE OF THE PARTICIPATING TOWNS, WITHIN SAID REGIONAL SCHOOL DISTRICT ESTABLISHED BY THIS ACT.".

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8619 as amended****BY** Senators Watson**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO FINANCE THE CONSTRUCTION, RENOVATION, ALTERATION, REPAIR, IMPROVEMENT, EQUIPPING AND FURNISHING OF, AND/OR ADDITIONS TO, PUBLIC SCHOOLS AND SCHOOL FACILITIES IN THE TOWN AND TO ISSUE NOT MORE THAN \$42,800,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8549 SUB A**

**BY** Gallison

**ENTITLED**, AN ACT AUTHORIZING THE BRISTOL WARREN REGIONAL SCHOOL DISTRICT TO FINANCE PHASE ONE OF THE ELEMENTARY FACILITIES PROGRAM FOR CONSTRUCTION OF ADDITIONS, IMPROVEMENTS AND RENOVATIONS TO HUGH COLE ELEMENTARY SCHOOL IN WARREN, RHODE ISLAND AND TO COLT MEMORIAL, ANDREWS AND ROCKWELL SCHOOLS IN BRISTOL, RHODE ISLAND, INCLUDING SITE INFRASTRUCTURE AND IMPROVEMENTS, THE FURNISHING AND EQUIPPING THEREOF AND THE PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER SERVICES NECESSARY OR APPROPRIATE THEREFOR, AND TO ISSUE NOT MORE THAN \$22,800,000 BONDS AND NOTES THEREFOR

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8579**

**BY** Faria, Moran

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR FINANCING CAPITAL IMPROVEMENTS TO VARIOUS CITY BUILDINGS INCLUDING SUCH IMPROVEMENTS AS ARE NECESSARY IN ORDER TO COMPLY WITH THE STATE MANDATED FIRE/BUILDING CODE REGULATIONS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8507** (by request)

**BY** Gallison, Enos, Amaral, Callahan, Watson

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,500,000 TO CONSTRUCT A GYMNASIUM, FOR PORTSMOUTH HIGH SCHOOL.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8515 SUB A** as amended

**BY** Crowley, Dennigan, Slater, Kennedy, Anguilla

**ENTITLED**, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS -- THE RI HEALTHCARE REFORM ACT OF 2004 -- NONPROFIT INSURERS' MISSION AND GOVERNANCE

Read and ordered to be placed on the Calendar

Also:

**House Resolution No. 8683**

**BY** Williams

**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7698** SUB A (Lieutenant Governor)

**BY** Fox, Anderson R, Coderre E, Cerra, Benson

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE INFORMATION TECHNOLOGY AND INFRASTRUCTURE DEVELOPMENT FUND

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7834** as amended (Lieutenant Governor)

**BY** Winfield, Williamson, Menard, Savage, Brien T

**ENTITLED**, AN ACT RELATING TO TAXATION -- THE RHODE ISLAND MILITARY FAMILY RELIEF FUND.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8516** SUB A as amended

**BY** Kennedy, Dennigan, Slater, Anguilla, Lima

**ENTITLED**, AN ACT RELATING TO HEALTH INSURANCE -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 -- HEALTH INSURANCE REGULATION {LC3374/3/A}

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7714** SUB A as amended

**BY** Anderson R, Ajello, Coderre E, Cerra

**ENTITLED**, AN ACT RELATING TO EDUCATION -- CURRICULUM

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7119****BY** McNamara, Malik, Cerra, Lally, Anguilla**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- TRAFFIC CONTROL DEVICES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7374 SUB A** as amended**BY** Moura, Anguilla, Long, Kilmartin, Giannini**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- THE RHODE ISLAND  
PRESCRIPTION DRUG PROGRAM FOR THE UNINSURED

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8593 SUB A****BY** Winfield, Petrarca**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT OF MUNICIPAL  
EMPLOYEES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7518 SUB A** as amended**BY** Naughton, Giannini, Lewiss, Slater, Moffitt**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR WORKING  
PEOPLE FOR WORKING PEOPLE WITH DISABILITIES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7211** as amended**BY** Brien T, Schadone, Enos, Laroche, Gallison**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY  
AND COMPUTATION

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7515 SUB A****BY** Costantino, Lewiss, Anguilla, Slater, Naughton**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
PHARMACEUTICAL ASSISTANCE TO THE ELDERLY ACT

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8669** SUB A

**BY** Naughton, Slater, Giannini, Handy, Coderre E

**ENTITLED**, AN ACT RELATING TO HEALTH INSURANCE - - EARLY INTERVENTION SERVICES

Received and referred to the Senate Committee on Finance

Also:

**House Bill No. 7937** (Attorney General)

**BY** Brien T, Laroche, Landroche, Menard, Gallison

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8338** SUB A as amended (Attorney General)

**BY** Brien T, Menard, Jacquard, Kilmartin, Trillo

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7290**

**BY** Dennigan, Anguilla, Slater

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA DETECTION OF FELONY OFFENDERS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8634** SUB A

**BY** Murphy, Fox

**ENTITLED**, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION -- PUBLICATION AND DISTRIBUTION OF ACTS

Read and ordered to be placed on the Calendar

**House Bill No. 8213**

**BY** Lowe

**ENTITLED**, AN ACT RELATING TO REGISTRATION OF VEHICLES - FIREFIGHTER PLATES.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8407**

**BY** Faria, Williamson, Carter, Schadone, Giannini

**ENTITLED**, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS AND OFFICIALS.

Received and referred to the Senate Committee on Finance

Also:

**House Bill No. 8285** SUB A as amended

**BY** Naughton, Slater, Cerra, McCauley, Malik

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS

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

Also:

**Senate Bill No. 2841** as amended

**BY** Senators Goodwin, Ruggerio

**ENTITLED**, AN ACT RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7696** SUB A

**BY** Fox, Naughton, Moura, Lima

**ENTITLED**, AN ACT RELATING TO TAXATION - BUSINESS CORPORATION TAX

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7991** SUB A as amended

**BY** Ajello, Kilmartin, Anguilla, Rose, Moura

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - AUDITS

Read and ordered to be placed on the Calendar

## CALENDAR

In order for the day is taken up as follows:

**2. 2004-H 7147**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- KIDNAPPING

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Blais.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**3. 2004-H 7154**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO SCHOOL COMMITTEES AND SUPERINTENDENTS -- MIDDLE SCHOOLS

Committee on Education recommends passage in concurrence.

Senator Issa moves passage, seconded by Senators Gallo and Tassoni.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

**4. 2004-H 7400**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS -- ADOPTION OF CHILDREN

Committee on Judiciary recommends passage in concurrence.

Senator Blais moves passage, seconded by Senator Roberts.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**5. 2004-H 7658 as amended**

**BY Giannini**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
BOARD OF RADIOLOGIC TECHNOLOGY**

Committee on Health & Human Services recommends passage as amended in concurrence.

Senator Roberts, moves passage, seconded by Senator Polisena.

Senator Roberts seconded by Senator Polisena, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

**TO**

**2004 -- H 7658, AS AMENDED**

**AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF RADIOLOGIC  
TECHNOLOGY**

Mr. President:

I hereby move to amend 2004 -- H 7658, AS AMENDED entitled "AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF RADIOLOGIC TECHNOLOGY", as follows:

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

"SECTION 1. Sections 5-68-2 and 5-68-7 of the General Laws in Chapter 5-68 entitled "Board of Radiologic Technology" are hereby amended to read as follows:

**5-68-2. Definitions.** -- As used in this chapter:

(1) "Board" means the board of radiologic technology.

(2) "Department" means the department of health.

(3) "Financial interest" means being:

(i) A licensed practitioner of radiologic technology; or

(ii) A person who deals in goods and services that are uniquely related to the practice of radiologic technology; or

(iii) A person who has invested anything of value in a business that provides radiologic technology services.

(4) "License" means a written authorization issued by the department authorizing an individual to perform diagnostic and/or therapeutic radiologic procedures on humans.

(5) "Licensed practitioner" or "licensed practitioner of the healing arts" means an individual licensed to practice medicine, osteopathy, chiropractic, ~~or~~ podiatry or an individual licensed as a physician assistant in this state.

(6) "National organization" means a professional association, approved by the board, that examines, registers, certifies or approves individuals in education programs relating to operators of sources of radiation.

(7) "Nuclear medicine technology" means the act of giving a radioactive substance to a human being for diagnostic purposes, or the act of performing associated procedures, or both.

(8) "Operator" or "operator of sources of radiation" means any individual, other than a licensed practitioner of the healing arts, who uses or operates a source(s) of radiation.

(9) "Radiation physicist" means an individual in the field of radiation protection who has knowledge and responsibility to apply appropriate radiation practice.

(10) "Radiation therapy technology" means the direct application of ionizing radiation to human beings for therapeutic purposes.

(11) "Radiography" means the direct application of ionizing radiation to a human being for diagnostic purposes.

(12) "Radiologic technology" includes the practice of:

(i) Radiography; or

(ii) Nuclear medicine technology; or

(iii) Radiation therapy technology.

(13) "Radiologist" means a licensed practitioner practicing within the field of radiology.

(14) "Sources of radiation" means any substance or device emitting or capable of producing ionizing radiation, for the purpose of performing human therapeutic or diagnostic radiologic procedures.

(15) "State" means the state of Rhode Island and Providence Plantations.

(16) "Student" means an individual enrolled in a course of study for medicine or radiologic technology.

(17) "Supervision" means:

(i) "Direct personal supervision" means supervised by and in the physical presence of a radiologist or licensed operator.

(ii) "Direct supervision" means supervised by a radiologist or licensed operator who is at all times available in the individual's place of employment.

(iii) "General supervision" means supervised by a radiologist or licensed operator who is available but not necessarily within the individual's place of employment.

**5-68-7. Exemptions. --** The provisions of the preceding sections do not apply to:

~~(1) A radiologist certified or eligible for board certification from the American board of radiology.~~

~~(2) (1)~~ A licensed practitioner when practicing within his or her field of expertise.

~~(3) (2)~~ Students of medicine, when under the general supervision of an instructor who is a radiologist board certified or eligible for board certification and when acting within the scope of practice.

~~(4) (3)~~ A dentist, licensed dental hygienist or certified dental assistant when practicing within his or her field of expertise.

~~(5) (4)~~ Podiatry assistants who have received a "certificate of completion" from the community college of Rhode Island or other equivalent training approved by the board, after having taken and passed the course on "radiography for podiatry assistance" and when acting within the practice of podiatry.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,  
SENATOR ROBERTS

The motion to amend prevails upon a roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Tassoni.

NAYS- 0:

Senator Roberts moves passage of the act as amended, seconded by Senator Polisena.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 27 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Alves, Badeau, Bates, Blais, Breene, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**6. 2004-H 7817 SUB A as amended**

**BY Brien T**

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES**

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senator Tassoni.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 26 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 26: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Breene, Cote, Damiani, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais and Fogarty.

**7. 2004-H 8513 SUB A as amended**

**BY Giannini**

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH  
INSURANCE**

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senator Roberts.

Senator Roberts seconded by Senator Goodwin, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

TO  
2004 -- H 8513 SUBSTITUTE A, As Amended

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE DEPARTMENT OF  
BUSINESS REGULATION -- HEALTH INSURANCE

Mr. President:

I hereby move to amend 2004 -- H 8513 SUBSTITUTE A, As Amended entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH INSURANCE", as follows:

(1) On page 2, lines 14 and 15, by deleting the citation "27-20.6-1(1)" and inserting in lieu thereof the citation "42-14-5".

Respectfully submitted,  
SENATOR ROBERTS

The motion to amend prevails upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

Senator Roberts moves passage of the act as amended, seconded by Senator Goodwin.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**8. 2004-H 8699**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- SPECIAL  
PROGRAM FOR CARE OF SEVERELY DISABLED ELDERLY  
RESIDENTS WHO NEED NURSING FACILITY SERVICES

Ordered on the Calendar

Senator Pichardo moves passage, seconded by Senators Roberts and Connors.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**9. 2004-H 7596**

**BY Schadone**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- INTERSTATE  
INSURANCE PRODUCT REGULATION COMPACT

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

Senator Bates moves passage, seconded by Senator Gibbs.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**10. 2004-S 2031 SUB A**

**BY Revens**

**ENTITLED,** AN ACT RELATING TO TAXATION - SALES AND USE TAXES -  
AIRPLANES

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

Senator Paiva-Weed moves passage, seconded by Senator Alves.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon roll call vote with 29 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Sosnowski, Tassoni.

NAYS- 2: Senator Connors, Issa.

**11. 2004-S 2489**

**BY Issa**

**ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --  
MILITARY SERVICE AND VETERANS

Committee on Finance recommends passage.

Senator Issa moves passage, seconded by Senator Felag and others.

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

NAYS- 0:

**12. 2004-S 2608 SUB A**

**BY Walaska**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
JOBS DEVELOPMENT ACT

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

Senator Paiva-Weed moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**FROM THE DESK**

Upon suggestion of Senator DaPonte, and without objection, the following item is removed from the desk and acted on as follows:

**House Bill No. 8673****BY** Moura, Ajello**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ENERGY FACILITY SITING ACT.

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senator Connors.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Breene, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**NEW BUSINESS****Senate Bill No. 3232****BY** Senator Sosnowski**ENTITLED**, AN ACT RELATING TO TAXATION - BUSINESS CORPORATION TAX.

Senator Paiva-Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Paiva-Weed moves passage, seconded by Senator Alves.

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni.

NAYS- 0:

Also:

**Senate Bill No. 3233****BY** Senator Blais**ENTITLED**, AN ACT RELATING TO ADMINISTRATIVE PROCEDURES.

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, 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 Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

Also:

**Senate Bill No. 3234****BY** Senators Perry, Roberts, Paiva-Weed, Gallison**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- AUDITS.

Senator Paiva-Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Paiva-Weed moves passage, seconded by Senators Roberts and Breene.

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

Also:

**Senate Bill No. 3235****BY** Senator Blais**ENTITLED**, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senators Breene and Paiva-Weed.

The act is read and passed, by unanimous consent, upon a roll call vote with 27 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Ciccone, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

#### FROM THE HOUSE OF REPRESENTATIVES

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

**House Bill No. 8630** (by request)

**BY** Winfield, Petrarca

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$20,850,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION AND LIBRARY CONSTRUCTION PROJECTS.

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8701**

**BY** Lima

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3132 SUB A**

**BY** Senators Bates, Felag, Parella

**ENTITLED**, AN ACT AUTHORIZING THE BRISTOL WARREN REGIONAL SCHOOL DISTRICT TO FINANCE PHASE ONE OF THE ELEMENTARY FACILITIES PROGRAM FOR CONSTRUCTION OF ADDITIONS, IMPROVEMENTS AND RENOVATIONS TO HUGH COLE ELEMENTARY SCHOOL IN WARREN, RHODE ISLAND AND TO COLT MEMORIAL, ANDREWS AND ROCKWELL SCHOOLS IN BRISTOL, RHODE ISLAND, INCLUDING SITE INFRASTRUCTURE AND IMPROVEMENTS, THE FURNISHING AND EQUIPPING THEREOF

AND THE PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER SERVICES NECESSARY OR APPROPRIATE THEREFOR, AND TO ISSUE NOT MORE THAN \$22,800,000 BONDS AND NOTES THEREFOR

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2280** SUB A as amended

**BY** Senators Gibbs, Goodwin, Roberts, Parella, Blais

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR WORKING PEOPLE FOR WORKING PEOPLE WITH DISABILITIES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8700**

**BY** Kilmartin

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES (class D license).

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7449** as amended

**BY** Lima, Handy, Cerra, Wasylyk, Almeida

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS' LICENSES.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2948** SUB A as amended

**BY** Senators Polisena, Damiani, Tassoni

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HEALTH CLUBS

Read and ordered to be placed on the Calendar

## CALENDAR

In order for the day is taken up as follows:

### **13. 2004-S 2651 SUB A**

**BY** Roberts

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH

CARE INFORMATION TECHNOLOGY AND INFRASTRUCTURE  
DEVELOPMENT FUND

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

Senator Roberts moves passage, seconded by Senator Tassoni.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, 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.

NAYS- 1: Senator Connors

**14. 2004-S 3142 as amended**

**BY Tassoni**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT  
OF MUNICIPAL EMPLOYEES

Committee on Finance recommends passage as amended.

Senator Tassoni moves passage, seconded by Senator Perry.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, 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.

NAYS- 0:

**15. 2004-S 3213**

**BY DaPonte**

**ENTITLED,** JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY  
CERTAIN CLAIMS

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senator Ruggerio.

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**16. 2004-H 7492 as amended**

**BY Lewiss**

**ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHERS'  
RETIREMENT**

Committee on Finance recommends passage as amended.

Senator Algieri moves passage, seconded by Senator Blais.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

**17. 2004-H 7493 as amended**

**BY Lewiss**

**ENTITLED, AN ACT RELATING TO EDUCATION - TEACHERS' RETIREMENT**

Committee on Finance recommends passage as amended.

Senator Algieri moves passage, seconded by Senator Breene.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**58. 2004-S 2841 as amended**

**BY Goodwin**

**ENTITLED, AN ACT RELATING TO EDUCATION - FOUNDATION LEVEL  
SCHOOL SUPPORT**

Committee on Finance recommends passage as amended.

Senator Goodwin moves passage, seconded by Senator Lenihan and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Breene, Caprio, Ciccone, Damiani, DaPonte, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**18. 2004-H 8085 SUB A**

**BY McCauley**

**ENTITLED,** AN ACT RELATING TO TAXATION -- ALTERNATIVE FUELED  
VEHICLE AND FILLING STATION TAX CREDIT

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

Senator Connors moves passage, seconded by Senator Badeau and others.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**61. 2004-S 3132 SUB A**

**BY Bates**

**ENTITLED,** AN ACT AUTHORIZING THE BRISTOL WARREN REGIONAL  
SCHOOL DISTRICT TO FINANCE PHASE ONE OF THE ELEMENTARY FACILITIES  
PROGRAM FOR CONSTRUCTION OF ADDITIONS, IMPROVEMENTS AND  
RENOVATIONS TO HUGH COLE ELEMENTARY SCHOOL IN WARREN, RHODE  
ISLAND AND TO COLT MEMORIAL, ANDREWS AND ROCKWELL SCHOOLS IN  
BRISTOL, RHODE ISLAND, INCLUDING SITE INFRASTRUCTURE AND  
IMPROVEMENTS, THE FURNISHING AND EQUIPPING THEREOF AND THE  
PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER  
SERVICES NECESSARY OR APPROPRIATE THEREFOR, AND TO ISSUE NOT  
MORE THAN \$22,800,000 BONDS AND NOTES THEREFOR

Ordered on the Calendar

Senator Bates moves passage, seconded by Senator Gibbs.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**62.     2004-S 2280 SUB A as amended**

**BY** Senators Gibbs, Goodwin, Roberts, Parella, Blais

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR WORKING PEOPLE FOR WORKING PEOPLE WITH DISABILITIES

Ordered on the Calendar

Senator Gibbs moves passage, seconded by Senators Bates, Breene, Parella, Perry and Algieri.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**19. 2004-H 8393 as amended**

**BY** Almeida

**ENTITLED,** AN ACT AUTHORIZING SUIT AGAINST THE CITY OF PROVIDENCE BY THE FAMILY AND ESTATE OF CAROL WALKER

Committee on Finance recommends passage as amended in concurrence.

Senator Goodwin moves passage, seconded by Senator Perry.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 19 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 19: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Caprio, Ciccone, Connors, DaPonte, Felag, Gibbs, Goodwin, Issa, Lanzi, McBurney, Parella, Perry, Pichardo, Ruggerio.

NAYS- 4: Senators Damiani, Polisena, Tassoni, Walaska.

### NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to the Honorable President at 11:25 o'clock P.M.

### CALENDAR

In order for the day is taken up as follows:

**20. 2004-H 8418**

**BY Landroche**

**ENTITLED,** AN ACT RELATING TO SALES AND USE TAXES --LIABILITY  
AND COMPUTATION

Committee on Finance recommends passage in concurrence.

Senator Alves moves passage, seconded by Senator McBurney.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**67. 2004-H 8011 SUB A as amended**

**BY McCauley, Corvese, San Bento, Faria, Gallison**

**ENTITLED,** AN ACT APPROVING THE ISSUANCE OF REVENUE BONDS BY THE  
RHODE ISLAND CONVENTION CENTER AUTHORITY

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

Senator Alves moves passage, seconded by Senator Goodwin.

Senators Lenihan, Perry, Alves, Sheehan, Cote, Ciccone, Sheehan, Badeau and Paiva-Weed discuss the act.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 21 Senators voting in the affirmative and 11 Senators voting in the negative as follows:

YEAS- 21: The Honorable President Montalbano and Senators Alves, Badeau, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Ruggerio, Tassoni, Walaska.

NAYS- 11: Senator Algieri, Bates, Blais, Breene, Cote, Gibbs, Lenihan, Parella, Raptakis, Sheehan and Sosnowski.

**28. 2004-H 7458**

**BY Moura**

**ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- RESIDENCY**

Committee on Finance recommends passage in concurrence.

Senator Ruggerio moves passage, seconded by Senators Goodwin, Alves, Caprio, McCaffrey, Paiva-Weed, McBurney, Perry, Tassoni, Felag, Blais, Gibbs, Polisena, Damiani, Connors, Badeau, Lenihan, Parella and many others.

Senators Goodwin and Polisena, discuss the act.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**21. 2004-H 8667**

**BY Menard**

**ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND  
ASSESSMENT OF LOCAL TAXES**

Committee on Finance recommends passage in concurrence.

Senator Alves moves passage, seconded by Senator Lanzi.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

## REPORTS OF COMMITTEES

### COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT

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

**House Bill No. 7354**

**BY** Cerra, Montanaro, Petrarca, Handy, Slater

**ENTITLED**, AN ACT RELATING TO THE RHODE ISLAND RESOURCE RECOVERY CORPORATION.

Senator Caprio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Caprio moves passage, seconded by Senator Bates.

The act is read and passed, by unanimous consent, upon a roll call vote with 25 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 25: The Honorable President Montalbano and Senators Algieri, Alves, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Perry, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

## CALENDAR

In order for the day is taken up as follows:

**22. 2004-H 7936 SUB A as amended**

**BY** Tejada

**ENTITLED**, JOINT RESOLUTION STRONGLY URGING THE BOARD OF GOVERNORS FOR HIGHER EDUCATION TO REVIEW ITS ADMISSION AND RESIDENCY POLICIES WITH REGARD TO INTERNATIONAL STUDENTS

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

Senator Pichardo moves passage, seconded by Senators Parella and Issa.

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

**23. 2004-S 2672 SUB A**

**BY Blais**

**ENTITLED, AN ACT RELATING TO EDUCATION -- CURRICULUM**

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

Senator Blais moves passage, seconded by Senator Bates.

Senator Blais seconded by Senators Bates, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2004 -- S 2672 SUBSTITUTE A**

**AN ACT RELATING TO EDUCATION -- CURRICULUM**

Mr. President:

I hereby move to amend 2004 -- S 2672 SUBSTITUTE A, entitled "AN ACT RELATING TO EDUCATION -- CURRICULUM", as follows:

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

"SECTION 1. Chapter 16-22 of the General Laws entitled "Curriculum" is hereby amended by adding thereto the following section:

**16-22-23. Mathematics and English-language arts. - - (a) The board of regents for elementary and secondary education shall select and/or develop a statewide curriculum in Mathematics and English/Language Arts for students in grades kindergarten (k) through twelve (12) by August 31, 2006.**

**(b) The curriculum selected and/or developed by the board of regents shall:**

**(1) be aligned with state standards and assessments utilized by the state department of education;**

**(2) contain sufficient detail to guide teachers in planning lessons aligned with state standards and assessments.**

**(c) By November 1, 2004, the commissioner of elementary and secondary education shall prepare an outline for development and implementation utilizing appropriate groups and then shall convene a Mathematics curriculum advisory committee and an English/Language Arts curriculum advisory committee for the purpose of developing recommended curriculum to the board of regents for elementary and secondary education. Each committee shall include teachers, representatives of teacher unions, administrators, curriculum directors, school committee members, and experts designated by the commissioner.**

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,  
SENATOR BLAIS

The motion to amend prevails upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

Senator Blais moves passage of the act as amended, seconded by Senator Bates.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 26 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 26: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, McBurney, Paiva-Weed, Perry, Pichardo, Polisena, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**24. 2004-S 2905 SUB A**

**BY Gallo**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - STROKE TASK  
FORCE

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

Senator Gallo moves passage, seconded by Senators Perry, Fogarty and Walaska.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**25. 2004-H 8192 SUB A as amended**

**BY Naughton**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- STROKE TASK  
FORCE

Committee on Health & Human Services recommends indefinite postponement of the

original bill and passage of Substitute A as amended in concurrence.

Senator Gallo moves passage, seconded by Senators Fogarty, Walaska and Perry.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**26. 2004-S 2832 SUB A**

**BY Sosnowski**

**ENTITLED, AN ACT RELATING TO REGISTRATION OF VEHICLES**

Committee on Constitutional & Gaming Issues recommends indefinite postponement of the original bill and passage of Substitute A.

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**27. 2004-H 7322 SUB A as amended**

**BY Voccola**

**ENTITLED, AN ACT RELATING TO REGISTRATION OF VEHICLES**

Committee on Constitutional & Gaming Issues recommends indefinite postponement of the original bill and passage of Substitute A as amended in concurrence.

Senator Sosnowski moves passage, seconded by Senator Breene.

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

YEAS- 34: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**29. 2004-H 8550**

**BY Aubin**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF BURRILLVILLE TO FINANCE THE CONSTRUCTION, EQUIPPING AND FURNISHING OF AN ADDITION TO AND REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO THE W.L. CALLAHAN ELEMENTARY SCHOOL AND TO ISSUE NOT MORE THAN \$7,500,000 BONDS THEREFOR

Ordered on the Calendar

Senator Fogarty moves passage, seconded by Senators Gallo, Walaska and Sheehan.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Alves, Badeau, Bates, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**30. 2004-H 7710 SUB A**

**BY Lima**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**31. 2004-H 7156 as amended****BY McNamara****ENTITLED, AN ACT RELATING TO HEALTH - DEFIBRILLATORS**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Ruggerio.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**32. 2004-H 7436 SUB A****BY Naughton****ENTITLED, AN ACT RELATING TO THE PERMANENT JOINT COMMITTEE  
ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND  
OTHER STATE CONSTRUCTIONS**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens+, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**33. 2004-H 8590****BY Scott****ENTITLED, AN ACT IN AMENDMENT OF CHAPTER 55 OF THE PUBLIC  
LAWS, 1958, AS AMENDED, ENTITLED "AN ACT  
AUTHORIZING THE TOWNS OF CHARLESTOWN, RICHMOND AND  
HOPKINTON, TO JOIN A REGIONAL SCHOOL DISTRICT,  
INCORPORATING SAID REGIONAL SCHOOL DISTRICT, AND  
PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION  
AND OPERATION OF A REGIONAL SCHOOL SYSTEM FOR THE**

JOINT USE OF THE PARTICIPATING TOWNS, WITHIN SAID  
REGIONAL SCHOOL DISTRICT ESTABLISHED BY THIS ACT."

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Breene.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**34. 2004-H 8619 as amended**

**BY Watson**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO FINANCE THE CONSTRUCTION, RENOVATION, ALTERATION, REPAIR, IMPROVEMENT, EQUIPPING AND FURNISHING OF, AND/OR ADDITIONS TO, PUBLIC SCHOOLS AND SCHOOL FACILITIES IN THE TOWN AND TO ISSUE NOT MORE THAN \$42,800,000 BONDS AND/OR NOTES THEREFOR

Ordered on the Calendar

Senator Lenihan moves passage, seconded by Senator Raptakis.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator DaPonte

**35. 2004-H 8579**

**BY Faria**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR FINANCING CAPITAL IMPROVEMENTS TO VARIOUS CITY BUILDINGS INCLUDING SUCH IMPROVEMENTS AS ARE NECESSARY IN ORDER TO COMPLY WITH THE STATE MANDATED FIRE/BUILDING CODE REGULATIONS

Ordered on the Calendar

Senator Issa moves passage, seconded by Senator Felag.

The act is read and passed, by unanimous consent, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**36. 2004-H 8507**

**BY Gallison**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,500,000 TO CONSTRUCT A GYMNASIUM, FOR PORTSMOUTH HIGH SCHOOL

Ordered on the Calendar

Senator Gibbs moves passage, seconded by Senator Parella.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, Paiva-Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**38. 2004-H 8549 SUB A**

**BY Gallison**

**ENTITLED,** AN ACT AUTHORIZING THE BRISTOL WARREN REGIONAL SCHOOL DISTRICT TO FINANCE PHASE ONE OF THE ELEMENTARY FACILITIES PROGRAM FOR CONSTRUCTION OF ADDITIONS, IMPROVEMENTS AND RENOVATIONS TO HUGH COLE ELEMENTARY SCHOOL IN WARREN, RHODE ISLAND AND TO COLT MEMORIAL, ANDREWS AND ROCKWELL SCHOOLS IN BRISTOL, RHODE ISLAND, INCLUDING SITE INFRASTRUCTURE AND IMPROVEMENTS, THE FURNISHING AND EQUIPPING THEREOF AND THE PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER SERVICES NECESSARY OR APPROPRIATE THEREFOR, AND TO ISSUE NOT MORE THAN \$22,800,000 BONDS AND NOTES THEREFOR

Ordered on the Calendar

Senator Felag moves passage, seconded by Senator Gallo.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**44. 2004-H 7714 SUB A as amended**

**BY Anderson R**

**ENTITLED, AN ACT RELATING TO EDUCATION -- CURRICULUM**

Ordered on the Calendar

Senator Roberts moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 25 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 25: Senators Algieri, Alves, Blais, Breene, Caprio, DaPonte, Felag, Fogarty, Gallo, Goodwin, Lanzi, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**45. 2004-H 7119**

**BY McNamara**

**ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- TRAFFIC  
CONTROL DEVICES**

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Walaska.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 22 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 22: Senators Algieri, Blais, Breene, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Montalbano

**Statement of Potential Conflict**

TO THE HONORABLE SENATE:

I Leo R. Blais hereby 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(s) 04-H 7379 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 potential conflict of interest as follows: I am a Pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 25th day of June, 2004

Raymond T. Hoyas

**46. 2004-H 7374 SUB A as amended**

**BY Moura**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE RHODE ISLAND PRESCRIPTION DRUG PROGRAM FOR THE UNINSURED**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 24 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 24: The Honorable President Montalbano and Senators Algieri, Bates, Breene, Cote, Damiani, DaPonte, Felag, Fogarty, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**47. 2004-H 8593 SUB A****BY Winfield****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT  
OF MUNICIPAL EMPLOYEES

Ordered on the Calendar

Senator Tassoni moves passage, seconded by Senator Fogarty.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 27 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 27: Senators Algieri, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**48. 2004-H 7518 SUB A as amended****BY Naughton****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE  
FOR WORKING PEOPLE FOR WORKING PEOPLE WITH  
DISABILITIES

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Roberts.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**49. 2004-H 7211 as amended****BY Brien T****ENTITLED,** AN ACT RELATING TO TAXATION -- SALES AND USE TAXES  
-- LIABILITY AND COMPUTATION

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Alves.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Issa

**50. 2004-H 8237 SUB A as amended**

**BY Moura**

**ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION  
AND PRACTICES**

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

Senator Paiva-Weed moves passage, seconded by Senator Alves.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon 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, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**51. 2004-H 7937**

**BY Brien T**

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Alves.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**52. 2004-H 8338 SUB A as amended****BY Brien T****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH  
WARRANTS

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Caprio.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon 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, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**53. 2004-H 7290****BY Dennigan****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA  
DETECTION OF FELONY OFFENDERS

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Damiani.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Bates, Blais, Breene, Caprio, Ciccone, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**54. 2004-H 8634 SUB A****BY Murphy****ENTITLED,** AN ACT RELATING TO STATUTES AND STATUTORY  
CONSTRUCTION -- PUBLICATION AND DISTRIBUTION OF ACTS

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator McCaffrey.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**55. 2004-H 8213**

**BY Lowe**

**ENTITLED,** AN ACT RELATING TO REGISTRATION OF VEHICLES -  
FIREFIGHTER PLATES

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senators Polisena and others.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 27 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**56. 2004-H 7696 SUB A**

**BY Fox**

**ENTITLED,** AN ACT RELATING TO TAXATION - BUSINESS CORPORATION  
TAX

Ordered on the Calendar

Senator Alves moves passage, seconded by Senator Paiva-Weed.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**57. 2004-H 7991 SUB A as amended****BY Ajello****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
AUDITS**

Ordered on the Calendar

Senator Perry moves passage, seconded by Senator Alves.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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 Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2004-S 2154 SUB A as amended****BY Walaska****ENTITLED, AN ACT RELATING TO INSURANCE**

Ordered on the Calendar

Senator Walaska moves passage, seconded by Senator Paiva-Weed.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 22 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 22: The Honorable President Montalbano and Senators Algieri, Breene, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Tassoni, Walaska.

NAYS- 0:

**2004-H 8701****BY Lima****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Paiva-Weed.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Walaska.

NAYS- 0:

**2004-H 8700**

**BY Kilmartin**

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES**

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senator Roberts.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 26 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 26: The Honorable President Montalbano and Senators Algieri, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Issa, Lanzi, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2004-H 7449 as amended**

**BY Lima**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
OPERATORS' AND CHAUFFEURS' LICENSES**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Ruggerio.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2004-S 2948 SUB A as amended**

**BY Polisena**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
HEALTH CLUBS**

Ordered on the Calendar

Senator Polisena moves passage, seconded by Senator Damiani.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**59. House Bill No. 8630 (by request)**

**BY** Senators Winfield, Petrarca

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$20,850,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION AND LIBRARY CONSTRUCTION PROJECTS.

Ordered on the Calendar

Senator Tassoni moves passage, seconded by Senator Fogarty.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

**10. 2004-S 3170 SUB A as amended**

**BY** Montalbano J

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
LEAD HAZARD MITIGATION

**23. 2004-H 7336 SUB A**

**BY** Lewiss

**ENTITLED**, AN ACT RELATING TO LIBRARIES - STATE AID

**25. 2004-H 7403 SUB A as amended**

**BY** Dennigan

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
NURSES

26. 2004-H 7406 SUB A

BY Dennigan

ENTITLED, AN ACT IMPLEMENTING AN AMENDMENT TO THE TOBACCO  
MASTER SETTLEMENT AGREEMENT AND RELATING TO  
ENFORCEMENT OF THE TOBACCO MANUFACTURERS'  
MASTER SETTLEMENT AGREEMENT AND FUNDS ESCROW

27. 2004-H 7428

BY Enos

ENTITLED, AN ACT RELATING TO ELECTIONS -- LOCAL CANVASSING  
AUTHORITY

30. 2004-H 7628

BY Costantino

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL  
ASSISTANCE

31. 2004-H 7630

BY Costantino

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
PHARMACEUTICAL ASSISTANCE TO THE ELDERLY

33. 2004-H 7650

BY Winfield

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

36. 2004-H 7713 as amended

BY Dennigan

ENTITLED, AN ACT RELATING TO THE HEALTH CARE FOR FAMILIES ACT

37. 2004-H 7716 SUB A

BY Shanley

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY

41. 2004-H 7751 SUB B

BY Lewiss

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

42. 2004-H 7806 SUB A as amended

BY Coderre E

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

45. 2004-H 7891

BY Lima

ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF

## ELECTION AND VOTING EQUIPMENT, AND SUPPLIES

47. 2004-H 7948 as amended

BY Carter

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -  
RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS48. 2004-H 7975 SUB A

BY Slater

ENTITLED, AN ACT RELATING TO MEDICAL ASSISTANCE -- DENTISTS,  
DENTAL HYGIENISTS AND DENTAL ASSISTANTS49. 2004-H 7989

BY Crowley

ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES  
AND SUPERINTENDENTS50. 2004-H 7990

BY Story

ENTITLED, AN ACT RELATING TO EDUCATION -- CIVIC EDUCATION  
COMMISSION51. 2004-H 8010 SUB A

BY McNamara

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

52. 2004-H 8033

BY Lima

ENTITLED, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS AND  
OFFICIALS AND PRIMARY ELECTIONS54. 2004-H 8046

BY Lima

ENTITLED, AN ACT RELATING TO ELECTIONS -- TABULATION AND  
CERTIFICATION OF RETURNS55. 2004-H 8047

BY Lima

ENTITLED, AN ACT RELATING TO ELECTIONS -- RECOUNTS

57. 2004-H 8148

BY Moffitt

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DISPOSITION  
OF BODIES TO BE BURIED WITH PUBLIC FUNDS63. 2004-H 8256

BY Costantino

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --  
TOWING STORAGE ACT

**64. 2004-H 8260**

**BY Moura**

**ENTITLED,** AN ACT RELATING TO THE INDEBTEDNESS OF TOWNS AND  
CITIES

**66. 2004-H 8311**

**BY Crowley**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
EAST BAY ECONOMIC INITIATIVE

**67. 2004-H 8366 as amended**

**BY Lima**

**ENTITLED,** AN ACT RELATING TO ELECTIONS - BALLOT SECURITY AND  
STORAGE

**70. 2004-H 8491 SUB A as amended**

**BY Crowley**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU

**71. 2004-H 8492**

**BY Winfield**

**ENTITLED,** AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

**73. 2004-H 8517**

**BY Costantino**

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- THE RHODE  
ISLAND HEALTH CARE REFORM ACT OF 2004 --  
RESTRUCTURING STATE GOVERNMENT REGULATION OF  
HEALTH INSURANCE

**74. 2004-H 8527 as amended**

**BY Lima**

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS  
-- ADAPTIVE TELEPHONE EQUIPMENT LOAN PROGRAM  
COMMITTEE

**75. 2004-H 8558 as amended**

**BY Malik**

**ENTITLED,** AN ACT RELATING TO FISH AND WILDLIFE -- SHELLFISH  
AND AQUACULTURE

**84. 2004-H 8614 SUB A as amended**

**BY Picard**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

## LEAD HAZARD MITIGATION

**85. 2004-H 8637****BY Flaherty****ENTITLED,** AN ACT RELATING TO THE CITY OF WARWICK**86. 2004-H 8650****BY Scott****ENTITLED,** AN ACT CREATING THE EXETER FIRE DISTRICT**87. 2004-H 8661****BY Costantino****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
- DEPARTMENT OF TRANSPORTATION**88. 2004-H 8663 SUB A****BY Almeida****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
RACIAL PROFILING

Senator Paiva-Weed moves passage, seconded by Senator Algieri.

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

NAYS- 0:

**70. 2004-S 2061 SUB A as amended****BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO TAXATION -- SALES TAX

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Goodwin.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: Senators Algieri, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, , Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### NEW BUSINESS

**Senate Bill No. 3236**

**BY** Senator Breene

**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- PUBLIC BUILDINGS.

Senator Breene requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Breene moves passage, seconded by Senator Blais.

The act is read and passed, by unanimous consent, upon a roll call vote with 26 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 26: Senators Algieri, Alves, Blais, Breene, Caprio, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### CALENDAR

In order for the day is taken up as follows:

**2004-S 2115 as amended**

**BY** Walaska

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- SANITATION STANDARDS FOR BATHING BEACHES

Ordered on the Calendar

Senator Walaska moves passage, seconded by Senator Gallo.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 27 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 27: Senators Alves, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Felag

**72. 2004-S 2222 SUB A**

**BY Lanzi**

**ENTITLED, AN ACT RELATING TO DISABILITY BUSINESS ENTERPRISES**

Ordered on the Calendar

Senator Lanzi moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**73. 2004-S 2256 SUB B**

**BY McCaffrey**

**ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS --  
SOLEMNIZATION OF MARRIAGES**

Ordered on the Calendar

Senator McCaffrey moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**74. 2004-S 2482 SUB A**

**BY Raptakis**

**ENTITLED, AN ACT RELATING TO ELECTIONS**

Ordered on the Calendar

Senator Raptakis moves passage, seconded by Senator Cote.

Senators Alves and Raptakis discuss the act.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 18 Senators voting in the affirmative and 10 Senators voting in the negative as follows:

YEAS- 18: The Honorable President Montalbano and Senators Bates, Blais, Breene, Caprio, Ciccone, Cote, Gibbs, Lenihan, McCaffrey, Paiva-Weed, Parella, Polisena, Raptakis, Revens, Roberts, Sheehan, Walaska.

NAYS- 10: Senators Alves, DaPonte, Felag, Goodwin, Lanzi, McBurney, Perry, Pichardo, Ruggerio, Tassoni.

**75. 2004-S 2506 SUB A**

**BY Perry**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE  
ACCESSIBILITY ASSURANCE**

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

Senator Perry moves passage, seconded by Senator Roberts.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**76. 2004-S 2569 SUB A**

**BY Perry**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

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

Senator Perry moves passage, seconded by Senator Tassoni.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 28 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Breene, Caprio, Ciccone, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Cote and Raptakis.

**77. 2004-S 2853 SUB B as amended**

**BY Montalbano J**

**ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "B" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Revens, Roberts, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

**78. 2004-S 2989 SUB B**

**BY DaPonte**

**ENTITLED, AN ACT RELATING TO TAXATION -- PASSIVE INVESTMENT TREATMENT**

Ordered on the Calendar

Senator DaPonte moves passage, seconded by Senator Alves.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: Senators Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**79. 2004-S 3101 SUB A****BY Alves****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH  
INSURANCE

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

Senator Alves moves passage, seconded by Senator McBurney.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, 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- 1: Senator Raptakis

**82. 2004-H 7599****BY Flaherty****ENTITLED,** AN ACT RELATING TO INSURANCE -- INDIVIDUAL  
DEFERRED ANNUITIES

Ordered on the Calendar

Senator Revens moves passage, seconded by Senator Walaska.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**83. 2004-H 7698 SUB A****BY Fox****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH  
CARE INFORMATION TECHNOLOGY AND INFRASTRUCTURE  
DEVELOPMENT FUND

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Ruggerio.

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

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

NAYS- 0:

**84. 2004-H 7825**

**BY Malik**

**ENTITLED, AN ACT RELATING TO TAXATION -- SALES TAX**

Ordered on the Calendar

Senator Felag moves passage, seconded by Senator Alves.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2004-H 7834 as amended**

**BY Winfield**

**ENTITLED, AN ACT RELATING TO TAXATION -- THE RHODE ISLAND  
MILITARY FAMILY RELIEF FUND**

Ordered on the Calendar

Senator Issa moves passage, seconded by Senator Felag.

The act is read and passed, by unanimous consent, in concurrence, 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 Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**86. 2004-H 7966 as amended**

**BY Crowley**

**ENTITLED, AN ACT RELATING TO SCHOOL COMMITTEES**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Gallo.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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 Montalbano and Senators Algieri, Alves, Bates, Blais, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**87. 2004-H 8318 SUB A**

**BY Fox**

**ENTITLED, AN ACT RELATING TO EDUCATION -- EDUCATION EQUITY  
AND PROPERTY TAX RELIEF**

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Gallo.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Caprio, Ciccone, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**88. 2004-H 8368 SUB A**

**BY Anguilla**

**ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -  
RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS**

Ordered on the Calendar

Senator Felag moves passage, seconded by Senator Issa.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

ABSTAINED- 1: Senator Polisena

**89. 2004-H 8515 SUB A as amended**

**BY Crowley**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL  
SERVICE CORPORATIONS -- THE RI HEALTHCARE REFORM ACT  
OF 2004 -- NONPROFIT INSURERS' MISSION AND GOVERNANCE

Ordered on the Calendar

Senator Paiva-Weed moves passage, seconded by Senator Roberts.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon 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, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**91. 2004-H 8620 SUB A**

**BY Gemma**

**ENTITLED,** AN ACT RELATING TO STATE AID TO LIBRARIES

Ordered on the Calendar

Senator Roberts moves passage, seconded by Senator Revens.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**92. 2004-H 8662**

**BY Fox**

**ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Ordered on the Calendar

Senator Alves moves passage, seconded by Senator Paiva-Weed.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**93. 2004-H 8668**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING BUSINESSES AND PROFESSIONS -- SUNDAY BUSINESS

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

Senator Caprio moves passage, seconded by Senator Goodwin.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**94. 2004-H 8683**

**BY Williams**

**ENTITLED,** JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS

Ordered on the Calendar

Senator Caprio moves passage, seconded by Senator Goodwin.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**95. 2004-H 8693 SUB A**

**BY Costantino**

**ENTITLED, AN ACT RELATING TO JOBS DEVELOPMENT**

Ordered on the Calendar

Senator Roberts moves passage, seconded by Senator Alves.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**96. 2004-H 8694 SUB A**

**BY Costantino**

**ENTITLED, AN ACT RELATING TO TAXATION -- PASSIVE INVESTMENT  
TREATMENT**

Ordered on the Calendar

Senator Alves moves passage, seconded by Senator Paiva-Weed.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Alves, Bates, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**97. 2004-H 8696 SUB A**

**BY Cerra**

**ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES -- SIZE, WEIGHT  
AND LOAD LIMITS

Ordered on the Calendar

Senator Polisena moves passage, seconded by Senator Paiva-Weed.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**98. 2004-H 8702**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING TO ADMINISTRATIVE PROCEDURES

Ordered on the Calendar

Senator Caprio moves passage, seconded by Senator Blais.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**90. House Bill No. 8516 SUB A as amended**

**BY Kennedy, Dennigan, Slater, Anguilla, Lima**

**ENTITLED,** AN ACT RELATING TO HEALTH INSURANCE -- THE RHODE ISLAND  
HEALTH CARE REFORM ACT OF 2004 -- HEALTH INSURANCE REGULATION

Senator Roberts moves passage, seconded by Senator Goodwin.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

### FROM THE HOUSE OF REPRESENTATIVES

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

**Senate Bill No. 2423** as amended

**BY** Senator Gallo

**ENTITLED**, AN ACT RELATING TO SCHOOL COMMITTEES.

Senator Gallo moves passage, seconded by Senator Fogarty.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**1. 2004-S 3050 SUB A as amended**

**BY** Sheehan

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT  
- ECONOMIC DEVELOPMENT CORPORATION

Ordered on the Calendar

Senator Sheehan moves passage, seconded by Senator Paiva-Weed.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, upon roll call vote with 21 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS- 21: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Felag, Fogarty, Gallo, Lenihan, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Walaska.

NAYS- 8: Senator Ciccone, Damiani, DaPonte, Goodwin, McCaffrey, Perry, Ruggerio, Tassoni.

### ADJOURNMENT

Upon motion of Senator Paiva-Weed seconded by Senator Algieri and upon suggestion of Senator McBurney the Senate adjourns at 2:06 o'clock A.M. in memory of Melvin Ridley of Virginia Beach, Virginia. Mr. Ridley served thirty years in the United States Navy, including a tour right here in Newport, before concluding his career in Norfolk, Virginia where he retired with the rank of Senior Chief Quartermaster. Mr. Ridley leaves two children, James Douglas Ridley of Carmel, Indiana and Stephanie Anne (Ridley) Baxter, spouse of our Reading Clerk, John Baxter, of Pawtucket, as well as five grandchildren.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

JOHN S. BAXTER  
Reading Clerk

GABRIEL ANDRADE REI  
Deputy Clerk  
MATTHEW D. WELDON  
Voting Machine Clerk

TRENT HASTINGS  
Sound System Technician

SETH MESSIER  
NICHOLAS DI IORIO  
ANDREW DI IORIO  
ANTHONY COLALUCA  
Assistants to the Secretary of the Senate

**Appendix****INVOCATION****SENATOR STEPHEN D. ALVES**

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.