

State of Rhode Island and Providence Plantations

Journal of the Senate

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

Volume 132, No. 59

Monday, June 27, 2005 and
Tuesday, June 28, 2005 and
Wednesday, June 29, 2005 and
Thursday, June 30, 2005

Fifty-ninth Day

Corrected Version

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:55 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

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

June 24, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 36-3-6 of the Rhode Island General Laws, I have made the following reappointment to the Personnel Appeal Board:

Charles A. Lombardi of North Providence

for a term expiring April 1, 2011.

To this reappointment, I respectfully request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

June 27, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Paul M. DePace, P.E. of East Greenwich
(Representing persons with disabilities)

for a term expiring May 1, 2006.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

June 24, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-17.7-3 of the Rhode Island General Laws, I have made the following reappointment as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management:

Mary F. McMahon of Warwick

for a term expiring March 1, 2007.

To this appointment, I respectfully request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

June 24, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 39-1-4 of the Rhode Island General Laws, I have made the following appointment to the Public Utilities Commission:

Mary Bray of Pawtucket

VICE
Kate F. Racine

for a term expiring March 1, 2011.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

NEW BUSINESS**Senate Bill No. 1196****BY** Senators Connors, Montalbano J**ENTITLED**, AN ACT RELATING TO THE LONSDALE FIRE DISTRICT.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senator Lanzi.

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, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1197**BY** Senators Paiva-Weed, Algieri**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 Senator Algieri.

The resolution is read and passed, 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 Algieri, Alves, Badeau, Bates, Blais, Caprio, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Damiani.

REPORTS OF COMMITTEES

COMMITTEE ON GOVERNMENT OVERSIGHT

Senator Lenihan, from the Committee on Government Oversight, reports back, with recommendation of passage of the following measures:

Senate Bill No. 1173 as amended

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from certain boards and commissions).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1175

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1176 as amended

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1177 as amended

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1178

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS.

Read and ordered to be placed on the Calendar

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1 Reappointment of **G. Thomas Chabot** (Class "A" Electrician's License Holder) of West Warwick to the State Building Codes Standards Committee for a term expiring May 1, 2007.

2 2005-H 6625

BY Watson

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE ACADEMY PLAYERS

CALENDAR

In order for the day is taken up as follows:

2 2005-S 48 SUB A

BY Raptakis

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

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

Senator Raptakis moves passage, seconded by Senators Sheehan, Felag, Issa, Fogarty, Damiani,

Polisena, Sosnowski, Algieri, Metts and others.

Senator Issa discusses the act.

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

YEAS- 34: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4 2005-S 399 SUB A as amended**BY Goodwin****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
NATIONAL GUARD

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

Senator Goodwin moves passage, seconded by Senators Issa, Gallo, Fogarty, Metts, Perry, Felag, Paiva Weed, Raptakis, Algieri and many others.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6 2005-S 890 SUB A**BY Goodwin****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES

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

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

7 2005-S 1102 SUB A**BY Walaska****ENTITLED,** AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND
HOSPITALS -- COMMUNITY MENTAL HEALTH SERVICES

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

Senator Walaska moves passage, seconded by Senators Gallo and Felag.

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

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

NAYS- 0:

8 2005-S 1103**BY Connors**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE CONSTRUCTION OF ADDITIONS, RENOVATIONS, IMPROVEMENTS, ALTERATIONS AND REPAIRS TO THE HIGH SCHOOL IN THE TOWN, THE EQUIPPING AND FURNISHING THEREOF AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE IN SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

Senator Connors moves passage, seconded by Senators Issa, Alves and Badeau.

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, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

48 2005-H 5344**BY Flaherty, Fox**

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS – JUSTICES OF SUPREME, SUPERIOR, AND FAMILY COURTS .

Committee on Finance recommends passage in concurrence.

Senator Alves moves passage, seconded by Senator Levesque.

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, Caprio, Connors, Damiani, DaPonte, Doyle, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

42 2005-S 827**BY Montalbano J**

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

Senator Alves moves passage, seconded by Senators Issa, Lenihan and Polisena.

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, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

44 2005-S 1190

BY Alves

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE TAX EXEMPT STATUS OF INSTITUTIONS OF HIGHER LEARNING IN THE STATE OF RHODE ISLAND

Committee on Finance recommends passage.

Senator Alves moves passage, seconded by Senator Polisena.

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, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

43 2005-S 1043

BY Felag

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL SECURITY INFRASTRUCTURE SUPPORT FUND

Committee on Finance recommends passage.

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

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

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

NAYS- 0:

41 2005-S 656 SUB A**BY Perry****ENTITLED,** AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX

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

Senator Perry moves passage, seconded by Senators Alves, Goodwin, Issa, Roberts, Gibbs, Connors, Paiva Weed, and Metts.

Senators Alves, Lenihan and Paiva Weed discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

45 2005-S 1191 SUB A**BY DaPonte****ENTITLED,** JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS

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

Senator DaPonte moves passage, seconded by Senators Bates and Damiani.

The resolution marked Substitute "A" is read and passed, 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, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

46 2005-S 1192 as amended**BY Alves****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ENTIRE SALARY STRUCTURE AT THE COMMUNITY COLLEGE OF RHODE ISLAND (CCRI)

Committee on Finance recommends passage as amended.

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

The resolution is read and passed, as amended, upon a voice vote and 1 Senator abstaining as follows:

ABSTAINED- 1: Polisena

47 2005-S 1194

BY Felag

ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS

Committee on Finance recommends passage.

Senator Felag moves passage, seconded by Senators Doyle, Raptakis, Sosnowski 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, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet Tuesday, June 28, 2005, at 3:00 o'clock P.M. in Room 211 of the State House.

Senator Polisena announces that the Committee on Judiciary will meet Tuesday, June 28, 2005, at 3:00 o'clock P.M. in Room 212 of the State House.

Senator Roberts announces that the Committee on Health and Human Services will meet Tuesday, June 28, 2005, at 2:30 o'clock P.M. in Room 313 of the State House.

Senator Bates announces that the Committee on Financial Services, Technology and Regulatory Issues will meet Tuesday, June 28, 2005, at the rise of the Senate, in the Senate Lounge of the State House.

TRANSMITTAL

By unanimous consent, all Senate matters and (H-5344) on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

RECESS

Upon motion of Senator DaPonte, and by unanimous consent, the Senate stands at recess at 5:23 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Tuesday, June 28, 2005, at 4:50 o'clock P.M.

APPROVAL OF RECORD

The Senate Journal of Wednesday, June 22, 2005 proceedings is read in part.

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

COMMUNICATION

The Honorable President presents the following communications:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

June 28, 2005

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing the March 9, 2005 appointment of Jack Warner to the Human Resource Investment Council.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

June 28, 2005

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing the March 9, 2005 appointment of Adelita Orefice to the Human Resource Investment Council.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

June 8, 2005

TO THE HONORABLE, THE SENATE:

At the request of the appointee, I am hereby withdrawing the May 19, 2005 appointment of Jo Ann Howard to the Human Resource Investment Council.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

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

June 27, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

George Nee of Providence
(Representing Labor)

VICE
John Gregory

for a term expiring January 1, 2008.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Also:

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

June 7, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

Martin Trueb of East Greenwich
(Representing Business)

VICE
Lori Merola

for a term expiring January 1, 2007.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Also:

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

June 27, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

Paul MacDonald of Harrisville
(Representing Labor)

for a term expiring January 1, 2007.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Also:

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

June 27, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

Mia Caetano of Warwick
(Representing Business)

VICE
Gary Grove

for a term expiring January 1, 2008.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Also:

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

June 27, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

Deborah B. Wilson of Warwick
(Representing Business)

VICE
Joseph Caffey

for a term expiring January 1, 2007.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

NEW BUSINESS

Senate Bill No. 1198

BY Senator Alves

ENTITLED, AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT.

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 1199

BY Senator Badeau

ENTITLED, AN ACT RELATING TO DISPOSAL OF SOLID WASTE ORIGINATING OUTSIDE THE STATE.

Read and ordered to be placed on the Calendar

Also:

Senate Resolution No. 1200

BY Senators Raptakis, Paiva-Weed, Felag, Blais, Damiani

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR OF THE STATE OF RHODE ISLAND TO ENTER INTO A MEMORANDUM OF AGREEMENT ON BEHALF OF THE STATE ADDRESSING THE SAFETY AND SECURITY AT THE LIQUEFIED NATURAL GAS FACILITY LOCATED IN PROVIDENCE.

Senator Raptakis requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Raptakis moves passage, seconded by Senator Sheehan.

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

Also:

Senate Bill No. 1201

BY Senator Montalbano J

ENTITLED, AN ACT AUTHORIZING THE TOWN OF LINCOLN TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED THREE MILLION DOLLARS FOR THE PURPOSE OF ACQUIRING AND PRESERVING OPEN SPACE AND ACQUIRING, PRESERVING, CONSTRUCTING OR IMPROVING RECREATIONAL FACILITIES IN THE TOWN.

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senator Ruggerio.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Levesque, McBurney, McCaffrey, Metts, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

FROM THE HOUSE OF REPRESENTATIVES

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

The following act was received from the House of Representatives during the Senate Recess, and was referred to the Senate Committee on Finance.

House Bill No. 5270 SUB A as amended (Governor)

BY Watson, Mumford, Long, Gorham, Savage

ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2006

Read and referred to the Committee on Finance

Also:

Senate Resolution No. 458 as amended

BY Senators Metts, Pichardo, Levesque C, Perry

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND TO SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION (ELECTIONS)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5027 SUB B as amended (Attorney General)

BY Kennedy, Lewiss, San Bento, Coderre E, Kilmartin

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - - UNFAIR SALES PRACTICES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6277 as amended

BY Kilmartin

ENTITLED, AN ACT RELATING TO EDUCATION - PERFORMANCE ENHANCING DIETARY SUPPLEMENTS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6530 SUB A as amended

BY Kennedy, Costantino, Kilmartin, Church, Schadone

ENTITLED, AN ACT RELATING TO INSURANCE -- WORKERS' COMPENSATION
INSURANCE FUND (establish the Beacon Mutual Insurance Company)

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 6579 as amended

BY Almeida

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND TO SUBMIT TO THE
ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION (ELECTIONS).

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 measures:

House Bill No. 5449 SUB A

BY Malik, Carter, San Bento, Faria, Gallison

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF
VEHICLES (increase weight registration eligibility for war veteran plates)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5724 SUB A

BY Lewiss, Melo, Gallison, Lima

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY --- ANIMAL
CARE (amend the method that monies collected from fines under this section are spent)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6214 SUB A

BY Lewiss

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES (permit golf clubs which have a
Class D license to sell alcoholic beverages from mobile wagons or carts)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6249 as amended

BY Flaherty, Kennedy

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES (ATM machines on premises).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6371

BY Coderre E, San Bento, O'Neill, McManus, Rose

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS

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. 1168

BY Senators Felag, Paiva-Weed, Bates, Gibbs, Levesque C

ENTITLED, AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5259 SUB A

BY Fox, Gallison, Rice, Jackson, Long

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL SECURITY INFRASTRUCTURE SUPPORT FUND (funding)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6540

BY Anguilla, Malik, Gallison, Story, Savage

ENTITLED, AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5270 SUB A as amended (Governor)

BY Watson, Mumford, Long, Gorham, Savage

ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2006

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 532 SUB A

BY Senator Gallo

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- PENSIONS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1198

BY Senator Alves

ENTITLED, AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT.

Read and ordered to be placed on the Calendar

CALENDAR

In order for the day is taken up as follows:

15 2005-S 1184

BY Alves

ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX

Committee on Finance recommends passage.

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

16 2005-S 1185

BY Raptakis

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS

Committee on Finance recommends passage.

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

2 2005-S 44 SUB B as amended

BY Montalbano J

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES

Ordered on the Calendar

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

The bill marked Substitute "B" 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: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey,

Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5 2005-S 710 SUB B

BY Perry

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O.
HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

Ordered on the Calendar

Senator Perry moves passage, seconded by Senators McCaffrey, Polisena, Damiani, Sosnowski, Roberts, Goodwin and many others.

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

YEAS- 33: Senators Algiere, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Cote

6 2005-S 916 SUB B

BY Goodwin

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
COURTS -- DOMESTIC ASSAULT

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senators Polisena, McCaffrey, Metts, Roberts.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 34: Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Felag

3 2005-S 275 as amended

BY Alves

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S
RIGHT TO KNOW ACT

Committee on Judiciary recommends passage as amended.

Senator Alves moves passage, seconded by Senators Goodwin, McCaffrey, Walaska, Felag, Sheehan, Raptakis, Damiani, Polisen, Breene, Badeau, Metts and many others.

Senator Levesque discusses the act.

Senator Levesque, seconded by Senators Perry and Sosnowski, offers the following written motion to amend.

FLOOR AMENDMENT

AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT

Mr. President:

I hereby move to amend 2005 -- S 275, AS AMENDED, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

(1) On page 1, by deleting all the language appearing on lines 8 – 15, inclusive, and inserting in lieu thereof the following:

"(1) "Abortion" for the purposes of this chapter, means administering to a woman, known to be pregnant, any medicine, drug, substance, or thing whatever, or the employment upon her of any instrument or means whatever, with intent to terminate a pregnancy. The term shall not include the administering of any medicine, drug, substance, or thing or the employment of any instrument or means for the purpose of completing an incomplete, spontaneous miscarriage. Further, the term does not include procedures intended to increase the probability of a live birth of another fetus(s) within the woman."

(2) On page 1, line 16, by striking the numeral "(3)", and inserting in lieu thereof the numeral "(2)".

(3) On page 2, line 1, by striking the numeral "(4)", and inserting in lieu thereof the numeral "(3)".

(4) On page 2, line 2, by striking the numeral "(5)", and inserting in lieu thereof the numeral "(4)".

(5) On page 2, line 5, by striking the numeral "(6)", and inserting in lieu thereof the numeral "(5)".

Respectfully submitted,
SENATOR LEVESQUE

Senators Levesque and Alves discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 9 Senators voting in the affirmative and 27 Senators voting in the negative as follows:

YEAS- 9: Senators Bates, Gibbs, Lenihan, Levesque, Perry, Pichardo, Roberts, Sosnowski, Tassoni.

NAYS- 27: The Honorable President Montalbano and Senators Algiere, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Issa, Lanzi, McBurney, McCaffrey, Metts, Paiva Weed, Polisen, Raptakis, Revens, Ruggerio, Sheehan, Walaska.

Senator Sosnowski, seconded by Senators Levesque, Roberts and Perry, offers the following written motion to amend.

FLOOR AMENDMENT

AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT

Mr. President:

I hereby move to amend 2005 -- S 275 AS AMENDED, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

(1) On page 4, line 23, by deleting the word "stable" and inserting in place thereof the word "secure".

(2) On page 4, line 25, by deleting the word "prevent" and inserting in place thereof the words "guarantee against".

Respectfully submitted,
SENATOR SOSNOWSKI

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 25 Senators voting in the negative as follows:

YEAS- 12: Senators Bates, Gallo, Gibbs, Lanzi, Lenihan, Levesque, Perry, Pichardo, Revens, Roberts, Sosnowski, Tassoni.

NAYS- 25: The Honorable President Montalbano and Senators Algiere, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Goodwin, Issa, McBurney, McCaffrey, Metts, Paiva Weed, Polisena, Raptakis, Ruggerio, Sheehan, Walaska.

Senator Perry, seconded by Senators Levesque and Sosnowski, offers the following written motion to amend.

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

AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT

Mr. President:

I hereby move to amend 2005 -- S 275 AS AMENDED, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

On page 1, line 19, by striking the period "(.)" and inserting the following language and punctuation after the word "function": "provided, however, that the term "medical emergency" shall be deemed to include: first degree sexual assault, third degree sexual assault, and first degree child molestation sexual assault."

Respectfully submitted,
SENATOR PERRY

Senators Alves, Perry and Levesque discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 14 Senators voting in the affirmative and 22 Senators voting in the negative as follows:

YEAS- 14: Senators Bates, Damiani, Fogarty, Gallo, Gibbs, Lanzi, Lenihan, Levesque, Perry, Pichardo, Revens, Roberts, Sosnowski, Tassoni.

NAYS- 22: The Honorable President Montalbano and Senators Algiere, Alves, Badeau, Blais, Breene, Ciccone, Cote, DaPonte, Doyle, Felag, Goodwin, Issa, McBurney, McCaffrey, Metts, Paiva Weed, Polisena, Raptakis, Ruggerio, Sheehan, Walaska.

Senator Roberts, seconded by Senators Levesque, Perry and Sosnowski, offers the following written motion to amend.

FLOOR AMENDMENT**AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT**

Mr. President:

I hereby move to amend 2005 -- S 275 AS AMENDED, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

1. On page 2, line 11, by inserting the language "or agent" after the word "physician".
2. On page 2, line 12, by inserting the following language after the word "abortion": ", by an agent of the physician,".
3. On page 2, line 22, by inserting the language "or the physician's agent" after the word "physician".
4. On page 2, line 23, by inserting the language "or the physician's agent" after the word "physician".
5. On page 2, line 24, by inserting the language "or the physician's agent" after the word "physician".
6. On page 2, line 25, by inserting the language "or the physician's agent" after the word "physician".
7. On page 2, line 29, by inserting the language "by the physician or the physician's agent" after the word "patient".
8. On page 6, line 14, by inserting the language "any physician submitting a report pursuant to subsection (c) or of" after the word "of".

Respectfully submitted,
SENATOR ROBERTS

Senator Alves discusses the amendment.

The motion to amend fails of passage upon a roll call vote with 14 Senators voting in the affirmative and 21 Senators voting in the negative as follows:

YEAS- 14: Senators Bates, Fogarty, Gallo, Gibbs, Lanzi, Lenihan, Levesque, Perry, Pichardo, Revens, Roberts, Sheehan, Sosnowski, Tassoni.

NAYS- 21: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Goodwin, McBurney, McCaffrey, Metts, Polisena, Raptakis, Ruggerio, Walaska.

Senator Gibbs, seconded by Senators Sosnowski, Levesque, Perry, Roberts and Pichardo, offers the following written motion to amend.

FLOOR AMENDMENT**AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT**

Mr. President:

I hereby move to amend 2005 -- S 275, As Amended entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

On page 7, by deleting all of the language on lines 16 through 30 inclusive and inserting in place thereof the following:

"23-4.13-10. Protection of privacy in court proceedings. -- In every civil or criminal proceeding or action brought under this chapter, the anonymity of any female upon whom an abortion has been performed or attempted shall be preserved. In the absence of written consent of the female upon whom an abortion has been performed or attempted, anyone, other than a public official, who brings an action under section 23.4.13-8 shall do so under a pseudonym. This section shall not be construed to conceal the identity of the plaintiff or of witnesses from the defendant."

Respectfully submitted,
SENATOR GIBBS

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 21 Senators voting in the negative as follows:

YEAS- 12: Senators Bates, Damiani, Fogarty, Gallo, Gibbs, Lenihan, Levesque, Perry, Pichardo, Revens, Roberts, Sosnowski.

NAYS- 21: The Honorable President Montalbano and Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Ciccone, Cote, DaPonte, Doyle, Felag, Goodwin, Lanzi, McBurney, McCaffrey, Metts, Paiva Weed, Polisen, Raptakis, Ruggerio, Walaska.

Senator Levesque, seconded by Senators Roberts and Sosnowski, offers the following written motion to amend.

FLOOR AMENDMENT

AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT

Mr. President:

I hereby move to amend 2005 -- S 275, As Amended entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

1. On page 6, line 23, by deleting the words "Criminal penalties" and inserting in place thereof the words "Penalties for violation".

2. On page 6, by deleting lines 23 through 34, beginning with the word "Any" on line 28, and inserting in place thereof the following language:

"Any physician who knowingly violates the requirements of this chapter shall be deemed to have engaged in "unprofessional conduct" for the purposes of section 5-37-5.1. The willful failure to provide the female with the substance of the information pursuant to the requirements of section 23-4.13-3 shall be prima facie evidence of failure to obtain informed consent in an action at law or in equity."

3. On page 7, by deleting lines 1 through 15 in their entirety.

4. On page 7, line 16, by deleting the numbers "23-4.13-10" and inserting in place thereof the numbers "23-4.13-9".

5. On page 7, line 31, by deleting the numbers "23-4.13-11" and inserting in place thereof the numbers "23-4.13-10".

Respectfully submitted,
SENATOR LEVESQUE

Senators Levesque and Alves discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 10 Senators voting in the affirmative and 26 Senators voting in the negative as follows:

YEAS- 10: Senators Bates, Gibbs, Lenihan, Levesque, Perry, Pichardo, Revens, Roberts, Sosnowski, Tassoni.

NAYS- 26: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Metts, Paiva Weed, Polisena, Raptakis, Ruggerio, Sheehan, Walaska.

Senator Pichardo, seconded by Senators Levesque and others, offers the following written motion to amend.

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

AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT

Mr. President:

I hereby move to amend 2005 -- S 275 AS AMENDED, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

1. On page 6, by deleting all of the language on lines 31 through 34, inclusive.
2. On page 7, by deleting all of the language on lines 1 through 15, inclusive.
3. By renumbering the remaining sections accordingly.

Respectfully submitted,
SENATOR PICHARDO

Senator Alves discusses the amendment.

The motion to amend fails of passage upon a roll call vote with 10 Senators voting in the affirmative and 26 Senators voting in the negative as follows:

YEAS- 10: Senators Bates, Gibbs, Lanzi, Lenihan, Levesque, Perry, Pichardo, Roberts, Sosnowski, Tassoni.

NAYS- 26: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, McBurney, McCaffrey, Metts, Paiva Weed, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Walaska.

Senator Perry, seconded by Senator Levesque, offers the following written motion to amend.

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

AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT

Mr. President:

I hereby move to amend 2005 -- S 275, As Amended, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S RIGHT TO KNOW ACT", as follows:

1. On page 8, line 6 by deleting the following language: “upon passage” and inserting in place thereof the following language: “on October 1, 2005”.

Respectfully submitted,

SENATOR PERRY

The motion to amend fails of passage upon a roll call vote with 12 Senators voting in the affirmative and 23 Senators voting in the negative as follows:

YEAS- 12: Senators Bates, Lenihan, Levesque, McBurney, Paiva Weed, Perry, Pichardo, Revens, Roberts, Sheehan, Sosnowski, Tassoni.

NAYS- 23: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, McCaffrey, Metts, Polisena, Raptakis, Ruggerio, Walaska.

Senators Levesque, Metts, Sheehan, Blais, Perry, Issa and Alves discuss the act.

The act is read and passed, as amended, upon a roll call vote with 27 Senators voting in the affirmative and 9 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Polisena, Raptakis, Ruggerio, Sheehan, Walaska.

NAYS- 9: Senators Bates, Gibbs, Levesque, Perry, Pichardo, Revens, Roberts, Sosnowski, Tassoni.

7 2005-S 917 SUB B

BY Goodwin

**ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC
ABUSE PREVENTION**

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senators Paiva Weed, McCaffrey, Pichardo, Metts and Damiani.

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

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

NAYS- 1: Felag

8 2005-S 1111**BY Ruggerio****ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY -
COMPOSITION OF THE SENATE**

Committee on Judiciary recommends passage.

Senator Ruggerio moves passage, seconded by Senator Alves.

Senator Ruggerio, seconded by Senator Levesque, offers the following written motion to amend.

FLOOR AMENDMENT**AN ACT RELATING TO THE GENERAL ASSEMBLY - COMPOSITION OF THE SENATE**

Mr. President:

I hereby move to amend 2005 -- S 1111, entitled "AN ACT RELATING TO THE GENERAL ASSEMBLY - COMPOSITION OF THE SENATE", as follows:

1. On page 9, line 16, by deleting all the language after the colon through line 1 on page 10 and inserting the following language:

"The ninth senatorial district shall consist of all of that part of the city of West Warwick bounded by a line beginning at the intersection of the West Warwick-Coventry boundary line and the West Warwick-Cranston boundary line; thence easterly along the West Warwick-Cranston boundary line to the West Warwick-Warwick boundary line; thence generally southwesterly along the West Warwick-Warwick boundary line to East Greenwich Avenue; thence westerly on East Greenwich Avenue; thence southwesterly on Greenbush Road to April Court; thence northwesterly on April Court to the West Warwick-Coventry boundary line; thence northerly along the West Warwick-Coventry boundary line to the point of origin."

2. On page 17, line 22, by deleting all the language after the colon through line 32 and inserting the following language:

"Twenty-first district: The twenty-fourth senatorial district shall consist of all of the town of Foster.

The twenty-first senatorial district shall also consist of all of the town of Scituate.

The twenty-first senatorial district shall also consist of all of that part of the town of Coventry bounded by a line beginning at the intersection of the Rhode Island-Connecticut state boundary line and the Coventry-Foster boundary line; thence easterly along the Coventry-Foster boundary line to the Coventry-Scituate boundary line; thence continuing easterly along the Coventry-Scituate boundary line to Knotty Oak Road; thence southerly on Knotty Oak Road to Washington Street; thence southwesterly on Washington Street to Sandy Bottom Road; thence southerly on Sandy Bottom Road to Wood Street; thence northwesterly on Wood Street to Rathbun Street; thence southwesterly on Rathbun Street to South Main Street; thence continuing southwesterly on South Main Street to Tiogue Avenue; thence westerly on Tiogue Avenue to Reservoir Road; thence northerly on Reservoir Road to Club House Road; thence westerly on Club House Road to Island Drive; thence southerly on Island Drive to Osprey Drive; thence southwesterly on Osprey Drive to Kingfisher Drive; thence southerly on Kingfisher Drive to Flat River Reservoir; thence northerly and westerly through Flat River Reservoir to Flat River Road; thence westerly on Flat River Road to Hill Farm Road; thence southerly on Hill Farm Road to a line extended southwesterly

to Coventry Center Pond; thence southwesterly along that line (boundary line between census blocks 440030207022002 and 440030207022024) to Coventry Center Pond; thence southwesterly through Coventry Center Pond to Quidnick Brook; thence westerly and southerly along Quidnick Brook to Harkney Hill Road; thence southwesterly on Harkney Hill Road to Victory Highway; thence southerly on Victory Highway to the Coventry-West Greenwich boundary line; thence westerly along the Coventry-West Greenwich boundary line to the Rhode Island-Connecticut state boundary line; thence northerly along the Rhode Island-Connecticut state boundary line to the point of origin."

3. On page 18, line 30, by deleting all the language after the colon through line 20 on page 19, and inserting the following language:

"The twenty-fourth senatorial district shall consist of all of that part of the town of North Smithfield bounded by a line beginning at the intersection of East Harkness Road and the Rhode Island-Massachusetts state boundary line; thence easterly along the Rhode Island-Massachusetts state boundary line to the North Smithfield-Woonsocket boundary line; thence southwesterly along the North Smithfield-Woonsocket boundary line to Great Road; thence northwesterly on Great Road to Victory Highway; thence continuing northwesterly on Victory Highway to North Smithfield Expressway; thence continuing northwesterly on North Smithfield Expressway to East Harkness Road; thence northerly on East Harkness Road to the point of origin.

The twenty-fourth senatorial district shall also consist of all of that part of the city of Woonsocket not included in the twentieth senatorial district." 4. On page 24, line 4, by deleting all the language after the colon through line 12 and inserting the following language:

"The thirty-second senatorial district shall consist of all of the town of Barrington.

The thirty-second senatorial district shall also consist of all of that part of the town of Bristol bounded by a line beginning at the Bristol-Barrington boundary line in the Warren River and the Bristol-Warren boundary line also in the Warren River; thence easterly along the Bristol-Warren boundary line to Pawtucket Avenue; thence southerly on Pawtucket Avenue to Loveland Avenue; thence westerly on Loveland Avenue to Mount Pleasant Avenue; thence southerly on Mount Pleasant Avenue to Butterworth Avenue; thence easterly on Butterworth Avenue to Hawthorne Avenue; thence southerly on Hawthorne Avenue to San Miguel Drive; thence easterly on San Miguel Drive to Normand Street; thence southerly on Normand Street to Sherman Avenue; thence westerly on Sherman Avenue to Christopher Drive; thence southerly on Christopher Drive to Michael Drive; thence westerly on Michael Drive to Metacom Avenue; thence southerly on Metacom Avenue to Bayview Avenue; thence westerly on Bayview Avenue to Buttonwood Avenue; thence southerly on Buttonwood Avenue to Roma Street; thence westerly on Roma Street to Gary Street; thence southerly on Gary Street to St. Elizabeth Street; thence westerly on St. Elizabeth Street to Wood Street; thence southerly on Wood Street to Franklin Street; thence westerly on Franklin Street to Thames Street; thence southerly on Thames Street to State Street; thence westerly on State Street to Bristol Harbor; thence southwesterly through Bristol Harbor to the Bristol-Portsmouth boundary line in Narragansett Bay; thence northwesterly along the Bristol-Portsmouth boundary line to the Bristol-Barrington boundary line; thence northerly along the Bristol-Barrington boundary line to the point of origin."

Respectfully submitted,
SENATOR RUGGERIO

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, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Ruggerio moves passage of the act, as amended, seconded by Senator Levesque.

Senators Bates and Ruggerio discuss the act.

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, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 2005-S 1173 as amended

BY Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage as amended.

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

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, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

10 2005-S 1174 SUB A as amended

BY Perry

ENTITLED, AN ACT RELATING TO LEAD HAZARD MITIGATION

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

Senator Perry moves passage, seconded by Senators Roberts and Bates.

Senator Perry seconded by Senators Bates and Roberts, offers the following written motion to amend.

FLOOR AMENDMENT

AN ACT RELATING TO LEAD HAZARD MITIGATION

Mr. President:

I hereby move to amend 2005 -- S 1174 SUBSTITUTE A AS AMENDED, entitled "AN ACT RELATING TO LEAD HAZARD MITIGATION", as follows:

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

"SECTION 1. Sections 23-24.6-4, 23-24.6-17 and 23-24.6-23 of the General Laws in Chapter 23-24.6 entitled "Lead Poisoning Prevention Act" are hereby amended to read as follows:

23-24.6-4. Definitions. [Effective until July 1, 2008.] -- For the purposes of this chapter:

(1) "Childhood lead poisoning" means a confirmed venous blood lead level, measured in micrograms of lead per deciliter of whole blood, established by rule by the Rhode Island department of health based on the best available information about the effects of elevated blood lead levels.

(2) "Comprehensive environmental lead inspection" means the inspection of any structure or premises for the presence of lead in various media and includes sampling as may be necessary or expedient in order to determine compliance in the structure or premises with standards for being lead safe or lead free.

(3) "Department" means the state department of health.

(4) "Director" means the director of health.

(5) "Dwelling" means any enclosed space which is wholly or partly used or intended to be used for living or sleeping by human occupants.

(6) "Dwelling unit" means any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.

(7) "Environment intervention blood lead level" means a confirmed concentration, in a person under six (6) years of age, of lead in whole blood of greater than or equal to twenty (20) micrograms per deciliter for a single test or for fifteen (15) to nineteen (19) micrograms per deciliter for two (2) tests taken at least three (3) months apart or as defined by the department consistent with regulations adopted by the U.S. Department of Housing and Urban Development.

(8) "Environmental lead hazard reduction" means activities undertaken by or on behalf of a property owner in order to achieve lead free or lead safe status pursuant to the requirements of this chapter.

(9) "Inspection" means the inspection, other than a comprehensive environmental lead inspection, of any structure or premises undertaken to determine compliance with the requirements of this chapter or with orders issued pursuant to this chapter.

(10) "Insurer" means every medical service corporation, hospital service corporation, health maintenance organization, or other insurance company offering and/or insuring health services; the term includes any entity defined as an insurer under section 42-62-4.

(11) "Lead contractor" means any person or entity engaged in lead hazard reduction as a business and includes consultants who design, perform, oversee, or evaluate lead hazard reduction projects undertaken pursuant to the requirements of this chapter.

(12) "Lead exposure hazard" means a condition that presents a clear and significant health risk to occupants of the dwelling, dwelling unit, or premises, particularly where there are children under the age of six (6) years.

(13) "Lead free" means that a dwelling, dwelling unit, or premises either contains no lead or contains lead in amounts less than the maximum acceptable environmental lead levels established by department of health regulations.

(14) "Lead hazard reduction" means any action or actions designed to reduce exposure to toxic levels of lead which impose an unacceptable risk of exposure in any dwelling or dwelling unit, where a child under the age of six (6) years, with environmental intervention blood lead level or greater resides, or on any premises and may include, but is not limited to: repair, enclosure, encapsulation, or removal of lead based paint and/or lead contaminated dust, soil or drinking water; relocation of occupants; and cleanup measures or ongoing maintenance measures, which may include activities and/or measures that do not present an undue risk to children under age six (6) and can be performed by, or on behalf of, the property owner, without the person performing such activities being licensed or certified.

(15) "Lead safe" means that a dwelling, dwelling unit, or premises has undergone sufficient lead hazard reduction to ensure that no significant environmental lead hazard is present and includes but is not limited to covering and encapsulation.

(16) "Occupant" means any person who legally resides in, or regularly uses, a dwelling, dwelling unit, or structure ;provided, however, that a guest of any age shall not be considered an occupant for the purposes of this chapter.

(17) "Owner" means any person who, alone or jointly or severally with others:

(i) Shall have legal title to any dwelling or dwelling unit with or without accompanying actual possession of it, or

(ii) Shall have charge, care, or control of any dwelling or dwelling unit as owner or agent of the owner, or an executor, administrator, trustee, or guardian of the estate of the owner. Any person representing the actual owner shall be bound to comply with the provisions of this chapter and with rules and regulations adopted pursuant to this chapter to the same extent as if that person were the owner. An agent of the owner excludes real estate and property management functions where the agent is only responsible for the property management and does not have authority to fund capital and/or major property rehabilitation on behalf of the owner.

(iii) For purposes of publicly owned property only, the owner shall be defined to be the chief executive officer of the municipal or state agency which owns, leases, or controls the use of the property.

(18) "Person" means any individual, firm, corporation, association, or partnership and includes municipal and state agencies.

(19) "Premises" means a platted lot or part thereof or unplatted lot or parcel of land, or plot of land, occupied by a dwelling or structure and includes any building, accessory structure, or other structure thereon which is or will be frequently used by children under the age of six (6) years.

(20) "Program" means the comprehensive environmental lead program established by this chapter.

(21) "State inspector" means the director, his or her designee, or any inspector employed by the department of health who is authorized by the director to conduct comprehensive environmental lead inspections and/or other inspections for the department.

23-24.6-17. Lead hazard reduction. [Effective until July 1, 2008.] -- (a) The director shall promulgate lead hazard reduction regulations. These regulations shall:

(1) Specify the circumstances under which owners of dwellings, dwelling units, or premises must undertake lead hazard reduction in order to remedy conditions that present a clear and significant health risk to occupants of the dwelling, dwelling unit, or premises;

(2) Define lead hazard reduction with respect to both the sources of lead that must be treated and acceptable and unacceptable treatment methods;

(3) Require owners to make all reasonable efforts to ensure that occupants are not present during the lead hazard reduction; variances may be granted according to regulations; provided, that the owners are not responsible for providing alternative housing. If the occupants refuse to vacate the premises after all reasonable efforts by the owner to ensure compliance within this section, then the owners are exempt from any liability arising out of the occupants' noncompliance. If the occupants are required to vacate the premises for a three (3) day period or longer, there shall be a pro-rata adjustment or abatement of the rent during the period of lead hazard reduction;

(4) Specify containment and clean up measures to be taken as part of lead hazard reduction activities;

(5) Contain measures to protect the occupational safety and health of lead inspectors, contractors, supervisors, workers, and other persons who perform lead hazard reduction which may be more, but not less, stringent than applicable federal standards; and

(6) Specify the circumstances under which owners of dwellings, dwelling units, or premises must undertake lead hazard reduction to at least the lead safe level of protect occupants and neighbors.

(b) (1) Until ~~July 1, 2005~~ November 1, 2005, the owner of any dwelling, dwelling unit, or premises shall be considered as an "innocent owner", and liability as to lead poisoning is limited to the reduction of any lead hazard as determined by a comprehensive environmental lead inspection within the requirements of the Housing Maintenance and Occupancy Code, chapter 24.3 of title 45. The "innocent owner" provision will cease upon the owner's unreasonable failure to correct any lead paint violation within ninety (90) days of notice as provided in that chapter. Provided, any owner who has received notices on three (3) or more properties shall be presumed to be an unreasonable failure to correct.

(2) "Innocent owner" status, and the limits on liability set forth in this subsection, shall not apply to any incident of childhood lead poisoning reported to the department on or after ~~July 1, 2005~~ November 1, 2005, and liability for lead poisonings after ~~July 1, 2005~~ November 1, 2005, but shall include such correction of lead hazards as may be required by this chapter.

(c) The owner of any dwelling, dwelling unit, or premises who fails to provide for lead hazard reduction as required by department regulations shall be issued a notice of violation by the director in the manner provided by the Housing Maintenance and Occupancy Code, chapter 24.3 of title 45. In addition to any other enforcement authority granted under this chapter, the department shall have the authority to utilize pertinent provisions of that code in enforcing this section in the same manner as an enforcing officer under the code, including but not limited to the provisions of sections 45-24.3-17 -- 45-24.3-21, except that the director or his or her designee may provide a reasonable time up to ninety (90) days for the correction of any violation alleged and, except where there exists a hardship as to financing the lead hazard reduction, or where material, personnel, or weather delays the reduction completion. Except as herein provided, if after ninety (90) days following the date of issuance of a notice of violation by the department, the owner has failed to correct the lead hazards, the department shall

issue a second notice of violation.

(d) (1) One or more lead paint waste depositories shall be established and be in operation by January 1, 1993. The department of environmental management shall work with the solid waste management corporation to promulgate regulations governing these lead paint waste depositories.

(2) Each lead paint waste depository may set fees to cover the costs of lead paint waste storage, reduction, consolidation, incineration, and/or out of state disposal.

23-24.6-23. Compliance and enforcement. [Effective until July 1, 2008.] -- (a) Except as provided in this chapter, the inspection, enforcement, and penalties for violations of the provisions of this chapter shall be in accordance with the provisions and procedures set forth in sections 23-1-19 -- 23-1-25. In addition to the provisions for enforcement of this section found elsewhere in this chapter, there shall be the following powers of enforcement, which shall be in addition to other provisions of the general laws pertaining to enforcement of the laws of this state and shall not be deemed to limit or replace such other provisions. The provisions of this section shall be liberally construed and shall be considered an essential responsibility of the state to protect public health and welfare.

(b) The department shall establish a comprehensive integrated enforcement program, which shall be designed: (1) to assure that enforcement is certain, predictable, and effective as a means of reducing the incidence of childhood lead poisoning; (2) to direct enforcement efforts to places, areas, and types of structures where there is a high incidence of childhood lead poisoning; and (3) to identify and give priority to addresses where there are multiple instances of childhood lead poisoning and to identify and as consistent with law to provide for the prosecution of persons at whose properties there have been multiple instances of childhood lead poisoning and lead hazards have not been corrected. In order to effectuate the provisions of this subsection, the department of health: (i) shall maintain a list as a public document of the addresses of properties that are not lead safe and in which more than three (3) children lived at the time their blood was tested for lead concentration and at least two (2) of these children were lead poisoned, (ii) shall maintain a database with the names and addresses of owners of rental housing at the time any child residing in the rental housing was tested positive for lead poisoning for which a second notice of violation has been issued and lead hazards have not been corrected as required pursuant to the provisions of this chapter, which database shall be public and provided to government and nonprofit agencies that are attempting to prevent lead poisoning or to enforce lead poisoning regulations, and (iii) shall notify the attorney general of all second notices of violation, issued pursuant to the provisions of section 23-24.6-17, to which there has not been a response meeting the requirements of law within thirty (30) days after the notice.

(c) The attorney general shall maintain an office of lead advocate, which office shall have, in addition to any other powers that the attorney general may assign to it, the power:

(1) To investigate any alleged failures to comply with the lead hazard reduction, to initiate either a civil or criminal cause of action, or both, to compel compliance via injunctive relief and/or impose penalties and fines, as appropriate;

(2) To bring any actions that may be necessary or appropriate to secure the performance by state agencies and political subdivisions the duties assigned to them by this section;

(3) To notify in writing on behalf of the attorney general any person, who has received a second notice of violation issued by the department of health and has not responded consistent with the requirements of law within thirty (30) days, of the person's obligations under law and the potential penalties for continued violations; and

(4) To establish guidelines to prevent retaliatory actions by property owners against tenants on the basis of complaints or notices of violations arising from this chapter and chapter 128.1 of title 42, or based on the presence of a pregnant woman or child under age six (6) who in any manner seeks to enforce their right to housing in which lead hazards have been corrected in accordance with this chapter or chapter 128.1 of title 42. These guidelines shall define retaliatory actions, including, but not limited to, arbitrary termination of tenancy or other form of constructive eviction, arbitrary refusal to renew a lease, or arbitrary and unreasonable increase in rent or decrease in services to which the tenant is entitled, for all tenants, whether or not they have leases or are tenants at will. It shall be unlawful to take retaliatory actions against tenants arising from enforcement of the provisions of this chapter or chapter 128.1 of title 42; this prohibition against retaliatory actions applies whether or not the tenant has a lease. Damages and remedies for retaliatory actions under this paragraph shall be as provided for in chapter 18 of title 34.

(5) No provision of this chapter shall derogate the common law or any statutory authority of the attorney general, nor shall any provision be construed as a limitation on the common law or statutory authority of the attorney general.

(d) Receivership of properties not meeting standards. - Following the second notice of violation, issued by the department of health pursuant to the provisions of section 45-24.3-17(e) for failure to meet the applicable lead hazard reduction for rental dwellings occupied by a pregnant woman or a child under the age of six (6) years unless the violations alleged to exist are corrected or a plan for correction has been approved by the department, the unit ~~shall~~ may be considered abandoned and a public nuisance, which is a menace to public health, as the term "abandon" or "abandonment" and "public nuisance" defined by section 34-44-2. In those instances the department of health, the attorney general, a nonprofit corporation as provided for in section 34-44-3, or the city or town in which the unit is located shall have the specific power to request the court to appoint a receiver for the property, the court in such instances may specifically authorize the receiver to apply for loans, grants and

other forms of funding necessary to correct lead hazards and meet lead hazard mitigation standards, and to hold the property for any period of time that the funding source may require to assure that the purposes of the funding have been met.

(e) High risk premises and dwellings. - (1) The department of health shall notify the property owner where both the following conditions have been met: (i) there have been three (3) or more at risk children under the age of six (6) years with at least environmental intervention blood levels and (ii) fifty percent (50%) of children under the age of six (6) years from the premises who have been tested have had at least environmental intervention blood lead levels, that the premises present a high risk of lead poisoning.

(2) A property owner who receives notice that the premises are high risk: (i) shall have thirty (30) days in which to conduct a comprehensive lead inspection that shows that lead hazards have been corrected to the lead safe standard, or (ii) shall present a compliance schedule to the department of health to meet the lead safe standard, which compliance schedule shall be subject to approval by the department of health and shall provide for achieving the lead hazard reduction within ninety (90) days. The requirements of the compliance schedule shall be deemed to have been met if a comprehensive lead inspection shows that the lead safe standard has been met at the premises.

(3) A property owner who fails to meet the requirements of subdivision (2) of this subsection shall be notified that the premises are declared unsafe for habitation by children under six (6). A list of property owners so notified and of addresses of premises for which the notice has been given shall be a public record.

(4) A copy of this notice shall be sent to the town clerk or recorder of deeds in the city or town where the property is located, to be recorded pursuant to the provisions of chapter 13 of title 34. The property owner, so notified, shall post and maintain a warning at the primary entrance to the premises and to each dwelling unit therein declaring that the unit is unsafe for children under six (6) years of age. If the property owner shall fail to make or maintain the posting herein required, the department of health shall post the premises as provided for in section 23-24.6-12(2).

(5) Any property owner who receives notice that a dwelling unit is high risk and who fails to abate lead hazards in accordance with a compliance schedule as provided in subdivision (2) of this subsection and there is a subsequent instance of an at risk occupant with an environmental intervention blood lead level, which is attributable in whole or in part to conditions in the dwelling unit, shall be deemed to have committed a ~~felony criminal offense~~ and may be punished by imprisonment for ~~not less than one year, but not more than five (5) years and/or by a fine of not less than five thousand dollars (\$5,000) nor more than twenty thousand dollars (\$20,000).~~

(6) Any property owner who receives notice that a dwelling unit is high risk and who has substantially completed the required remediation as determined by the department may become reclassified from "high risk" to "abatement in progress" contingent upon adherence to the approved compliance schedule for the remaining remediation efforts.

(f) Nothing in this section shall be deemed to limit or impair the existing rights of parties to take action to compel property owners to improve or maintain property under common law or pursuant to any of the general laws of the state of Rhode Island.

SECTION 2. Sections 42-128.1-4, 42-128.1-5, 42-128.1-6, 42-128.1-7, 42-128.1-8, 42-128.1-9, 42-128.1-10, 42-128.1-11, 42-128.1-12 and 42-128.1-13 of the General Laws in Chapter 42-128.1 entitled "Lead Hazard Mitigation [Repealed effective July 1, 2008.]" are hereby amended to read as follows:

42-128.1-4. Definitions. [Repealed effective July 1, 2008.] -- The following definitions shall apply in the interpretation and enforcement of this chapter: (1) "At-risk occupant" means a person under six (6) years of age, or a pregnant woman, who has been a legal inhabitant in a dwelling unit for at least thirty (30) days; provided, however, that a guest of any age shall not be considered an occupant for the purposes of this chapter.

~~(1)(2)~~ "Designated person" means either: (i) a property owner, or the agent of the property owner, who has completed a housing resources commission approved awareness seminar on lead hazards and their control; or (ii) a person trained and certified as either a lead hazard mitigation inspector, an environmental lead inspector, or a lead hazard inspection technician.

~~(2)(3)~~ "Dwelling" or "dwelling unit" means an enclosed space used for living and sleeping by human occupants as a place of residence, including, but not limited to, a house, an apartment, or condominium, but for the purpose of this chapter shall not include, hotels or "temporary housing".

~~(3)(4)~~ "Lead abated" means a dwelling and premises which are lead free or lead safe, as those terms are defined in chapter 24.6 of title 23.

(5) "Lead Free" means that a dwelling, dwelling unit, or premises contains no lead or contains lead in amounts less than the maximum acceptable environmental lead levels established by regulation by the Rhode Island Department of Health.

~~(4)(6)~~ "Lead hazard mitigation standards" means standards adopted by the housing resources commission for a dwelling unit and associated common areas that provide for:

(i) A continuing and ongoing responsibility for lead hazard control that includes: (A) repair of deteriorated paint; (B) correction of dust generating conditions such as friction or impact areas; (C) provision of cleanable surfaces to eliminate harmful dust loading; (D) correction of soil lead hazards; (E) safe work practices;

(ii) At unit turnover: (A) the provision of information on lead hazards and their avoidance and control to tenants; (B) documentation of lead hazard mitigation compliance; (C) an explicit process for notification by tenants to property owners of instances of deterioration in conditions effecting lead hazards; and

(iii) Maintenance of "lead hazard control." "Lead hazard control" means those portions of the lead hazard mitigation standard pertaining to repair of deteriorating paint, correction of dust generating conditions, provision of cleanable surfaces, and correction of soil lead hazards that can be identified by visual inspection as provided for in paragraph (5)(ii) of this section or through inspections conducted in accordance with chapter 24.2 of title 45, Minimum Housing, and chapter 24.3 of title 45, Housing Maintenance and Occupancy.

~~(5)(7)~~ "Lead hazard mitigation compliance" means an independent clearance inspection and certificate, as specified in this subdivision, undertaken to determine whether the lead hazard mitigation measures have been completed. ~~A clearance review shall be valid for two (2) years or until the next turnover of the dwelling unit, whichever period is shorter, provided however that no more than one clearance review shall be required in any twelve (12) month period~~ Said inspection shall be valid for two (2) years or until the next turnover of the dwelling unit, whichever period is longer. The requirements for a clearance review inspection shall be met either by an independent clearance inspection or a visual inspection as set forth in this subdivision:

(i) An "independent clearance inspection" means an inspection performed by a person who is not the property owner or an employee of the property owner and who is authorized by the housing resources commission to conduct independent clearance inspections, which shall include: (A) a visual inspection to determine that the lead hazard controls have been met, and (B) dust testing in accordance with rules established by the department of health and consistent with federal standards. A certificate of conformance shall be issued by the person who conducted the inspection on the passage of the visual inspection and the required dust testing. An independent clearance inspection shall be required at unit turn over or once in a ~~twelve (12)~~ twenty-four (24) month period, whichever period is the longer. If the tenancy of an occupant is two (2) years or greater, the certificate of conformance shall be maintained by a visual inspection as set forth in paragraph (ii) of this subdivision.

(ii) A "visual inspection" means a visual inspection by a property owner or designated person to determine that the lead hazard controls have been met. If the designated person concluded that the lead hazard controls specified in this chapter have been met, the designated person may complete an Affidavit of Completion of Visual Inspection. The affidavit shall be valid upon its being notarized within thirty (30) days after the completion of the visual inspection and shall set forth:

(A) The date and location that the designated person took the lead hazard control awareness seminar;

(B) The date and findings of the lead hazard evaluation;

(C) The date and description of the lead hazard control measures undertaken;

(D) The date of the visual inspection; and

(E) The name and signature of the designated person and date of the Affidavit of Completion of Visual Inspection. An Affidavit of Completion of Visual Inspection shall be valid for two (2) years after the date it was notarized or until unit turn over, whichever time period is the ~~shorter~~ longer, and shall be kept by the property owner for a minimum of five (5) years.

(iii) Presumptive Compliance. - A property owner of ten (10) or more dwelling units shall be eligible to obtain a certificate of presumptive compliance from the housing resources commission provided that the following conditions are met: (A) the dwelling units were constructed after 1960, (B) there are no major outstanding minimum housing violations on the premises, (C) the property owner has no history of repeated lead poisonings, and (D) independent clearance inspections have been conducted on at least five (5) percent of the dwelling units, ~~but not less than two (2) dwelling units~~ and at least ninety (90) percent of the independent clearance inspections were passed. Repeated lead poisoning for purposes of this paragraph shall mean a lead poisoning rate of less than one half (.5) percent per dwelling unit year, with dwelling unit years being calculated by multiplying the number of dwelling units owned by the property owner by the number of years of ownership since 1992. Major minimum housing violations shall be defined by rule by the housing resources commission. The housing resources commission shall not arbitrarily withhold its approval of applications for presumptive compliance. A certificate of presumptive compliance shall be deemed to be satisfactory for purposes of demonstrating compliance with the requirements of this chapter. If a unit qualifies for a presumptive compliance certificate, by itself having passed an independent clearance inspection at least once, that units' compliance may be maintained by a visual inspection as set forth in this chapter.

~~(6)(8)~~ "Lead hazard mitigation inspector" means either a person approved by housing resources commission to perform independent clearance inspections under this chapter or inspections required by 24 CFR 35 Subpart M, or approved by the department of health to conduct inspections pursuant to chapter 24.6 of title 23.

Lead hazard mitigation inspectors performing independent clearance inspections shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or employment with regards to:

(a) The dwelling unit that is the subject of an independent clearance inspection; or

(b) The contractor performing lead hazard control work in the dwelling unit; or

(c) The laboratory that is used to analyze environmental lead samples for the independent clearance inspection unless the lead hazard mitigation inspector discloses his/her relationship with the laboratory to the person requesting the inspection and on the inspection report.

Employees of public agencies and quasi-public agencies that hold a financial interest in the property may perform independent clearance inspections.

~~(7)(9)~~ "Lead poisoned" means a confirmed venous blood lead level established by the department of health pursuant to section 23-24.6-4(1).

(10) "Lead Safe" means that a dwelling, dwelling unit, or premises has undergone sufficient lead hazard reduction to ensure that no significant environment lead hazard is present and includes, but is not limited to, covering and encapsulation and is evidenced by a lead safe certificate issued by the department of health.

~~(8)~~ "At risk occupant" means a person under six (6) years of age, or a pregnant woman, who has been in habitancy in a dwelling unit at least thirty (30) days.

~~(9)(11)~~ "Property owner" means any person who, alone or jointly or severally with others:

(i) Shall have legal title to any dwelling, dwelling unit, or structure with or without accompanying actual possession of it; or
(ii) Shall have charge, care, or control of any dwelling, dwelling unit, or structure as owner or agent of the owner, or an executor, administrator, trustee, or guardian of the estate of the owner. Any person representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant to this chapter, to the same extent as if that person were the owner.

(iii) Notwithstanding the foregoing, no holder of a mortgage or other lien holder who, in enforcing a security interest, acquires title by foreclosure or deed in lieu of foreclosure shall be considered a property owner for purposes of this chapter, if the holder transfers the title within one year after the date the title is acquired; provided, however, if the mortgagee or lien holder, subsequent to acquiring title, is notified of a lead hazard under chapter 24.6 of title 23 or section 42-128.1-8(a)(5), then and in that event, the mortgagee or lien holder shall take any steps to reduce the lead hazard that shall be required under the provisions of chapter 24.6 of title 23 or this chapter, as applicable.

(12) "Temporary housing" means any seasonal place of residence that is rented for no more than one hundred (100) days per calendar year to the same tenant, where no lease renewal or extension can occur, and any emergency shelter intended for night to night accommodation.

(13) "Tenant turnover" means the time at which all existing occupants vacate a unit and all new occupants move into the unit.

(14) "Environmental lead poisoning level" means a confirmed venous blood lead level as defined pursuant to section 23-24.6-4.

(15) "Elderly housing" means a federal, state or local program that is specifically designed and operated to assist elderly persons, sixty-two (62) years of age, or older, as set forth in a regulatory agreement or zoning ordinance.

42-128.1-5. Housing resources commission -- Powers and duties with respect to lead hazard mitigation. [Repealed effective July 1, 2008.]

(a) General powers and duties. - The housing resources commission shall implement and to put into full force and effect the powers, duties, and responsibilities assigned to it by this chapter, and shall serve as the lead state agency for lead hazard mitigation, planning, education, technical assistance, and coordination of state projects and state financial assistance to property owners for lead hazard mitigation.

(b) Regulatory guidelines. - In developing and promulgating rules and regulations as provided for in this chapter, the housing resources commission shall consider, among other things: (1) the effect on efforts to reduce the incidence of lead poisoning, (2) the ease and cost of implementation, (3) the impact on the ability to conduct real estate transactions fairly and expeditiously, (4) consistency with federal standards, such that the differences between basic federal standards and Rhode Island standards for lead hazard mitigation are, to the extent practicable, minimized, and (5) the direction of effort to locations and housing types, which due to age, condition, and prior history of lead poisoning are more likely to the location of lead poisoning. Said regulations shall include a definition of "turnover" of a dwelling unit and a means for tenants to voluntarily notify property owners of the legal tenancy of an "at-risk" occupant.

(c) Comprehensive strategic plan. - In order to establish clear goals for increasing the availability of housing in which lead hazards have been mitigated, to provide performance measures by which to assess progress toward achieving the purposes of this chapter, and to facilitate coordination among state agencies and political subdivisions with responsibilities for housing and housing quality for lead poisoning reduction and for the availability of insurance coverages described in this chapter, the housing resources commission established by chapter 128 of this title shall adopt by April 1, 2003, a four (4) year, comprehensive strategic plan for reducing the incidence of childhood lead poisoning, for increasing the supply of lead-safe housing, and for assuring that pre-1978 in rental housing throughout the state lead hazards have been mitigated.

(1) Plan elements. - The plan as a minimum shall include elements pertaining to:

(i) Educating people with regard to lead hazards and how they can be avoided, mitigated, and/or abated;

(ii) Programs to assist low and moderate income owners of property to eliminate lead hazards and to achieve lead-safe conditions;

(iii) Coordination of the enforcement of laws pertaining to lead hazard control, mitigation and abatement including the Lead Poisoning Prevention Act, chapter 24.6 of title 23, and minimum housing codes and standards;

(iv) Coordination of efforts with local governments and other agencies to improve housing conditions;

(v) Financing lead abatement efforts in Rhode Island, including, but not limited to, assistance to low and moderate income property owners, education and outreach, and enforcement by state and local officials;

(vi) An assessment of the availability of insurance for lead hazard liability, which shall be designed and implemented in cooperation with the department of business regulation.

(2) Implementation program. - The comprehensive strategic plan shall include an implementation program, which shall include performance measures and a program of specific activities that are proposed to be undertaken to accomplish the purposes of this chapter and to achieve goals and elements set forth by the plan. The implementation program shall be updated annually according to a schedule set forth in the plan.

(3) Reporting. - The commission shall report annually to the governor and the general assembly, no later than March of each year ~~up to and including the year 2007~~ on the progress made in achieving the goals and objectives set forth in the plan, which report may be integrated with or issued in conjunction with the report of the commission on environmental lead submitted pursuant to section 23-24.6-6.

42-128.1-6. Education. [Repealed effective July 1, 2008.] -- In order to achieve the purposes of this chapter, a statewide, multifaceted, ongoing educational program designed to meet the needs of tenants, property owners, realtors and real estate agents, insurers and insurance agents, local building officials, and health providers and caregivers is hereby established.

(1) The governor, in conjunction with the department of health and the housing resources commission, shall sponsor a series of public service announcements on radio, television, and print media about the nature of lead hazards, the importance of lead hazard control and mitigation, and the purposes and responsibilities set forth in this chapter. In developing and coordinating this public information initiative the sponsors shall seek the participation and involvement of private industry organizations, including those involved in real estate, insurance, mortgage banking, and pediatrics.

(2) Within sixty (60) days after the regulations set forth in section 42-128.1-7 for lead hazard control and mitigation go into effect, the housing resources commission in conjunction with the department of health shall:

(i) Create culturally and linguistically appropriate material outlining the rights and responsibilities of parties affected by this chapter;

(ii) Establish guidelines and a trainer's manual for a not more than three (3) hour lead hazard control awareness seminar for rental property owners or designated persons, which shall be forwarded to all public and private colleges and universities in Rhode Island, to other professional training facilities, and to professional associations and community organizations with a training capacity, with the stipulation this seminar be offered for a maximum fee of fifty dollars (\$50.00) per participant. The housing resources commission shall approve the proposals to offer the seminar from institutions, provided those proposals are consistent with the guidelines; An electronic version of this awareness seminar shall be created and approved by the housing resources commission for computer Internet access. Said seminar shall be available to tenants, property owners and other interested parties.

(iii) Adopt rules for the dissemination of information about the requirements of this chapter to all prospective owners of pre-1978 dwellings during the real estate transaction, settlement, or closing;

(iv) Solicit requests, to the extent that these partnerships are not already established, to enter into ongoing, funded partnerships, to provide specific counseling information services to tenants and affected parties on their rights and responsibilities with regard to lead hazards and lead poisoning.

(3) The department of business regulation shall, with regard to its responsibilities for the profession of real estate brokers and salespersons, adopt rules, with the concurrence of the housing resources commission and the department of health which shall be effective not later than June 30, 2004; (i) requiring proof of reasonable familiarity with the knowledge of duties and responsibilities under the provisions of the Lead Poisoning Prevention Act, chapter 24.6 of title 23, and this chapter, for the licensure or renewal of licenses of real estate brokers and salespersons in accordance with section 5-20.5-6 after July 1, 2004; and (ii) providing, pursuant to section 5-20.5-18, an educational program for real estate brokers and salespersons regarding such duties and responsibilities.

(4) The housing resources commission, in conjunction with the department of health, is hereby authorized to develop, offer, engage in, contract for and/or provide any other educational or informational programs that they may deem necessary to accomplish the purposes of this chapter, including, but not limited to: programs to assist families to find housing that is lead free, lead safe or lead hazard mitigated or abated; to train lead hazard mitigation inspectors and local building officials and persons engaged in renovating and/or improving housing about controlling or mitigating lead hazards in pre-1978 housing; ~~and to~~ Said programs shall provide information about lead hazard mitigation requirements at retail hardware and paint stores and home-improvement centers, ~~which informational materials shall including~~ as a minimum, included signs of sufficient size with large enough lettering to be easily seen and read, which contains the following language:

WARNING

Use of abrasive material (sandpaper, steel wool, drill disks and pads, etc.) in your home to remove paint may increase the risk of childhood lead poisoning. For more information please contact the Rhode Island housing resources commission or department of health.

42-128.1-7. Lead hazard mitigation. [Repealed effective July 1, 2008.] -- The housing resources commission, shall adopt no later than April 1, 2003, rules:

(1) For housing constructed prior to 1978, which require property owners to certify at the time of transfer that the dwelling and/or premises meet the requirements for lead hazard mitigation or lead hazard abatement, or that the party or parties acquiring the property are notified of the potential lead hazards, and at the time of rental of units that the requirements for meeting the appropriate standards have been met;

(2) For a lead hazard mitigation standard;

(3) For any training, certification or licensing necessary to carry out the provisions of this chapter; and

(4) For a process to receive, investigate, and decide whether the correction of a lead hazard, pursuant to section 42-128.1-8(a)(3) and (d) was satisfactory. These rules shall establish an expeditious procedure to determine whether the allegation of unsatisfactory correction has merit. The process may be integrated with or make use of the technical assistance service provided for in section 42-128.1-13.

(5) For a process to grant a variance to subsections 42-128.1-8 (a)(3), (a)(5), and (b), where there exists a hardship as to financing lead hazard mitigation, or where materials, personnel, or weather delays the mitigation completion. 42-128.1-8.

Duties of property owners of pre-1978 rental dwellings. [Repealed effective July 1, 2008.] -- (a) Property owners of pre-1978 rental dwellings, which have not been made lead safe or have not been lead hazard abated, ~~shall mitigate lead hazards and~~ shall comply with all the following requirements:

(1) Learn about lead hazards by taking a lead hazard awareness seminar, himself or herself or through a designated person;

(2) Evaluate the dwelling unit and premises for lead hazards consistent with the requirements for a lead hazard control evaluation;

(3) Correct identified lead hazards by meeting and maintaining the lead hazard mitigation standard;

(4) Provide tenants: (i) basic information about lead hazard control; (ii) a copy of the independent clearance inspection; and (iii) information about how to give notice of deteriorating conditions;

(5) Correct lead hazards within thirty (30) days after notification from the tenant of a dwelling unit with an at risk occupant, or as provided for by section 34-18-22.

(b) New property owners of a pre-1978 rental dwelling that is occupied by an at risk occupant shall have up to sixty (60) days to meet requirements for lead hazard mitigation, if those requirements were not met by the previous owner at the time of transfer, provided that the new property owner has the property visually inspected within ~~ten (10)~~ thirty (30) business days after assuming ownership to determine conformity with the lead hazard control standard.

(c) The requirements for lead hazard mitigation shall apply to the first change in ownership or tenancy after July November 1, 2005; provided, further, that unless requested and agreed to by an at-risk occupant, meeting the lead hazard mitigation standard shall not be construed to authorize a property owner to compel or cause a person, who is in tenancy on January 1, 2004, and remains in tenancy continuously thereafter, to vacate a rental unit temporarily or otherwise.

(d) If the tenant receives no response to the notification to the property owner of deteriorating conditions affecting lead hazards, if the response is in the tenant's opinion unsatisfactory, or if the remedy performed is in the tenant's opinion unsatisfactory, the tenant may request a review of the matter by the housing resources commission. After its review of the matter, the housing resources commission shall either send notice to the property owner in which notice shall be issued in a manner substantially similar to a notice of violation issued by the director pursuant to the Housing Maintenance Code, chapter 24.3 of title 45, or promptly inform the tenant of the reasons why the notice is not being issued.

(e) Notwithstanding the foregoing, the provisions of this chapter shall not apply to common areas in condominium complexes that are owned and operated by condominium associations, or to pre-1978 rental dwelling units that are:

(1) lead-safe or lead free; or

(2) temporary housing; or

(3) elderly housing; or

(4) comprised of two (2) or three (3) units, one of which is occupied by the property owner; or

The department of health shall report to the legislature annually on the number of children who are lead poisoned in any of the exempted dwelling units as referred to in subsection (e)(4) of this section.

Nothing contained herein shall be construed to prevent an owner who is seeking to obtain lead liability insurance coverage in the policy from complying with the provisions of this chapter, by securing and maintaining a valid and in force letter of compliance or conformance in force.

42-128.1-9. Insurance coverage. [Repealed effective July 1, 2008.] -- (a) The department of business regulation shall by January 1, 2003, establish a uniform policy with regard to exclusion for lead poisoning and shall adopt any rules and requirements that may be necessary to assure the availability of insurance coverage for losses and damages caused by lead poisoning, in accordance with the provisions of this chapter, which policy and rules shall apply to liability coverage available to property owners. The department of business regulation shall have the authority and is empowered, consistent with the requirements of chapter 35 of this title, to promulgate rules and regulations which shall enable it to compile and analyze data and to make determinations with regard to the availability of and rates for lead liability coverage.

(b) Except as otherwise provided by this chapter, no insurance company licensed or permitted by the department of business regulation to provide liability coverage to rental property owners shall exclude, after ~~June October 31 30~~, 2005, coverage for losses or damages caused by lead poisoning. The department of business regulation shall not permit, authorize or approve any exclusion for lead poisoning, except as specifically provided for by this chapter, that was not in effect as of January 1, 2000, and all previously approved exclusions shall terminate ~~June October 31 30~~, 2005. As of July November 1, 2005, coverage for lead poisoning shall be included in the policy or offered by endorsement, as set forth in this section.

(c) All insurers issuing commercial lines insurance policies and personal lines insurance policies covering pre-1978 rental housing in compliance with: (i) the requirements of this chapter for lead hazard mitigation; ~~or~~ (ii) with the requirements of chapter 24.6 of title 23 for lead safe housing, within the state of Rhode Island; ~~or~~ (iii) relying on a valid certificate of compliance or conformance shall, effective July November 1, 2005, include in the policy coverage for liability for injury, damage, or death resulting from occurrences of lead poisoning in an amount equal to and no less than the underlying policy limits for personal injury/bodily injury coverage provided under the policy so issued to a residential rental property owner. The property owner shall, if requested by the insurer, present to the insurance company, either: (1) proof of certificate of compliance of an independent clearance inspection and of any affidavit of visual inspection required to maintain the validity of the independent clearance inspection; (2) proof of meeting the mitigation standard in the form of a clearance exam showing that lead hazards are mitigated; or (3) proof of abatement. This proof shall be prima facie evidence of compliance with the requirements of this chapter. In any subsequent renewal, the insurer may require any continuing proof whenever the certificate is expiring, has expired, or is otherwise invalidated.

(d) For residential rental properties that have not been brought into compliance with the requirements for lead hazard mitigation pursuant to this chapter or for lead hazard reduction pursuant to chapter 24.6 of title 23 or which do not have a valid certificate of compliance or conformance, effective July November 1, 2005, for residential rental property owners who own or owned a substantial legal or equitable interest in one property and have had no more than one unremediated dwelling unit at which a child was poisoned prior to July November 1, 2005, and for residential property owners who own or owned more than one property and have had no more than two unremediated dwelling units at which a child was poisoned prior to July November 1, 2005, an insurance company, which provides liability insurance to a residential rental property owner, shall either offer lead liability coverage for bodily injury, which shall be equal to the underlying limits of liability coverage for the property, by endorsement, or shall assist the insured in placing lead liability coverage through the program commonly known as the Rhode Island FAIR Plan either directly or through one of the insurance company's agents or brokers, and the Rhode Island FAIR Plan shall make available liability coverage for damages caused by lead poisoning to the class of property owners described in this subsection. If the insured seeks lead liability coverage with the FAIR Plan, the FAIR Plan may use reasonable underwriting guidelines, as approved by the department of business regulation to underwrite the property. Any property owner, who fails to remediate a property, after a notice of violation subsequent to ~~June October 31 30~~, 2005, and any property which is not remediated after notice of a violation subsequent to ~~June October 31 30~~, 2005, shall not be eligible to receive an offer of coverage and shall be subject to cancellation and non-renewal of that coverage if the property is not found to be in compliance with the lead law within ninety (90) days of the date of issuance of the notice by the director, or the housing resources commission, as applicable.

(e) Rates for lead poisoning liability coverage, as specified in subsections (c) and (d) of this section, shall be approved by the department of business regulation, notwithstanding any limits on rate approval authority established by the provisions of chapter 65 of title 27 and subject to the provisions of sections 27-44-6 and 27-44-7, using the following standards:

- (1) That they are not excessive, inadequate, or unfairly discriminatory;
- (2) That consideration is given to:
 - (i) Past and prospective loss experience within the state of Rhode Island;
 - (ii) A reasonable margin for profits and contingencies;
 - (iii) Past and prospective expenses specifically applicable to the state of Rhode Island;
 - (iv) Any other data, including data compiled in other states, especially regarding experience data for lead liability coverages, that the department may deem necessary; and
 - (v) Past history of the owner with regard to lead poisoning or any associated violations.

(f) The department of business regulation shall have the authority and is empowered, consistent with the requirements of chapter 35 of this title, to promulgate rules and regulations to enable it to compile and analyze data and to make determinations with regard to the availability of and rates for lead liability coverage. In order to effect the purposes of this section insurers shall file, on or before October 1, 2004, the proposed language of endorsements for lead liability coverage and the proposed rates for that coverage with the department.

(g) All endorsements, rates, forms and rules for lead liability coverage approved by the department of business regulation to be effective on or after July 1, 2004 are hereby extended to be effective July November 1, 2005. Prior to July November 1, 2005, insurers and advisory organizations shall continue to utilize all endorsements, rates, forms and rules in effect on June 30, 2004 for lead liability coverage. The department shall not approve any new endorsements, rates, forms or rules for lead liability coverage in pre-1978 residential rental properties unless the filings are submitted in accordance with the provisions

of this act. The department is hereby authorized to promulgate reasonable rules and regulations to carry out the provisions of this section.

42-128.1-10. Right to housing where lead hazards are corrected. [Repealed effective July 1, 2008.] -- (a) Pregnant women and families with children under six (6) years of age shall be deemed to have a right, to housing in which lead hazards have been mitigated or abated.

(b) Injunctive Relief. - Effective ~~July~~ November 1, 2005, if the property owner of a rental dwelling fails to comply with such standards for lead hazard mitigation, or abatement, as applicable, a right of private action shall exist that allows households that include an at risk occupant to seek injunctive relief from a court with jurisdiction against the property owner in the form of a court order to compel compliance with requirements for lead hazard control or mitigation. A person who prevails is entitled to an award of the costs of the litigation and reasonable attorneys' fees in an amount to be fixed by the court. Cases brought before the court under this section shall be granted an accelerated hearing.

42-128.1-11. Enforcement. [Repealed effective July 1, 2008.] -- (a) The standards for lead hazard control and for lead hazard mitigation in pre-1978 housing shall be considered basic housing standards and shall be enforceable through the provisions of this chapter and through procedures established in chapter 24.2 of title 45 and chapter 24.3 of title 45.

(b) Minimum Housing Standards and Housing Maintenance and Occupancy Code. - In order to establish consistency between state and local programs pertaining to enforcement of standards for housing and housing occupancy and to provide for broadly available, multiple means of identifying instances of noncompliance with this chapter and enforcing the requirements of this chapter, the following provisions regarding Minimum Housing Standards and Housing Maintenance and Occupancy Code shall be effective:

(1) The ordinances, rules, and regulations for "Minimum Housing Standards" adopted pursuant to section 45-24.2-3 shall on or before ~~July~~ November 1, 2005, include provisions for lead hazard control.

(2) The Housing Maintenance and Occupancy Code, established by chapter 24.3 of title 23, shall, effective ~~July~~ November 1, 2005, include provisions consistent with a continuing and ongoing responsibility for lead hazard mitigation as required by the department of health standards.

42-128.1-12. Independent evaluation. [Repealed effective July 1, 2008.] -- In order to assure the effectiveness of the lead hazard awareness mitigation program established by this chapter and to recommend any changes, which may be necessary to appropriate, the auditor general shall:

(1) (i) Conduct a performance audit for the period ending December 31, 2003, of the duties and responsibilities assigned to the state agencies and to political subdivisions by this chapter and by the Lead Poisoning Prevention Act, chapter 24.6 of title 23, and of the effectiveness of this chapter in meeting its purposes. The auditor general may contract with independent firms and organizations with expertise in lead poisoning prevention and lead hazard mitigation to assist with the evaluation of matters set forth in this subsection.

(ii) The auditor general's report shall be submitted to the governor, the speaker of the house, the president of the senate, the chairperson of the housing resources commission and the director of health, on or before March 31, 2005, and shall contain, as appropriate, recommendations: (A) to make the programs established by this chapter and by the Lead Poisoning Prevention Act more effective in achieving their respective purposes; and (B) to address any unreasonable hardships caused by this chapter or likely to be caused by this chapter with its full implementation July 1, 2005.

(iii) The performance audit required by this subdivision shall, in addition to the examination of effectiveness of administration and the efficiency and adequacy of state agencies and political subdivisions in the performance of their duties under this chapter and the Lead Poisoning Prevention Act, include consideration of the following matters:

(A) The number and type and date of public service announcements required by section 42-128.1-6(1);

(B) The availability and distribution of education materials specified by section 42-128.1-6(2)(i);

(C) The number, date and location of lead hazard awareness seminars and the number of persons who have participated in those seminars;

(D) The number of "mitigation inspectors," average length of time necessary to conduct the inspections, the cost of meeting standards per inspection, and the availability of inspectors to conduct the inspections, at a reasonable cost needed in the various geographic areas of the state;

(E) The availability of programs to assist property owners, especially low and moderate income property owners.

(2) Conduct a performance audit for the period ending June 30, ~~2006~~ 2007, of the duties and responsibilities, as assigned by this chapter, to state agencies and political subdivisions and of the effectiveness of this chapter in meeting its purposes, especially with regard to increasing the supply of housing in which lead hazards have been mitigated and in reducing the incidence and severity of lead poisoning in Rhode Island. The auditor general may contract with independent firms and organizations with expertise in lead poisoning prevention and lead hazard mitigation to assist with the evaluation of matters set forth in this chapter. The auditor general's report shall be submitted to the governor, the speaker of the house, the president of the senate, the chairperson of the housing resources commission and the director of health, on or before January 1, ~~2007~~ 2008, and shall contain, as appropriate, recommendations: (i) to make the programs established by this chapter more

effective in achieving the respective purposes; and (ii) to redress any unreasonable hardships caused by this chapter or likely to be caused by this chapter.

42-128.1-13. Rhode Island lead hazard technical assistance service. [Repealed effective July 1, 2008.] -- (a)

Establishment and purposes. - (1) The Rhode Island housing resources commission shall establish a "Rhode Island lead hazard technical assistance service" program for the purposes of providing technical assistance to property owners to achieve compliance with this chapter and the Lead Poisoning Prevention Act, chapter 24.6 of title 23.

(2) The services of the program ~~may~~ shall subject to appropriation, include, but shall not be limited to: evaluation of the need for lead hazard mitigation in a dwelling; review of independent inspection results; identification of and arranging funding for conduction lead hazard abatement and mitigation, and supplying any materials, assistance, and services that may be needed by property owners to achieve compliance with this chapter and the Lead Poisoning Prevention Act in an affordable manner.

(b) Historic properties. On or before November 1, 2005, the housing resources commission, in conjunction with the Historic Preservation and Heritage Commission shall initiate the following activities to assist owners of historic properties to comply with the provisions of this chapter: (i) provide technical assistance; (ii) identify financial resources available for compliance; and (iii) seek additional resources for this purpose.

~~(b)(c)~~ Cooperation with Rhode Island Housing and Mortgage Finance Corporation. - The housing resources commission is hereby authorized to cooperate with the Rhode Island Housing and Mortgage Finance Corporation in putting the provisions of this section into effect, and the Rhode Island Housing and Mortgage Finance Corporation is hereby authorized to exercise its powers under section 42-55-5.1 to provide for the implementation of this section.

~~(c)(d)~~ Exercise of powers. - The housing resources commission is hereby expressly authorized to exercise any or all of its general powers set forth in section 42-128-7 to accomplish the purpose of this section.

SECTION 3. Section 6 of Chapter 187 of the 2002 Public Laws as amended by Section 4 of Chapter 221 of the 2004 Public Laws and Section 6 of Chapter 188 of the 2002 Public Laws, as amended by Section 4 Chapter 223 of the 2004 Public Laws entitled "An Act Relating to Health – Lead Hazard Mitigation" are hereby repealed.

~~SECTION 6. Sunset provision. — This act shall be and is hereby repealed effective July 1, 2008.~~

SECTION 4. This act shall take effect on July 1, 2005."

Respectfully submitted,
SENATOR PERRY

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Perry moves passage of the act, as amended, seconded by Senators Bates, Roberts and Goodwin.

Senators Roberts, Goodwin, Paiva Weed and Perry discuss the act.

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11 2005-S 1175**BY Lenihan****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

Committee on Government Oversight recommends passage.

Senator Lenihan moves passage, seconded by Senators Sosnowski, Blais, Perry, Roberts, Sheehan and Connors.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12 2005-S 1176 as amended**BY Lenihan****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION**

Committee on Government Oversight recommends passage as amended.

Senator Lenihan moves passage, seconded by Senators Polisena, Blais and Perry.

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

13 2005-S 1177 as amended**BY Lenihan****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT**

Committee on Government Oversight recommends passage as amended.

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

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

14 2005-S 1178

BY Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage.

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

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

24 2005-H 6052 SUB A as amended

BY Slater

**ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O.
HAWKINS MEDICAL MARIJUANA ACT**

Ordered on the Calendar

Senator Perry moves passage, seconded by Senators Polisena, Metts, Damiani and Levesque.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 30 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Cote.

25 2005-H 6101 SUB A

BY Kilmartin

ENTITLED, AN ACT RELATING TO UNFAIR SALES PRACTICES

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

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

26 2005-H 6164 SUB B as amended

BY Coderre E

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

Senator Lenihan moves passage, seconded by Senator Sheehan.

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

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

AN ACT RELATING TO SEPARATION OF POWERS

Mr. President:

I hereby move to amend 2005 -- H 6164 SUBSTITUTE B, AS AMENDED, entitled "AN ACT RELATING TO SEPARATION OF POWERS", as follows:

1. On page 4, line 27, by deleting the words "ex officio" and inserting in lieu thereof the words " as nonvoting ex-officio members".

2. On page 5, line 25, by deleting the word and number "Eight (8)" and inserting in lieu thereof the words and number "Six (6) voting".

Respectfully submitted,
SENATOR LENIHAN

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Lenihan moves passage of the act, as amended, seconded by Senator Sheehan.

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

22 2005-H 5812 SUB A as amended

BY Coderre E

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC
ABUSE PREVENTION

Ordered on the Calendar

Senator Goodwin moves passage, seconded by Senators Levesque, Roberts, Perry, Damiani, Polisena, Metts and Pichardo.

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 30 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Connors, Cote, Damiani, DaPonte, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Felag

38 2005-H 6590 SUB A as amended

BY Kennedy

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
HOUSING

Ordered on the Calendar

Senator Tassoni moves passage, seconded by Senator Walaska.

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

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

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT – HOUSING

Mr. President:

I hereby move to amend 2005 -- H 6590 SUBSTITUTE A AS AMENDED, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING", as follows:

On page 15, line 21, after the language "plan," by inserting the words "are not".

Respectfully submitted,
SENATOR TASSONI

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

Senator Tassoni moves passage of the act, as amended, seconded by Senators Walaska and Doyle.

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

39 2005-H 6598 SUB A as amended

BY Ginaitt

**ENTITLED, AN ACT RELATING TO MERCURY REDUCTION AND
EDUCATION**

Ordered on the Calendar

Senator Levesque moves passage, seconded by Senators Ruggerio, Sosnowski and Gallo.

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 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

41 2005-S 458 as amended

BY Metts

**ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND TO
SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT
TO THE CONSTITUTION (ELECTIONS)**

Ordered on the Calendar

Senator Metts moves passage, seconded by Senators Levesque, Perry, Goodwin and Pichardo.

Senators Sheehan and Metts discuss the act.

The act is read and passed, as amended, upon a roll call vote with 27 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Caprio, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 8: Senators Bates, Blais, Breene, Cote, Damiani, Gibbs, Polisena, Raptakis.

43 2005-H 6277 as amended

BY Kilmartin

ENTITLED, AN ACT RELATING TO EDUCATION - PERFORMANCE
ENHANCING DIETARY SUPPLEMENTS

Ordered on the Calendar

Senator Tassoni moves passage, seconded by Senator Doyle.

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 as follows:

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

NAYS- 0:

44 2005-H 6530 SUB A as amended

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- WORKERS'
COMPENSATION INSURANCE FUND

Ordered on the Calendar

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

45 2005-H 6579 as amended

BY Almeida

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND TO
SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT
TO THE CONSTITUTION (ELECTIONS)

Ordered on the Calendar

Senator Metts moves passage, seconded by Senators Perry, Levesque, Goodwin and Pichardo.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 26 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS- 26: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 8: Senators Algiere, Bates, Blais, Breene, Cote, Damiani, Polisena, Raptakis.

48 2005-H 6214 SUB A

BY Lewiss

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

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

Senator Goodwin moves passage, seconded by Senators Tassoni, Bates, Doyle, Ciccone.

Senator Goodwin, seconded by Senators Doyle and Bates, offers the following written motion to amend.

FLOOR AMENDMENT

AN ACT RELATING TO ALCOHOLIC BEVERAGES

Mr. President:

I hereby move to amend 2005 -- H 6214 SUBSTITUTE A, entitled "AN ACT RELATING TO ALCOHOLIC BEVERAGES", as follows:

On page 1, line 4, by inserting the following language immediately after the term "B-V": "(a class B license holder operating as a victualer)".

Respectfully submitted,
SENATOR GOODWIN

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: The Honorable President Montalbano and Senators Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Bates moves passage of the act, as amended, seconded by Senators Goodwin.

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 Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

Lenihan, Levesque, Metts, Paiva Weed, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

49 2005-H 6249 as amended

BY Flaherty

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

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

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

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

1 2005-S 40 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO INSURANCE

4 2005-S 568 SUB A

BY Polisena

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --
EMERGENCY MEDICAL TRANSPORTATION SERVICES

17 2005-H 5075 SUB A as amended

BY San Bento

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

18 2005-H 5262 SUB A as amended

BY Lewiss

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES

20 2005-H 5677

BY San Bento

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TAXATION
AND TOBACCO -- DELIVERY AND SALE OF TOBACCO
PRODUCTS

21 2005-H 5803 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --
OFFICE OF THE STATE MEDICAL EXAMINERS

23 2005-H 5845

BY Fox

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION ON DEFENSE ECONOMY PLANNING

27 2005-H 6274 SUB A as amended**BY Moura****ENTITLED,** AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND
MAINTENANCE OF STATE ROADS**28 2005-H 6276 as amended****BY Jacquard****ENTITLED,** AN ACT RELATING TO THE OFFICE OF THE STATE MEDICAL
EXAMINERS**29 2005-H 6370****BY Ginaitt****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE
ISLAND RESOURCE RECOVERY CORPORATION**30 2005-H 6452 SUB A****BY Carter****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES**31 2005-H 6457****BY Pacheco****ENTITLED,** AN ACT RELATING TO TAXATION -- GLOCESTER**32 2005-H 6483 SUB A****BY Costantino****ENTITLED,** AN ACT RELATING TO HEALTH CARE SERVICES --
UTILIZATION REVIEW ACT**33 2005-H 6548 SUB A as amended****BY Moffitt****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- THE
LONG-TERM CARE REFORM ACT OF 2005 -- NURSING
FACILITY LICENSURE**34 2005-H 6551 SUB A****BY Jackson****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- THE
LONG-TERM CARE REFORM ACT OF 2005 -- NURSING
FACILITIES RECEIVERSHIP ACT**35 2005-H 6566****BY Ajello****ENTITLED,** AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY
AND PROPERTY TAX RELIEF ACT**36 2005-H 6583****BY Ginaitt****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION - -
COASTAL RESOURCES MANAGEMENT COUNCIL

37 2005-H 6589**BY Landroche****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- BUILDING
AND FIRE SAFETY CODE**40 2005-H 6624****BY Watson****ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH**42 2005-H 5027 SUB B as amended****BY Kennedy****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW - - UNFAIR SALES
PRACTICES**46 2005-H 5449 SUB A****BY Malik****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES**47 2005-H 5724 SUB A****BY Lewiss****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY
--- ANIMAL CARE**50 2005-H 6371****BY Coderre E****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -
DOGS

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

19 2005-H 5386 SUB A**BY Lally****ENTITLED,** AN ACT RELATING TO CHILDREN

Ordered on the Calendar

Senator Alves moves passage, seconded by Senators Bates and Polisena.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 29 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, Metts, Paiva Weed, Pichardo, Polisena, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 5: Senators Felag, Lenihan, Revens, Roberts, Sheehan.

ANNOUNCEMENTS

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

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet on Wednesday, June 29, 2005, at the rise of the Senate, in Room 211 of the State House.

Senator Goodwin announces that the Committee on Finance will meet on Wednesday, June 29, 2005, at 3:00 o'clock P.M. in Room 211 of the State House.

Senator Bates announces that the Committee on Financial Services, Technology and Regulatory Issues will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Roberts announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 313 of the State House.

Senator Polisena announces that the Committee on Judiciary will meet on Wednesday, June 29, 2005, at 3:00 o'clock P.M. in Room 313 of the State House.

TRANSMITTAL

By unanimous consent, all Senate matters, all House matters that have been amended by the Senate and (05-H 5262 Sub A aa), (05-H 5812 Sub A aa), (05-H 6052 Sub A aa), (05-H 6276 aa), (05-H 6589), (05-H 5623), (05-H 5776) on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

RECESS

Upon motion of Senator DaPonte, and by unanimous consent, the Senate stands at recess at 6:36 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Wednesday, June 29, 2005, at 4:22 o'clock P.M.

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:

Senate Bill No. 285 SUB A

BY Senators Levesque C, Perry

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (define a low speed vehicle)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 294 SUB A

BY Senators Gibbs, Breene, Lenihan, Cote, Polisena

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 885 SUB A

BY Senators Ruggerio, Goodwin

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- NARRAGANSETT BAY COMMISSION (sanitary and combined sewer systems from municipalities)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1034

BY Senators Fogarty P, Gallo, Levesque C, Walaska

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- TOWN OF BURRILLVILLE (certificate of insurance/comprehensive general liability coverage).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1150 SUB A

BY Senators Alves, Raptakis, Breene

ENTITLED, AN ACT RELATING TO TOURISM AND DEVELOPMENT (would create a ninth regional tourism district, the Pawtuxet Valley district.)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1165

BY Senators Lenihan, Raptakis

ENTITLED, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO FINANCE THE ACQUISITION OF LAND FOR, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF, A NEW POLICE STATION AND ITS FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$8,000,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5089 SUB A as amended (by request)

BY Gallison, Rice, Loughlin, Amaral

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (define a low speed vehicle/set standards by which may operate in the state of RI)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5406 SUB A

BY Mumford, Savage, Singleton, Ehrhardt, Davey

ENTITLED, AN ACT RELATING TO LEVY AND ASSESSMENT OF LOCAL TAXES (statewide advertisement of assessors meetings)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5453

BY Singleton, Menard, Moran

ENTITLED, AN ACT AMENDING THE INCORPORATION OF THE NORTH CUMBERLAND FIRE DISTRICT (authorize the board of trustees to appoint officers)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5499 SUB A as amended

BY Moura, Schadone, Long, Corvese, McCauley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE REPARATIONS ACT (auto repair facility of choice)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6140 SUB A

BY Moura, Schadone, Long

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- MOTOR VEHICLE REPAIR SHOPS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6173

BY Long, Amaral, Ehrhardt, Loughlin

ENTITLED, AN ACT RELATING TO HIGHWAYS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6190

BY Sullivan, Watson

ENTITLED, AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE TOWN OF WEST GREENWICH (residential properties).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6275

BY McHugh, Scott

ENTITLED, AN ACT RELATING TO CHARLESTOWN FIRE DISTRICT (would alter the terms of Charlestown fire district fire board members).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6418

BY Pacheco, Church

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TOWN OF BURRILLVILLE

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6449

BY Mumford, McNamara, Lima, Handy

ENTITLED, AN ACT EXEMPTING FROM TAXATION THE REAL, MIXED AND PERSONAL PROPERTY OF CRANSTON STREET HOCKEY LEAGUE, INC..

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6521**BY** Long**ENTITLED**, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN (Emergency Medical Services).

Read and ordered to be placed on the Calendar

Also:

Reappointment of **William Howe** (Fire Interests) of Warwick to the State Building Codes Standards Committee for a term expiring May 1, 2007.

Read and ordered to be placed on the Consent 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. 39 SUB A as amended**BY** Senators Bates, Gallo, Walaska, Paiva-Weed, Felag**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 335 SUB B (Attorney General)**BY** Senators Levesque C, McCaffrey, Gallo**ENTITLED**, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 773 SUB B**BY** Senator Felag**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CHECK CASHING

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 929 SUB A**BY** Senator Bates**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES (golf clubs/Class D license)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1090 as amended

BY Senators Sheehan, Cote, Issa, Doyle, Lanzi

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from various boards and commissions).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1162 as amended

BY Senators Sosnowski, Ruggerio, Montalbano J, Walaska, Tassoni

ENTITLED, AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5282 SUB A

BY Ginaitt, Anguilla, Gallison, McNamara

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - DENTISTS AND DENTAL HYGIENISTS (allow hygienist to administer anesthesia)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5748 SUB A

BY Story, Crowley, McNamara, Lewiss, Naughton

ENTITLED, AN ACT RELATING TO EDUCATION -- CURRICULUM

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6003 SUB A

BY Malik, Williamson, San Bento, Kilmartin, Corvese

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CHECK CASHING (amend certain time limits and dollar amounts/deferred deposits of customer checks)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6137 SUB A

BY Corvese

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY REVIEW ACT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6146**BY** Carter**ENTITLED**, AN ACT RELATING TO RHODE ISLAND UNIFORM COMMERCIAL DRIVERS' LICENSE ACT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6209**BY** Scott, McHugh**ENTITLED**, AN ACT AUTHORIZING THE CHARIHO REGIONAL SCHOOL DISTRICT TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES NOT TO EXCEED \$99,824,000 TO FINANCE THE CONSTRUCTION, RENOVATION, IMPROVEMENT, ALTERATION, REPAIR, FURNISHING AND EQUIPPING OF SCHOOLS AND SCHOOL FACILITIES THROUGHOUT THE REGIONAL SCHOOL DISTRICT, SUCH PROJECT TO BE FINANCED IN TWO PHASES, THE SECOND PHASE NOT TO BE FINANCED BEFORE JUNE 1, 2007 AND SUBJECT TO THE CONDITIONS OF THIS ACT AS TO LEVELS OF STATE AID.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6388**BY** Picard**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING AND LOTTERIES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6481**BY** Malik, Story**ENTITLED**, AN ACT RELATING TO NAMING A BUILDING, BRIDGE, EDIFICE AND OTHER STATE CONSTRUCTIONS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6507**BY** Menard, Moran, Singleton**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE CONSTRUCTION OF ADDITIONS, RENOVATIONS, IMPROVEMENTS, ALTERATIONS AND REPAIRS TO THE HIGH SCHOOL IN THE TOWN, THE EQUIPPING AND FURNISHING THEREOF AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE IN SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6587**BY** Malik**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS - TOWN OF WARREN (establish a business registration fee for businesses).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6602**BY** Amaral, Long, Loughlin, Jackson, Rice**ENTITLED**, AN ACT AUTHORIZING AN INCREASE IN THE AMOUNT OF REAL, PERSONAL, AND MIXED PROPERTY WHICH THE NEWPORT COUNTY COMMUNITY MENTAL HEALTH CENTER, INC. SHALL BE ENTITLED TO TAKE, HOLD, TRANSMIT AND CONVEY, AND GRANTING EXEMPTION FROM ALL TAXATION.

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 measures:

Senate Bill No. 1142 SUB A as amended**BY** Senators Roberts, Paiva-Weed, Felag**ENTITLED**, AN ACT RELATING TO FIDUCIARIES -- PUBLIC RADIO STATIONS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6577 SUB A as amended**BY** Fox, Anguilla, Ajello, Handy, Moura**ENTITLED**, AN ACT RELATING TO FIDUCIARIES -- PUBLIC RADIO STATIONS

Read and ordered to be placed on the Calendar

Also:

Appointment of Cheryl Merchant of Lincoln VICE Douglas A. Sgarro (resigned) to the Rhode Island Economic Development Corporation for a term expiring February 1, 2007

Read and ordered to be placed on the Consent 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. 6572**BY** Corvese**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- SCHOOL BUSES (prevent school buses from using their strobe lights when the bus is moving).

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

Also:

House Bill No. 6606**BY** Anguilla, Gallison**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS

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

Also:

House Resolution No. 6439**BY** Slater, Almeida, Diaz, Williams**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF SCHOOL DISTRICTS IN RHODE ISLAND.

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

Also:

House Bill No. 6180**BY** Malik**ENTITLED**, AN ACT RELATING TO HISTORIC RESIDENCE - TAX CREDIT

Read and ordered to the Committee on Finance.

Also:

House Bill No. 5858 SUB A as amended**BY** Landroche**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION - BENEFITS)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5627 SUB A as amended

BY Lima

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6639

BY Jackson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5182 SUB A

BY Naughton, Slater, Lima, Kennedy, Coderre E

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS (

Read and ordered to be placed on the Calendar

REPORTS OF COMMITTEES

TRANSFER OF BILLS

Senator Caprio, for the Committee on Commerce, Housing and Municipal Government, reports back the following measure, with recommendation of transfer to the Committee on Finance:

Senate Bill No. 1036 (by request)

BY Senator Damiani

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Read and referred to the Committee on Finance

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:

Senate Bill No. 547 SUB A (by request)

BY Senator Walaska

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

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

Senate Bill No. 719 SUB A

BY Senators Pichardo, Doyle, Gallo, Connors, Felag

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1053 SUB A

BY Senators Doyle, McBurney, McCaffrey, Damiani, Polisena

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5430

BY Lewiss, Anguilla, Fox, Jackson, Gallison

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL TRUSTS (create a trust for the care of animals)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5752 SUB A

BY Lewiss, Jacquard, Kennedy, San Bento, Gemma

ENTITLED, AN ACT RELATING TO ELECTIONS (mail ballots to be filed electronically)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5754 SUB A

BY Lewiss, Kennedy, San Bento, Ginaitt, Jacquard

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 882 (Secretary of State)

BY Senators Pichardo, Gallo, Levesque C

ENTITLED, AN ACT RELATING TO ELECTIONS (allow mail ballots to be filed electronically).

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

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

Appointment of **Mary Bray of Pawtucket** VICE Kate F. Racine to the Public Utilities Commission for a term expiring March 1, 2011.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McBurney, seconded by Senators McCaffrey, Perry, Tassoni, Goodwin, Doyle, Walaska, Issa, Damiani, DaPonte, Algieri, Lanzi, Badeau, Metts and many others moves that confirmation of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

GUESTS

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President welcomes to the Chamber newly confirmed Public Utilities Commissioner the Honorable Mary Bray, along with her Husband Ed Bray, Father Dennis Reardon and the Honorable John J. Barry III

COMMITTEE ON JUDICIARY

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

Reappointment of Kathleen M. Lanphear of Cranston as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management for a term expiring March 1, 2010.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Algieri seconded by Senators Gibbs, Gallo 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, 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, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

COMMITTEE ON JUDICIARY

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

Reappointment of Joseph F. Baffoni, Esquire of West Warwick as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management for a term expiring March 1, 2009.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey, seconded by Senator Levesque 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 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President welcomes to the Chamber Joseph F. Baffoni, Hearing officer in the Division of Administrative Adjudication in the State Department of Environment Management.

COMMITTEE ON JUDICIARY

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

Reappointment of Mary F. McMahon of Warwick as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management for a term expiring March 1, 2007

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey, seconded by Senators Metts, McBurney, Roberts, Doyle, Badeau, Levesque 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, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Mary F. McMahon, Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management.

AT EASE

Upon suggestion of Senator Paiva Weed, and without objection, the Senate is at ease at 4:30 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Wednesday, June 29, 2005, at 7:43 o'clock P.M.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon suggestion of Senator Tassoni, seconded by Senator Caprio, and without objection, item 4 (2005-S 1202), an act relating to the North Smithfield Water Authority, is removed from the Consent Calendar and is ordered to be recommitted to the Committee on Commerce, Housing and Municipal Government.

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

- 1 Reappointment of **William Howe** (Fire Interests) of Warwick to the State Building Codes Standards Committee for a term expiring May 1, 2007.
- 2 Appointment of **Cheryl Merchant** of Lincoln VICE Douglas A. Sgarro (resigned) to the Rhode Island Economic Development Corporation for a term expiring February 1, 2007.

3 Appointment of **William A. White** (Representing Business Community) of South Kingstown to the State Housing Appeals Board for a term expiring January 1, 2008.

5 2005-H 6639

BY Jackson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

CALENDAR

In order for the day is taken up as follows:

16 2005-S 1184

BY Alves

ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX

Committee on Finance recommends passage.

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

1 2005-S 1199

BY Badeau

ENTITLED, AN ACT RELATING TO DISPOSAL OF SOLID WASTE
ORIGINATING OUTSIDE THE STATE

Ordered to be placed on the Senate Calendar

Upon suggestion of Senator Badeau, seconded by Senator Sosnowski, and without objection, ordered to be recommitted to the committee on Commerce, Housing and Municipal Government.

3 2005-S 285 SUB A

BY Levesque C

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

Senator Levesque moves passage, seconded by Senators Gibbs and Fogarty.

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

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

NAYS- 0:

4 2005-S 294 SUB A

BY Gibbs

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

Senator Gibbs moves passage, seconded by Senators Levesque and Fogarty.

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

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

NAYS- 0:

6 2005-S 532 SUB A

BY Gallo

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- PENSIONS

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

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

17 2005-S 1185

BY Raptakis

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS

Committee on Finance recommends passage.

Senator Alves moves passage, seconded by Senators Goodwin, Ruggerio, Doyle, Walaska, Raptakis, Damiani, DaPonte, Badeau and many others.

Senators Sheehan, Sosnowski, Ciccone, Lenihan, Alves, Blais, Polisena, Raptakis, Roberts, Gibbs, Breene and Walaska discuss the act.

The act is read and passed, upon a roll call vote with 21 Senators voting in the affirmative and 16 Senators voting in the negative as follows:

YEAS- 21: The Honorable President Montalbano and Senators Alves, Badeau, Blais, Caprio, Ciccone, Connors, Damiani, DaPonte, Doyle, Gallo, Goodwin, Issa, Lanzi, McBurney, Metts, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Walaska.

NAYS- 16: Senators Algieri, Bates, Breene, Felag, Fogarty, Gibbs, Lenihan, Levesque, McCaffrey, Paiva Weed, Perry, Roberts, Sheehan, Sosnowski, Tassoni.

7 2005-S 773 SUB B

BY Felag

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CHECK CASHING

Ordered to be placed on the Senate Calendar for passage in concurrence

Senator Felag moves passage, seconded by Senator Walaska.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 30 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, Levesque, McCaffrey, Paiva Weed, Perry, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators McBurney, Metts, Pichardo.

8 2005-S 885 SUB A

BY Ruggerio

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- NARRAGANSETT BAY COMMISSION

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

Senator Ruggerio moves passage, seconded by Senator Polisena.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

10 2005-S 1034

BY Fogarty P

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- TOWN OF BURRILLVILLE

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Fogarty moves passage, seconded by Senators Gallo and Levesque.

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

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11 2005-S 1090 as amended

BY Sheehan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered to be placed on the Senate Calendar for passage in concurrence

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

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

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

AN ACT RELATING TO SEPARATION OF POWERS

Mr. President:

I hereby move to amend 2005 -- S 1090 As Amended, entitled "AN ACT RELATING TO SEPARATION OF POWERS", as follows:

(1) On page 5, line 2, by deleting the language "ex officio," and inserting in lieu thereof the words "as nonvoting ex officio members".

(2) On page 6, line 3, by deleting the language and numeral "Eight (8)" and inserting in lieu thereof the language and numeral "Six (6) voting".

Respectfully submitted,
SENATOR LENIHAN

The motion to amend prevails upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Lenihan moves passage of the act, as amended, seconded by Senators Sheehan and Sosnowski.

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

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

NAYS- 0:

12 2005-S 1150 SUB A

BY Alves

ENTITLED, AN ACT RELATING TO TOURISM AND DEVELOPMENT

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

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

14 2005-S 1165

BY Lenihan

ENTITLED, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO FINANCE THE ACQUISITION OF LAND FOR, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF, A NEW POLICE STATION AND ITS FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$8,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Commerce, Housing & Municipal Government recommends passage.

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

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

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

15 2005-S 1168

BY Felag

ENTITLED, AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Committee on Finance recommends passage.

Senator Felag moves passage, seconded by Senators Levesque, Fogarty, Bates and Damiani.

Senator Felag, seconded by Senator Levesque, offers the following written motion to amend.

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

AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Mr. President:

I hereby move to amend 2005 -- S 1168, entitled "AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS", as follows:

(1) On page 1, line 16 by deleting all the language after the word "have" and inserting in lieu thereof the language "the authority to:".

(2) On page 1, by deleting all of the language on line 17.

(3) On page 1, line 19, by deleting all of the language after the word "real" and inserting in lieu thereof the following: "estate, including their current site location, to wit, 317 Market Street, Warren, Rhode Island, or such other site as meets the administrative and/or operational needs of the East Bay Educational Collaborative, subject to the approval of five (5) of the eight (8) school committees of the member districts of the collaborative or a majority of the school committees that are members of the collaborative at the time".

(4) On page 2, by deleting all of the language on line 1.

(5) On page 2, line 2, by inserting the language "finance, bond," after the language "mortgage,".

(6) On page 2, line 3, by deleting the period ".", and by inserting the following: ", subject to the approval of five (5) of the eight (8) school committees of the member districts of the collaborative or a majority of the school committees that are members of the collaborative at the time."

(7) On page 2, by deleting all of the language on lines 4 through 15, inclusive.

Respectfully submitted,
SENATOR FELAG

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

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

NAYS- 0:

Senator Felag moves passage of the act, as amended, seconded by Senators Levesque, Polisena, Damiani and Bates.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Pichardo, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

18 2005-S 1198

BY Alves

**ENTITLED, AN ACT RELATING TO CONVENTION CENTER AUTHORITY
ACT**

Committee on Finance recommends passage.

Senator Alves moves passage, seconded by Senators Ruggerio, Badeau, Metts, Pichardo, Doyle and others.

Senator Alves, seconded by Senators Doyle and Ruggerio, offers the following written motion to amend.

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

AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT

Mr. President:

I hereby move to amend 2005 -- S 1198, entitled "AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT", as follows:

On page 8, line 26, by deleting the period after the word "center" and inserting in place thereof the following:

";provided nothing herein shall preclude the municipality and any other political subdivision from charging for contracted for public safety services for events at the civic center."

Respectfully submitted,
SENATOR ALVES

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

YEAS- 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Alves moves passage of the act, as amended, seconded by Senators Badeau, Ciccone, Goodwin, Ruggerio, Metts and many others.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

22 2005-H 5406 SUB A

BY Mumford

ENTITLED, AN ACT RELATING TO LEVY AND ASSESSMENT OF LOCAL TAXES

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

Senator Caprio 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 a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

25 2005-H 5453

BY Singleton

ENTITLED, AN ACT AMENDING THE INCORPORATION OF THE NORTH CUMBERLAND FIRE DISTRICT

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

Senator Connors moves passage, seconded by Senator Badeau.

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

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

NAYS- 0:

23 2005-H 5499 SUB A**BY Moura****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLE REPARATIONS ACT

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

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

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

42 2005-H 6530 SUB A as amended**BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- WORKERS'
COMPENSATION INSURANCE FUND

Ordered to be placed on the Senate Calendar

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

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

YEAS- 23: The Honorable President Montalbano and Senators Alves, Badeau, Bates, Breene, Ciccone, Connors, DaPonte, Doyle, Gallo, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sosnowski, Tassoni.

NAYS- 11: Senators Algieri, Blais, Cote, Felag, Fogarty, Gibbs, Lenihan, Raptakis, Roberts, Sheehan.

46 2005-H 5270 SUB A as amended**BY Watson****ENTITLED,** AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE
STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2006

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 Goodwin, Paiva Weed, Gibbs, Doyle, Felag, Lanzi, Gallo, Badeau and many others.

Senators Felag, Metts and Paiva Weed discuss the act.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, 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:

2 2005-S 39 SUB A as amended

BY Bates

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

5 2005-S 335 SUB B

BY Levesque C

ENTITLED, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT

9 2005-S 929 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

13 2005-S 1162 as amended

BY Sosnowski

ENTITLED, AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION

19 2005-H 5089 SUB A as amended

BY Gallison

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

20 2005-H 5259 SUB A

BY Fox

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL SECURITY INFRASTRUCTURE SUPPORT FUND

21 2005-H 5282 SUB A

BY Ginaitt

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - DENTISTS AND DENTAL HYGIENISTS

24 2005-H 5748 SUB A**BY Story****ENTITLED,** AN ACT RELATING TO EDUCATION – CURRICULUM**28 2005-H 6137 SUB A****BY Corvese****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY
REVIEW ACT**30 2005-H 6146****BY Carter****ENTITLED,** AN ACT RELATING TO RHODE ISLAND UNIFORM
COMMERCIAL DRIVERS' LICENSE ACT**32 2005-H 6190****BY Sullivan****ENTITLED,** AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE
TOWN OF WEST GREENWICH**33 2005-H 6209****BY Scott****ENTITLED,** AN ACT AUTHORIZING THE CHARIHO REGIONAL SCHOOL
DISTRICT TO ISSUE GENERAL OBLIGATION BONDS AND/OR
NOTES NOT TO EXCEED \$99,824,000 TO FINANCE THE
CONSTRUCTION, RENOVATION, IMPROVEMENT, ALTERATION,
REPAIR, FURNISHING AND EQUIPPING OF SCHOOLS AND
SCHOOL FACILITIES THROUGHOUT THE REGIONAL SCHOOL
DISTRICT, SUCH PROJECT TO BE FINANCED IN TWO PHASES,
THE SECOND PHASE NOT TO BE FINANCED BEFORE JUNE 1,
2007 AND SUBJECT TO THE CONDITIONS OF THIS ACT AS TO
LEVELS OF STATE AID**35 2005-H 6275****BY McHugh****ENTITLED,** AN ACT RELATING TO CHARLESTOWN FIRE DISTRICT**36 2005-H 6388****BY Picard****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING
AND LOTTERIES**37 2005-H 6418****BY Pacheco****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
TOWN OF BURRILLVILLE

39 2005-H 6481**BY Malik****ENTITLED,** AN ACT RELATING TO NAMING A BUILDING, BRIDGE, EDIFICE AND OTHER STATE CONSTRUCTIONS**40 2005-H 6507****BY Menard****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE CONSTRUCTION OF ADDITIONS, RENOVATIONS, IMPROVEMENTS, ALTERATIONS AND REPAIRS TO THE HIGH SCHOOL IN THE TOWN, THE EQUIPPING AND FURNISHING THEREOF AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE IN SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR**41 2005-H 6521****BY Long****ENTITLED,** AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN**44 2005-H 6587****BY Malik****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS - TOWN OF WARREN**45 2005-H 6602****BY Amaral****ENTITLED,** AN ACT AUTHORIZING AN INCREASE IN THE AMOUNT OF REAL, PERSONAL, AND MIXED PROPERTY WHICH THE NEWPORT COUNTY COMMUNITY MENTAL HEALTH CENTER, INC. SHALL BE ENTITLED TO TAKE, HOLD, TRANSMIT AND CONVEY, AND GRANTING EXEMPTION FROM ALL TAXATION**57 2005-H 5754 SUB A****BY Lewiss****ENTITLED,** AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Senator Paiva Weed moves passage, seconded by Senator Algieri.

The acts are read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

48 2005-H 5627 SUB A as amended

BY Lima

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Ordered to be placed on the Senate Calendar

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

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

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

NAYS- 0:

NEW BUSINESS

Senate Bill No. 1209

BY Senator Perry

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - RELIEF OF INJURED AND DECEASED FIREFIGHTERS AND POLICE OFFICERS.

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by Senators Alves, Polisena and Damiani.

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, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Levesque, McCaffrey, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ANNOUNCEMENTS

Senator Paiva Weed announces that the Senate will meet on Thursday, June 30, 2005, at 3:00 o'clock P.M.

Senator Bates announces that the Committee on Financial Services, Technology, and Regulatory Issues will meet on Thursday, June 30, 2005, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Roberts announces that the Committee on Health and Human Services will meet on Thursday, June 30, 2005, at 3:00 o'clock P.M. in Room 212 of the State House.

Senator Polisena announces that the Committee on Judiciary will meet on Thursday, June 30, 2005, at 3:00 o'clock P.M. in Room 313 of the State House.

PERSONAL PRIVILEGE

Senator Polisena, recognized on a point of personal privilege, addresses the Senate relative to a recent newspaper article.

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:

Senate Bill No. 797 SUB A

BY Senators Damiani, Polisena, Sosnowski

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- HARBOR AND HARBOR LINES (require all harbor master to attend either a state or municipal police academy)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6000 as amended

BY McCauley

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6007

BY McCauley

ENTITLED, AN ACT RELATING TO LAND SURVEYORS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6248 SUB A as amended

BY Moura, Long, McCauley, Schadone

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- AUTOMOBILE BODY REPAIR SHOPS (add members to auto collision repair licensing board)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6572

BY Corvese

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- SCHOOL BUSES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6606

BY Anguilla, Gallison

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS

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 measure:

Senate Resolution No. 471 SUB A

BY Senators Roberts, Paiva-Weed, Perry, Sheehan

ENTITLED, SENATE RESOLUTION REQUESTING THE RHODE ISLAND DEPARTMENT OF HEALTH TO ESTABLISH AN ADULT VACCINE PROGRAM

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 740 SUB A

BY Senators Tassoni, Doyle, McBurney, Roberts

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1195

BY Senator Alves

ENTITLED, AN ACT RELATING TO HEALTH INSURANCE COVERAGE -- MANDATED HEARING AID COVERAGE.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5414 SUB B as amended

BY Kilmartin

ENTITLED, AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES (accreditation of MRIs)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5742 SUB A

BY Jacquard, Lewiss, Schadone

ENTITLED, AN ACT RELATING TO HEALTH INSURANCE COVERAGE -- MANDATED HEARING AID COVERAGE

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. 58 SUB A

BY Senators Felag, Lanzi, Ciccone, Polisena, Bates

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS - RHODE ISLAND VETERANS' HOME (no charge for laundry services)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 466 SUB A as amended

BY Senators Badeau, Ciccone, Connors, Lanzi

ENTITLED, AN ACT RELATING TO TOURISM AND DEVELOPMENT (create the RI tourism development corporation)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1036 SUB A (by request)

BY Senator Damiani

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS (police officers or firefighters residing in the city or town of employment)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 114 SUB A**BY** Senators Blais, McCaffrey, Polisena, Paiva-Weed, Algieri**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- TRAUMATIC BRAIN INJURIES

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

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

Senate Bill No. 478 SUB A**BY** Senators Metts, Pichardo, Levesque C, Perry**ENTITLED**, AN ACT RELATING TO TAX SALES (RIHMFC would have right of first refusal to acquire the tax lien for residential property or containing less than 4 units)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6104 SUB A**BY** Fox**ENTITLED**, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION

Read and ordered to be placed on the Calendar

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 measures:

Senate Bill No. 389 SUB A**BY** Senators Caprio F, Raptakis**ENTITLED**, AN ACT RELATING TO EDUCATION -- ATHLETIC DIRECTORS

Read and ordered to be placed on the Calendar

Also:

Senate Resolution No. 1193**BY** Senators Perry, Lenihan, Lanzi, Gibbs**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING DATE AND AMENDING THE MEMBERSHIP OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE BENEFITS AND SUPPORT SYSTEM FOR ADOPTIONS IN THE STATE OF RHODE ISLAND.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5067**BY** Kilmartin, Ajello, Moura, Dennigan, Church**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- REGISTRATION OF VEHICLES

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 5222**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

Also:

House Bill No. 5318**BY** Shanley, Kilmartin**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 5740 as amended**BY** Slater, Naughton, Williams, Dennigan, Coderre E**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE NEWLY ADOPTED PROVISIONS FOR EARLY INTERVENTION UNDER THE FEDERAL DISABILITIES EDUCATION ACT OF 2004, P.L. 108 - 446.

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 5364 (Lieutenant Governor)**BY** Moura, Lima, Ajello, Slater, McCauley**ENTITLED**, JOINT RESOLUTION MEMORIALIZING CONGRESS TO OPPOSE PRIVATIZATION OF SOCIAL SECURITY

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6417**BY** Pacheco, Church**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 6439 as amended

BY Slater, Almeida, Diaz, Williams

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF SCHOOL DISTRICTS IN RHODE ISLAND.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6471

BY Mumford, Carter, Moffitt, Gallison, Rose

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - ADJUTANT GENERAL EMERITUS

Read and ordered to be placed on the Calendar

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

Senate Bill No. 305 SUB A as amended

BY Senators Sosnowski, Breene, Blais, Bates, Damiani

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 770 SUB A

BY Senator Felag

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT -- ELIMINATION OF GASOLINE ETHERS, MTBE AND TBA FROM GASOLINE SUPPLIES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6117 SUB B

BY Ginaitt, Naughton, Lima, Lally, Shanley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (elimination of ethers as a gasoline additive)

Read and ordered to be placed on the Calendar

Also:

Appointment of Dr. W. Michael Sullivan of Richmond VICE Terrence D. Gray, P.E. as Director of the Department of Environmental Management

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. 961 SUB B

BY Senators Bates, Sosnowski

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5073 (Lieutenant Governor)

BY Lewiss, Malik, Crowley, O'Neill, Moura

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - - COUNCIL ON THE ARTS (expanded duties)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5400 SUB A

BY Moura

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- EXEMPTING FROM TAXATION PROPERTY OF THE PROVIDENCE, RHODE ISLAND YOUNG MEN'S CHRISTIAN ASSOCIATION (exempt from taxation all real, personal and mixed property)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5488

BY Fox, Crowley, Lewiss, McNamara, Pacheco

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND (establish the position of Historian Laureate in Rhode Island).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6315 as amended

BY McCauley, Slater, Almeida, Diaz

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6493**BY** Rice, Gallison**ENTITLED**, AN ACT RELATING TO THE TOWN OF PORTSMOUTH

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 6638**BY** Naughton, Kilmartin**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6167**BY** Kilmartin, Long, Moura, Amaral, Loughlin**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- CERTIFICATES OF TITLE AND SECURITY INTERESTS (duplicate automobile title).

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

Also:

House Bill No. 5598**BY** Mumford, Singleton, Long, Savage, Davey**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (real property subject to taxation).

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

Also:

House Bill No. 6635**BY** Jacquard**ENTITLED**, AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE RATING.

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

Also:

House Bill No. 6022 SUB A as amended**BY** Jackson, Crowley, Gallison**ENTITLED**, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT (permit the taxation of time-share developments)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6442 as amended

BY Moura, McCauley, Smith, Petrarca, Williamson

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Read and ordered to be placed on the Calendar

Also:

RECESS

Upon motion of Senator Paiva Weed, and by unanimous consent, the Senate stands at recess at 9:50 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Thursday, June 30, 2005, at 4:53 o'clock P.M.

GUESTS

Upon suggestion of Senator Blais and by unanimous consent, the Honorable President welcomes to the Chamber Danial O'Brien of Chicago, Illinois, along with his wife Mary O'Brien, formerly of Pawtucket, his niece Ann Irons, Foster Town Clerk and his nephew Robert Randall, Secretary-Treasurer of Local 12 Providence Newspaper Printing Press Union.

NEW BUSINESS

Senate Resolution No. 1203

BY Senator Ciccone

ENTITLED, SENATE RESOLUTION CONGRATULATING CARL ANTHONY CALICCHIA ON HIS RETIREMENT FROM THE CITY OF PROVIDENCE.

Senator Ciccone requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ciccone moves passage, seconded by the entire Senate.

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

Also:

Senate Bill No. 1204

BY Senator Lanzi

ENTITLED, AN ACT EXEMPTING THE REAL, MIXED AND PERSONAL PROPERTY OF CRANSTON POLICE FRATERNAL ADVANCEMENT ASSOCIATION, INC..

Senator Lanzi requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lanzi moves passage, seconded by Senator Connors.

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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1205 (Lt. Governor)

BY Senators DaPonte, Goodwin, Alves

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPREHENSIVE STUDY ON THE STATE'S TAX SYSTEM.

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senator Alves.

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

Also:

Senate Bill No. 1213

BY Senators Sheehan, Lenihan, Ciccone, Raptakis, Breene

ENTITLED, AN ACT RELATING TO THE DEPARTMENT OF ADMINISTRATION.

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sheehan moves passage, seconded by Senator Raptakis and Lenihan.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1208

BY Senator Blais

ENTITLED, SENATE RESOLUTION WISHING THE HONORABLE SENATOR MICHAEL R. DEBATT A SPEEDY RECOVERY.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by the entire Senate.

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

Also:

Senate Bill No. 1210

BY Senator Raptakis

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Senator Raptakis requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Raptakis moves passage, seconded by Senator McCaffrey.

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

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

NAYS- 0:

Also:

Senate Resolution No. 1211

BY Senator Perry

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF SEPTEMBER, 2005 TO BE "NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH" IN THE STATE OF RHODE ISLAND.

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 1212

BY Senator Gallo

ENTITLED, SENATE RESOLUTION CONGRATULATING FATHER RICHARD A. DONNELLY ON HIS RETIREMENT.

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by the entire Senate.

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

Also:

Senate Bill No. 1206

BY Senator Gibbs

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

YEAS- 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

NOW PRESIDING

The Honorable President yields the rostrum to the Honorable Leo R. Blais, Minority Deputy President Pro Tempore at 5:04 o'clock P.M.

CALENDAR

In order for the day is taken up as follows:

- 1** Appointment of **Dr. W. Michael Sullivan** of Richmond VICE Terrence D. Gray, P.E. as Director of the Department of Environmental Management .

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this appointment.

Senator Sosnowski, seconded by Senators Algieri, Paiva Weed, Breene, Damiani, Gibbs, Lenihan, Badeau, Raptakis, Sheehan, Montalbano, and many others, moves that advice and consent of the Senate be given this appointment.

Senators Polisena, Sheehan, Breene and Algieri discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

GUESTS

Upon suggestion of Senators Breene and Montalbano and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable W. Michael Sullivan, newly confirmed Director of the Department of Environmental Management.

NOW PRESIDING

The Honorable Minority Deputy President Pro Tempore, yields the rostrum to the Honorable President at 5:15 o'clock P.M.

CALENDAR

2 2005-S 532 SUB A

BY Gallo

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- PENSIONS

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

Upon suggestion of Senator Alves, seconded by Senator McBurney, and without objection, ordered to be recommitted to the committee on Finance.

3 2005-S 1150 SUB A

BY Alves

ENTITLED, AN ACT RELATING TO TOURISM AND DEVELOPMENT

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 30 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McCaffrey, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Tassoni, Walaska.

NAYS- 4: Senators Algieri, Cote, Lenihan, Sosnowski.

4 2005-S 1184**BY Alves****ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX**

Committee on Finance recommends passage.

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

5 2005-S 1142 SUB A as amended**BY Roberts****ENTITLED, AN ACT RELATING TO FIDUCIARIES -- PUBLIC RADIO STATIONS**

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

Senator Roberts moves passage, seconded by Senators Perry, Pichardo and Sheehan.

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

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

NAYS- 0:

6 2005-S 547 SUB A**BY Walaska****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS**

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

Senator Walaska moves passage, seconded by Senator Bates.

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

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

NAYS- 0:

7 2005-S 719 SUB A**BY Pichardo****ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS**

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

Senator Pichardo moves passage, seconded by Senators Metts and Levesque.

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

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

NAYS- 0:

8 2005-S 1053 SUB A

BY Doyle

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES

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

Upon suggestion of Senator Ruggerio, seconded by Senator Doyle, and without objection, ordered to be recommitted to the committee on Judiciary.

9 2005-S 882

BY Pichardo

ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

Senator Pichardo moves passage, seconded by Senators Connors, Metts and Ciccone.

Senator McCaffrey, seconded by Senators Pichardo and Ciccone, offers the following written motion to amend.

FLOOR AMENDMENT

AN ACT RELATING TO ELECTIONS

Mr. President:

I hereby move to amend 2005 -- S 882, entitled "AN ACT RELATING TO ELECTIONS", as follows:

(1) On page 2, line 13, by deleting the language "electronic transmission" and inserting in place thereof the language "facsimile".

(2) On page 2, line 15, after the period "(.)" by inserting the following language: "The secretary of state shall establish procedures to protect the anonymity of any votes submitted by facsimile in the same manner as ballots submitted through the mail."

Respectfully submitted,
SENATOR MCCAFFREY

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

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

NAYS- 0:

Senator Pichardo moves passage of the act, as amended, seconded by Senators Ciccone and Metts.

The act is read and passed, by unanimous consent, as amended, 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

10 2005-S 797 SUB A

BY Damiani

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- HARBOR
AND HARBOR LINES

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

Senator Damiani moves passage, seconded by Senators Polisena, Sosnowski and DaPonte.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11 2005-S 389 SUB A

BY Caprio F

ENTITLED, AN ACT RELATING TO EDUCATION -- ATHLETIC DIRECTORS

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

Senator Caprio moves passage, seconded by Senator Goodwin.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12 2005-S 1193

BY Perry

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE AND AMENDING THE MEMBERSHIP OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE BENEFITS AND SUPPORT SYSTEM FOR ADOPTIONS IN THE STATE OF RHODE ISLAND

Committee on Constitutional & Gaming Issues recommends passage.

Senator Perry moves passage, seconded by Senators Issa and Goodwin.

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

13 2005-S 471 SUB A

BY Roberts

ENTITLED, SENATE RESOLUTION REQUESTING THE RHODE ISLAND DEPARTMENT OF HEALTH TO ESTABLISH AN ADULT VACCINE PROGRAM

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

Senator Roberts moves passage, seconded by Senator Issa.

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

14 2005-S 740 SUB A

BY Tassoni

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

Senator Tassoni moves passage, seconded by Senators Perry, Polisena, Metts, Issa, Roberts.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

15 2005-S 1195

BY Alves

ENTITLED, AN ACT RELATING TO HEALTH INSURANCE COVERAGE --
MANDATED HEARING AID COVERAGE

Committee on Health & Human Services recommends passage.

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

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, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16 2005-S 58 SUB A

BY Felag

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

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

Senator Felag moves passage, seconded by Senators Tassoni, Issa, Damiani, Sosnowski, Ciccone, Gibbs and many others.

Senator Felag seconded by Senators Ciccone and Issa, offers the following written motion to amend.

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

AN ACT RELATING TO MILITARY AFFAIRS - RHODE ISLAND VETERANS' HOME

Mr. President:

I hereby move to amend 2005 -- S 58 SUBSTITUTE A, entitled "AN ACT RELATING TO MILITARY AFFAIRS - RHODE ISLAND VETERANS' HOME", as follows:

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

"SECTION 1. Section 30-24-10 of the General Laws in Chapter 30-24 entitled "Rhode Island Veterans' Home" is hereby amended to read as follows:

30-24-10. Admissible to home -- Fees. -- (a) Any person who has served in the army, navy, marine corps, coast guard, or air force of the United States for a period of ninety (90) days or more and that period began or ended during any foreign war in

which the United States shall have been engaged or in any expedition or campaign for which the United States government issues a campaign medal, and who was honorably discharged from it, and who shall be deemed to be in need of care provided at the Rhode Island veterans' home, may be admitted to that facility subject to such rules and regulations as shall be adopted by the director of human services to govern the admission of applicants to the facility. Any person who has served in the armed forces of the United States designated herein and otherwise qualified, who has served less than the ninety-day period described in this section, and who was honorably discharged from service, and who, as a result of the service, acquired a service-connected disability or disease, may be admitted. No person shall be admitted to the facility unless the person has been accredited to the enlistment or induction quota of the state or has resided in the state for at least two (2) consecutive years next prior to the date of the application for admission to the facility.

(b) (1) The director shall, at the end of each fiscal year, determine the net per diem expenses of maintenance of residents in the facility and shall assess against each resident who has "net income", as defined in this section, a fee equal to eighty percent (80%) of the resident's net income, provided that fee shall not exceed the actual cost of care and maintenance for the resident; and provided that an amount equal to twenty percent (20%) of the maintenance fee assessed shall be allocated to and deposited in the veterans' restricted account. For the purposes of this section, "net income" is defined as gross income minus applicable federal and state taxes and minus:

(i) An amount equal to one hundred fifty dollars (\$150) per month of residency and fifty percent (50%) of any sum received due to wounds incurred under battle conditions for which the resident received the purple heart; and

(ii) The amount paid by a resident for the support and maintenance of his or her spouse, parent(s), minor child(ren), or child(ren) who is/are blind or permanently and totally disabled as defined in title XVI of the Federal Social Security Act, 42 U.S.C. sections 1381 -- 1383d, subject to a maximum amount to be determined by rules and regulations as shall be adopted by the director.

(2) The fees shall be paid monthly to the home and any failure to make payment when due shall be cause for dismissal from the facility. Prior to dismissal, the resident shall be afforded administrative due process.

(c) Admissions to the veterans' home shall be made without discrimination as to race, color, national origin, religion, sex, disability, marital status, age, sexual orientation, gender identity or expression, assets, or income.

(d) Laundry services shall be provided to the residents of the Rhode Island veterans' home at no charge to the residents, with such funds to cover the cost of providing laundry services for residents of the Rhode Island Veterans' Home derived from monies appropriated to the department of human services.

SECTION 2. This act shall take effect on October 1, 2005."

Respectfully submitted,
SENATOR ALVES

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Felag moves passage of the act, as amended, seconded by Senators Roberts, Issa and others.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

17 2005-S 466 SUB A as amended**BY Badeau****ENTITLED, AN ACT RELATING TO TOURISM AND DEVELOPMENT**

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

Upon suggestion of Senator Alves, seconded by Senator Felag, and without objection, ordered to be recommitted to the committee on Finance.

18 2005-S 114 SUB A**BY Blais****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- TRAUMATIC
BRAIN INJURIES**

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

Senator Blais moves passage, seconded by Senators Gallo, Goodwin, Alves, Roberts, Sheehan, Algieri, Connors, Breene, Damiani and many others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

19 2005-S 1036 SUB A**BY Damiani****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL
POWERS**

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

Senator Damiani moves passage, seconded by Senators Polisena, Sosnowski, Blais, Lenihan, Ruggerio, Tassoni, DaPonte and many others.

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

FLOOR AMENDMENT**RELATING TO TOWNS AND CITIES -- GENERAL POWERS**

Mr. President:

I hereby move to amend 2005 -- S 1036 SUBSTITUTE A, entitled "AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS", as follows:

By deleting all of the language after the enactment clause and inserting the following:

"SECTION 1. Section 45-2-15 of the General Laws in Chapter 45-2 entitled "General Powers" is hereby repealed.

~~45-2-15. Police officers and fire fighters. -- No city or town shall require that an individual reside within the city or town as a condition for appointment or continued employment in its police or fire department.~~

SECTION 2. Chapter 45-2 of the General Laws entitled "General Powers" is hereby amended by adding thereto the following section:

45-2-15.1. Police officers and firefighters -- Residency within municipality not required. -- Notwithstanding any prior ratification and validation by the general assembly of any home rule charter provision requiring that police officers and fire fighters reside within the employing city or town, no home rule charter provision shall require that a police officer or fire fighter reside within the city or town as a condition of appointment or continued employment. Any prior ratification and validation by the general assembly of a home rule charter provision requiring residency within a city or town as a condition for employment of a police officer or fire fighter is hereby expressly repealed by the general assembly; further, no city or town council shall make or ordain any ordinance requiring a police officer or fire fighter to reside within the employing city or town as a condition of appointment or continued employment. Any existing ordinance requiring a police officer or fire fighter to reside within the employing city or town as a condition of appointment or continued employment is hereby considered contrary to the laws of this state and is thus void as being in violation of state law.

SECTION 3. Chapter 45-2 of the General Laws entitled "General Powers" is hereby amended by adding thereto the following section:

45-2-15.2. Municipal employees. -- Residency within municipality not required. -- Notwithstanding any prior ratification and validation by the general assembly of any home rule charter provision requiring that municipal employees reside within the employing city or town, no home rule charter provision shall require that a municipal employee reside within the city or town as a condition of appointment or continued employment. Any prior ratification and validation by the general assembly of a home rule charter provision requiring residency within a city or town as a condition for employment of a municipal employee is hereby expressly repealed by the general assembly; provided, further, no city or town council shall make or ordain any ordinance requiring a municipal employee to reside within the employing city or town as a condition of appointment or continued employment. Any existing ordinance requiring a municipal employee to reside within the employing city or town as a condition of appointment or continued employment is hereby considered contrary to the laws of this state and is thus void as being in violation of state law. Nothing in this chapter shall preclude any city or town from offering employment incentives to its employees.

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

Respectfully submitted,
SENATOR ALVES

The motion to amend prevails upon a roll call vote with 30 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Doyle and Pichardo.

Senator Damiani moves passage of the act, as amended, seconded by Senators Polisena and Ruggerio. Senators Metts, Damiani, Tassoni discuss the act.

The act is read and passed, as amended, upon a roll call vote with 30 Senators voting in the affirmative and 3 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, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McCaffrey, Paiva Weed, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Doyle, Metts, Pichardo.

20 2005-S 478 SUB A**BY Metts****ENTITLED, AN ACT RELATING TO TAX SALES**

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

Senator Metts moves passage, seconded by Senators Pichardo and McCaffrey.

Senator McCaffrey, seconded by Senators Polisena, Damiani and Metts, offers the following written motion to amend.

FLOOR AMENDMENT**AN ACT RELATING TO TAX SALES**

Mr. President:

I hereby move to amend 2005 -- S 478 SUBSTITUTE A, entitled "AN ACT RELATING TO TAX SALES", as follows:

(1) On page 2, between lines 12 and 13, by adding the following language:

"(7) To acquire at tax sale liens on one to four (4) family residential properties, to hold the lien while endeavoring to assist the property owner with retaining ownership, to hold and sell the property where consistent with the purpose of the corporation to encourage home ownership, particularly by low-income persons, productive and beneficial use of property, and other purposes of the corporation, and to adopt rules and regulations necessary to carry this program into effect."

(2) On page 2, line 12, by deleting the period "(.)" after the language "effect" and inserting in place thereof a semi-colon "(:)".

Respectfully submitted,
SENATOR MCCAFFREY

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, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Metts moves passage of the act, as amended, seconded by Senators McCaffrey, Pichardo, Damiani and Polisena.

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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

21 2005-S 305 SUB A as amended**BY Sosnowski****ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY**

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

Senator Sosnowski moves passage, seconded by Senators Breene, Polisena, Fogarty and Damiani.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

22 2005-S 770 SUB A**BY Felag****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT --
ELIMINATION OF GASOLINE ETHERS, MTBE AND TBA FROM
GASOLINE SUPPLIES**

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

Senator Felag moves passage, seconded by Senators Roberts, Sosnowski, Levesque, Damiani, Gibbs, Breene, Blais and Fogarty.

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

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

NAYS- 0:

23 2005-S 961 SUB B**BY Bates****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION**

Ordered on the Calendar

Senator Bates moves passage, seconded by Senators Blais, Sosnowski, Damiani, Ciccone and others.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 0:

25 2005-H 6101 SUB A

BY Kilmartin

ENTITLED, AN ACT RELATING TO UNFAIR SALES PRACTICES

Committee on Commerce, Housing & Municipal Government 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.

26 2005-H 6140 SUB A

BY Moura

**ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS --
MOTOR VEHICLE REPAIR SHOPS**

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

Senator Caprio 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 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

27 2005-H 6249 as amended

BY Flaherty

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

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

Senator Goodwin moves passage, seconded by Senator Cote.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

28 2005-H 6173

BY Long

ENTITLED, AN ACT RELATING TO HIGHWAYS

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

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

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

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

NAYS- 0:

29 2005-H 6449

BY Mumford

ENTITLED, AN ACT EXEMPTING FROM TAXATION THE REAL, MIXED AND PERSONAL PROPERTY OF CRANSTON STREET HOCKEY LEAGUE, INC.

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

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

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

30 2005-H 6540

BY Anguilla

ENTITLED, AN ACT RELATING TO EDUCATION -- COOPERATIVE
SERVICE AMONG SCHOOL DISTRICTS

Committee on Finance recommends passage in concurrence.

Senator Felag moves passage, seconded by Senator Issa.

Senator Felag seconded by Senator Sheehan, offers the following written motion to amend.

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

AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Mr. Speaker:

I hereby move to amend 2005 -- H 6540, entitled "AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS", as follows:

- (1) On page 1, line 16 by deleting all the language after the word "have" and inserting in lieu thereof the language "the authority to:".
- (2) On page 1, by deleting all of the language on line 17.
- (3) On page 1, line 19, by deleting all of the language after the word "real" and inserting in lieu thereof the following: "estate, including their current site location, to wit, 317 Market Street, Warren, Rhode Island, or such other site as meets the administrative and/or operational needs of the East Bay Educational Collaborative, subject to the approval of five (5) of the eight (8) school committees of the member districts of the collaborative or a majority of the school committees that are members of the collaborative at the time".
- (4) On page 2, by deleting all of the language on line 1.
- (5) On page 2, line 2, by inserting the language "finance, bond," after the language "mortgage,".
- (6) On page 2, line 3, by deleting the period ".", and by inserting the following: ", subject to the approval of five (5) of the eight (8) school committees of the member districts of the collaborative or a majority of the school committees that are members of the collaborative at the time."
- (7) On page 2, by deleting all of the language on lines 4 through 15, inclusive.

Respectfully submitted,
SENATOR ALVES

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

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

NAYS- 0:

Senator Felag moves passage of the act, as amended, seconded by Senator Issa.

The act is read and passed, by unanimous consent, as amended, 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

31 2005-H 5182 SUB A

BY Naughton

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS

Ordered on the Calendar

Senator Issa moves passage, seconded by Senators Gallo and Metts.

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

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

NAYS- 0:

32 2005-H 5858 SUB A as amended

BY Landroche

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
WORKERS' COMPENSATION - BENEFITS**

Ordered on the Calendar

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

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

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

NAYS- 0:

33 2005-H 6577 SUB A as amended

BY Fox

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- PUBLIC RADIO STATIONS

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

Senator Roberts moves passage, seconded by Senators Sheehan and Bates.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

34 2005-H 5430

BY Lewiss

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL TRUSTS

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Perry, Connors and Damiani.

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

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

NAYS- 0:

35 2005-H 5752 SUB A

BY Lewiss

ENTITLED, AN ACT RELATING TO ELECTIONS

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

Senator McCaffrey moves passage, seconded by Senators Pichardo, Polisena and Metts.

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

YEAS- 36: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

36 2005-H 6000 as amended

BY McCauley

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

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

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

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

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

NAYS- 0:

37 2005-H 6007

BY McCauley

ENTITLED, AN ACT RELATING TO LAND SURVEYORS

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

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

NAYS- 0:

38 2005-H 6248 SUB A as amended

BY Moura

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
AUTOMOBILE BODY REPAIR SHOPS

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

Senator Caprio moves passage, seconded by Senator Tassoni.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative 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, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

39 2005-H 6572

BY Corvese

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- SCHOOL BUSES

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

Senator Caprio 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 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, Doyle, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

40 2005-H 6606

BY Anguilla

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS

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

Senator Felag moves passage, seconded by Senator Bates.

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

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

NAYS- 0:

42 2005-H 5222

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 Constitutional & Gaming Issues recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Levesque, Bates and McCaffrey.

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

43 2005-H 5318

BY Shanley

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

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Damiani and Sosnowski

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

44 2005-H 5740 as amended

BY Slater

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE NEWLY ADOPTED PROVISIONS FOR EARLY INTERVENTION UNDER THE FEDERAL DISABILITIES EDUCATION ACT OF 2004, P.L. 108 - 446

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

Senator Metts moves passage, seconded by Senators Goodwin and Pichardo.

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

47 2005-H 6439 as amended

BY Slater

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF SCHOOL DISTRICTS IN RHODE ISLAND

Committee on Constitutional & Gaming Issues recommends passage as amended.

Senator Goodwin moves passage, seconded by Senator Pichardo.

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

48 2005-H 6471

BY Mumford

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - ADJUTANT GENERAL EMERITUS

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

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

49 2005-H 5414 SUB B as amended

BY Kilmartin

ENTITLED, AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

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

Senator Roberts moves passage, seconded by Senator Levesque.

The bill marked Substitute "B" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Issa.

51 2005-H 6104 SUB A

BY Fox

ENTITLED, AN ACT RELATING TO STATUTES AND STATUTORY
CONSTRUCTION

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

Senator McCaffrey moves passage, seconded by Senators Polisena, Blais, Damiani, Levesque.

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 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

52 2005-H 6117 SUB B

BY Ginaitt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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 Fogarty, Roberts, Felag, Blais, Gibbs and Damiani.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, 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:

- 41 2005-H 5067**
BY Kilmartin
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- REGISTRATION
OF VEHICLES
- 45 2005-H 5364**
BY Moura
ENTITLED, JOINT RESOLUTION MEMORIALIZING CONGRESS TO OPPOSE
PRIVATIZATION OF SOCIAL SECURITY
- 46 2005-H 6417**
BY Pacheco
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LICENSES
- 50 2005-H 5742 SUB A**
BY Jacquard
ENTITLED, AN ACT RELATING TO HEALTH INSURANCE COVERAGE --
MANDATED HEARING AID COVERAGE
- 53 2005-H 5073**
BY Lewiss
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - -
COUNCIL ON THE ARTS
- 54 2005-H 5400 SUB A**
BY Moura
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- EXEMPTING
FROM TAXATION PROPERTY OF THE PROVIDENCE, RHODE
ISLAND YOUNG MEN'S CHRISTIAN ASSOCIATION
- 55 2005-H 5488**
BY Fox
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
HISTORIAN LAUREATE OF RHODE ISLAND
- 57 2005-H 6493**
BY Rice
ENTITLED, AN ACT RELATING TO THE TOWN OF PORTSMOUTH

Senator Ruggerio moves passage, seconded by Senator Breene.

The acts are read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

24 2005-H 6003 SUB A**BY Malik****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CHECK CASHING**

Ordered on the Calendar

Senator Felag moves passage, seconded by Senators Bates and Badeau.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 29 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McCaffrey, Paiva Weed, Perry, Polisena, Raptakis, Revens, Sosnowski, Tassoni, Walaska.

NAYS- 4: Senators Levesque, Metts, Pichardo, Ruggerio.

NEW BUSINESS**Senate Bill No. 1207****BY Senators Blais, Damiani, Polisena****ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL DEPARTMENT EMPLOYEES.**

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senators Damiani, Ciccone, Bates, Tassoni, Breene, Ruggerio and many others.

The act is read and passed, upon a 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, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, Levesque, McCaffrey, Paiva Weed, Perry, Polisena, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Metts, Pichardo.

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet today, at the recess, in the Senate Lounge of the State House.

Senator Bates announces that the Committee on Financial, Services, Technology and Regulatory Issues will meet today, at the recess, in the Senate Lounge of the State House.

Senator Lenihan announces that the Committee on Government Oversight will meet today, at the recess, in Room 313 of the State House.

RECESS

Upon motion of Senator Paiva Weed, and by unanimous consent, the Senate stands at recess at 6:18 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable John C. Revens, Jr., President Pro Tempore, on Thursday, June 30, 2005, at 8:38 o'clock P.M.

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. 5494 SUB A as amended

BY Moura, Corvese, Schadone, Long, McCauley

ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT (declare the refusal to honor a direction to pay to be an unfair claims practice)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6251 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS

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 measure:

House Bill No. 5107 SUB B as amended

BY Sullivan, Corvese, Moura, McNamara, Costantino

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY (create Utilization of Unused Prescriptions Medications Act)

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

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

Senate Bill No. 440 SUB A (Attorney General)**BY** Senators Levesque C, Gallo, Alves, Lanzi, Issa**ENTITLED**, AN ACT RELATING TO OFFICE OF ELDER JUSTICE PROSECUTION UNIT

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 712 SUB A**BY** Senators Tassoni, McBurney, Doyle, Cote, Metts**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS' LICENSES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5045**BY** Kilmartin, Moran, Brien T**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5327 as amended**BY** Lally**ENTITLED**, AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5355 SUB A as amended**BY** McNamara, Ginaitt, Brien T, Landroche**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS' LICENSES (limited provisional license phase)

Read and ordered to be placed on the Calendar

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 measures:

House Bill No. 5464 SUB B**BY** Schadone, Landroche**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS

Read and ordered to be placed on the Calendar

Also:

Appointment of **Michael McMahon** (Representing Business) of Saunderstown VICE D. Faye Sanders to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Armeather Gibbs** (Representative of Community Based Organization) of Providence VICE Marlene Qualls to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **William McGowan** (Representing Labor) of North Kingstown VICE George Nee to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Brandon Melton** (Representing Business) of East Greenwich VICE Seth Kurn to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Robert Paniccia** (Representing Labor) of Providence VICE Marcia Reback to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Mario Bueno** (Representing Community Based Organization) of Cranston VICE Deborah A. Smith to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Lorna Ricci** (Representing Small Employer Specializing in Employing the Disabled) of Warwick VICE Karla Driscoll to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Joseph J. MarcAurele** of Warwick VICE Raymond P. Rainville (deceased) as Chairman to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Deborah B. Wilson** of Warwick VICE Joseph Caffey to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Paul MacDonald** (Representing Labor) of Providence to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Mia Caetano** (Representing Business) of Warwick VICE Gary Grove to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **Martin Trueb** (Representing Business) of East Greenwich VICE Lori Merola to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

Read and ordered to be placed on the Consent Calendar

Also:

Appointment of **George Nee** (Representing Labor) of Providence VICE John Gregory to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.

Read and ordered to be placed on the Consent Calendar

COMMITTEE ON GOVERNMENT OVERSIGHT

Senator Lenihan, from the Committee on Government Oversight, reports back, with recommendation of passage of the following measures:

Senate Bill No. 551

BY Senators Bates, Damiani, Goodwin

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6477 SUB A as amended

BY Coderre E, Ginaitt, Naughton, Crowley, Almeida

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6539 as amended

BY Coderre E, Crowley, Kilmartin

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from the R Economic Development Corp).

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. 654 SUB A as amended (Governor)

BY Senator Breene

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE -- NATIONAL GUARD

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 466 SUB A as amended

BY Senators Badeau, Ciccone, Connors, Lanzi

ENTITLED, AN ACT RELATING TO TOURISM AND DEVELOPMENT (create the RI tourism development corporation)

Read and ordered to be placed on the Calendar

CALENDAR

In order for the day is taken up as follows:

58 2005-H 6638**BY Naughton****ENTITLED,** JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY
CERTAIN CLAIMS

Ordered to be placed on the Senate Calendar

Senator Alves moves passage, seconded by Senator Bates.

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, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

59 2005-H 6022 SUB A as amended**BY Jackson****ENTITLED,** AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL
ESTATE TIME-SHARE ACT

Ordered to be placed on the Senate Calendar

Senator Paiva Weed moves passage, seconded by Senators Levesque and Alves.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 34: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 1: Senator Walaska.

60 2005-H 6442 as amended**BY Moura****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Ordered to be placed on the Senate Calendar

Senator Ruggerio moves passage, seconded by Senator Polisena.

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

YEAS- 30: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 2: Senators Metts and Pichardo

61 2005-H 5494 SUB A as amended

BY Moura

ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS
SETTLEMENT PRACTICES ACT

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

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

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

YEAS- 33: Senators Algieri, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

62 2005-H 6251 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS

Committee on Commerce, Housing & Municipal Government 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.

63 2005-S 440 SUB A

BY Levesque C

ENTITLED, AN ACT RELATING TO OFFICE OF ELDER JUSTICE
PROSECUTION UNIT

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

Senator Levesque moves passage, seconded by Senators Perry, Fogarty, Roberts, Metts, Pichardo and many others.

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

YEAS- 34: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 0:

65 2005-H 5045

BY Kilmartin

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Polisena.

The act is read and passed, in concurrence, upon a roll call vote with 32 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Metts, Pichardo

66 2005-H 5327 as amended

BY Lally

ENTITLED, AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT

Committee on Judiciary recommends passage as amended in concurrence.

Senator McCaffrey moves passage, seconded by Senators Ruggerio.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 33 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 33: Senators Algieri, Alves, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Metts,

Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais, Levesque

67 2005-H 5355 SUB A

BY McNamara

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES – OPERATORS’ AND CHAUFFEURS’ LICENSES

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

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

68 2005-H 5107 SUB B as amended

BY Sullivan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

Senator Roberts moves passage, seconded by Senators Sheehan, Paiva Weed, Metts and Pichardo.

The bill marked Substitute “B” is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

56 2005-H 6315 as amended

BY McCauley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Ordered on the Calendar

Senators Polisena, Goodwin, Pichardo, Ciccone and Algieri discuss the act.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 21 Senators voting in the affirmative and 12 Senators voting in the negative as follows:

YEAS- 21: Senators Alves, Caprio, Ciccone, DaPonte, Doyle, Gallo, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Tassoni.

NAYS- 12: Senators Algieri, Bates, Blais, Breene, Connors, Cote, Damiani, Felag, Fogarty, Pichardo, Sosnowski, Walaska.

RECONSIDERATION

Upon suggestion of Senator Paiva Weed and without objection, the following act is reconsidered, by unanimous consent, upon a voice vote and placed before the body:

House Bill No. 5027 SUB B as amended (Attorney General)

BY Kennedy, Lewiss, San Bento, Coderre E, Kilmartin

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - - UNFAIR SALES PRACTICES

Senator Paiva Weed moves passage, seconded by Senator Ruggerio.

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

FLOOR AMENDMENT

AN ACT RELATING TO COMMERCIAL LAW - - UNFAIR SALES PRACTICES

Mr. President:

I hereby move to amend 2005 -- H 5027 SUBSTITUTE B, As Amended, entitled "AN ACT RELATING TO COMMERCIAL LAW - - UNFAIR SALES PRACTICES", as follows:

1. On page 1, line 8, after the language "a store card," by inserting the following:
"prepaid long distance telephone service that is activated by a prepaid card that requires dialing an access number or an access code for each call in addition to dialing the phone number to which the user of the prepaid card seeks to connect,".
2. On page 1, lines 8 and 9, by deleting the following language "a prepaid telephone card, used solely for non-wireless long distance telephone service,".

Respectfully submitted,
SENATOR DOYLE

Senator Paiva Weed discusses the amendment.

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

YEAS- 35: Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Doyle moves passage of the act, as amended, seconded by Senator Paiva Weed.

Senators Blais and Paiva Weed discuss the act.

The act is read and passed, as amended, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 34: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator DaPonte.

NEW BUSINESS

Senate Bill No. 1221

BY Senators Doyle, Tassoni, McBurney

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES.

Senator Doyle requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Doyle moves passage, seconded by Senator Paiva Weed.

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, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

In order for the day is taken up as follows:

69 2005-H 6170 SUB A as amended

BY Coderre E

ENTITLED, AN ACT SEPARATION OF POWERS

Ordered on the Calendar

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

70 2005-S 551**BY Bates****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
STATE LOTTERY

Committee on Government Oversight recommends passage.

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

71 2005-H 6477 SUB A as amended**BY Coderre E****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

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

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

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 34: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Ciccone

72 2005-H 6539 as amended**BY Coderre E****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage as amended in concurrence.

Senator Lenihan moves passage, seconded by Senators Connors and Roberts.

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

YEAS- 35: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Ciccone

73 2005-H 5464 SUB B**BY Schadone****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS**

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

Senator Walaska moves passage, seconded by Senator Connors.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, 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 Alves, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

74 2005-S 654 SUB A**BY Breene****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
TEMPORARY DISABILITY INSURANCE -- NATIONAL GUARD**

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

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

Senator Issa discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

62 2005-H 6251 SUB A**BY Kennedy****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS (working without supervision)**

Ordered on the Calendar

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

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

YEAS- 36: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

75 2005-S 466 SUB A as amended

BY Badeau

ENTITLED, AN ACT RELATING TO TOURISM AND DEVELOPMENT

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

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

DISAPPROVAL BY THE GOVERNOR

The Honorable President Pro Tempore, presents a disapproval by the Governor on the following measure:

Senate Bill No. 710 SUB B

BY Senators Perry, Polisena, Damiani, McCaffrey, Sosnowski

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

Upon suggestion of Senator Perry, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Perry, moves passage notwithstanding the disapproval of the Governor, seconded by Senators Goodwin, Levesque, Roberts, Polisena, Damiani, Connors and others.

Senators Algieri, Felag, Polisena, Perry discuss the act.

The bill marked Substitute "A" is read and passed notwithstanding the disapproval of the Governor, as amended, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 28 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 28: Senators Alves, Ciccone, Connors, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

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

TRANSMITTAL

Upon suggestion of Senator Ruggerio and by unanimous consent, (05-H 5270) is ordered to be transmitted to His Excellency, the Governor forthwith.

NEW BUSINESS

Senate Bill No. 1216

BY Senators Lenihan, Caprio F, Ciccone, Blais

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS.

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 1218

BY Senators Lenihan, Metts, Bates, Damiani

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS.

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lenihan moves passage, seconded by Senator Paiva Weed.

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: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 1219**BY** Senators Sosnowski, Paiva-Weed, Raptakis, Gibbs, Felag**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS.

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 1223**BY** Senators Paiva-Weed, Tassoni, Ruggerio**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS -- EDUCATION.

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 1217**BY** Senators Connors, Perry, McCaffrey, Polisena**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS.

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1215

BY Senators Sheehan, Gallo, Lenihan, Roberts, Cote

ENTITLED, SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF GUIDELINES BY WHICH PROSPECTIVE CHANGES TO THE STATE PENSION PROGRAM SHALL BE GUIDED.

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sheehan moves passage, seconded by Senator Gallo.

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

Also:

Senate Bill No. 1214

BY Senators Pichardo, Metts, Perry

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Metts 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: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 1224

BY Senators Roberts, Levesque C, Walaska

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES BOARD.

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lenihan moves passage, seconded by Senator Metts.

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 Algiere, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1220

BY Senators Breene, Blais, Bates, Paiva-Weed, Goodwin

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF LEON F. WILLIAMS.

Senator Breene requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Breene moves passage, seconded by the entire Senate.

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

Also:

Senate Bill No. 1222 as amended

BY Senators Blais, Connors

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senators Damiani, Polisena, Roberts and many others.

Senator Blais, seconded by Senators Damiani, Polisena and Roberts, offers the following written motion to amend.

FLOOR AMENDMENT

AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES

Mr. President:

I hereby move to amend 2005 -- S 1222, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES", as follows:

1. On page 2, line 32, by deleting all of the language after the word "revenues".

2. On page 2, line 33, by deleting the language "ten dollars (\$10.00) for all speeding violations set forth in section 31-41.1-4".

Respectfully submitted,
SENATOR BLAIS

The motion to amend prevails upon a voice vote.

Senator Blais moves passage of the act, as amended, seconded by Senators Damiani, Polisena and 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: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CONSENT CALENDAR

In order for the day is taken up as follows:

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

- 1 Appointment of **Michael McMahon** (Representing Business) of Saunderstown VICE D. Faye Sanders to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.
- 2 Appointment of **Armeather Gibbs** (Representative of Community Based Organization) of Providence VICE Marlene Qualls to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.
- 3 Appointment of **William McGowan** (Representing Labor) of North Kingstown VICE George Nee to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.
- 4 Appointment of **Brandon Melton** (Representing Business) of East Greenwich VICE Seth Kurn to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.
- 5 Appointment of **Robert Paniccia** (Representing Labor) of Providence VICE Marcia Reback to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.
- 6 Appointment of **Mario Bueno** (Representing Community Based Organization) of Cranston VICE Deborah A. Smith to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.

- 7 Appointment of **Lorna Ricci** (Representing Small Employer Specializing in Employing the Disabled) of Warwick VICE Karla Driscoll to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.
- 8 Appointment of **Joseph J. MarcAurele** of Warwick VICE Raymond P. Rainville (deceased) as Chairman to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.
- 9 Appointment of **Deborah B. Wilson** of Warwick VICE Joseph Caffey to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.
- 10 Appointment of **Paul MacDonald** (Representing Labor) of Providence to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.
- 11 Appointment of **Mia Caetano** (Representing Business) of Warwick VICE Gary Grove to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.
- 12 Appointment of **Martin Trueb** (Representing Business) of East Greenwich VICE Lori Merola to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2007.
- 13 Appointment of **George Nee** (Representing Labor) of Providence VICE John Gregory to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2008.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 123 SUB A as amended

BY Senator Gibbs

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. 5096 (Lieutenant Governor)

BY Gallison, Carter, San Bento, Rose, Landroche

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5140 SUB A**BY** Sullivan, Loughlin, Singleton, Gallison, Rice**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- SPECIAL LICENSE PLATES
DECAL (American flag license plate decal to benefit RI Military Family Relief Fund)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5341 as amended**BY** Dennigan, Anguilla, Church, Ginaitt, Slater**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- FOOD DONATIONS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5507 SUB A**BY** Lewiss, Anguilla, Costantino, Ginaitt, Kennedy**ENTITLED**, AN ACT RELATING TO INSURANCE - AUTHORIZING HEALTH CARE
PROVIDERS TO NEGOTIATE WITH HEALTH CARE INSURERS AND PROVIDING FOR THE
POWERS AND DUTIES OF THE ATTORNEY GENERAL

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5546 as amended**BY** Rice, Shanley, Lewiss, Kennedy, Almeida**ENTITLED**, AN ACT RELATING TO ANIMALS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5635 (Attorney General)**BY** Kilmartin**ENTITLED**, AN ACT RELATING TO CRIMINAL LAW (witness protection exemption).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5715 (Attorney General)**BY** Diaz, Almeida, Slater, Kilmartin, Moura**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (create the office of
civil rights advocate within the department of attorney general).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5734 SUB A**BY** Naughton, Ajello, McNamara, Coderre E, Dennigan**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5789**BY** Costantino, Lima, Gallison**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5815**BY** Landroche, Brien T, O'Neill**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5949 SUB A (Health)**BY** Story**ENTITLED**, AN ACT RELATING TO EMERGENCY MEDICAL TRANSPORTATION SERVICES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6176 SUB A**BY** Gallison, Carter, Sullivan, Landroche, Moffitt**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE -- NATIONAL GUARD (wages earned prior to being called into active military service to determine their eligibility for benefits)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6177 SUB A**BY** Long, Ehrhardt, Loughlin**ENTITLED**, AN ACT RELATING TO HIGHWAYS -- RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6237 SUB A

BY McManus

ENTITLED, AN ACT RELATING TO THE LONSDALE FIRE DISTRICT

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6427

BY Moura

ENTITLED, AN ACT RELATING TO LABOR -- ARBITRATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6591

BY Rice

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6655

BY Loughlin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES.

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:

Senate Bill No. 1161 SUB A

BY Senators Walaska, Bates, Montalbano J, Goodwin, Levesque C

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES

Read and ordered to be placed on the Calendar

TRANSMITTAL

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

ANNOUNCEMENTS

Senator Paiva Weed announces that the Senate will meet on Friday, July 1, 2005 at 3:00 o'clock P.M.

RECESS

Upon motion of Senator Paiva Weed, and by unanimous consent, the Senate stands at recess at 9:50 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Friday, July 1, 2005, at 3:55 o'clock P.M.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 297 SUB B

BY Senators Levesque C, Tassoni, Goodwin, Fogarty P, Perry

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- SPECIAL LICENSE PLATES

DECAL (make available an American flag license plate decal whenever someone registers or renews their registration, for the benefit of the Rhode Island Military Family Relief Fund)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6021

BY Carter

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- EXEMPTING FROM TAXATION PROPERTY OF THE PIOUS SOCIETY OF THE MISSIONARIES OF ST. CHARLES BOROMEO, INC.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5777 SUB A as amended

BY Gallison, Ucci, Moran, Malik, Rice

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 562 SUB A (Health)**BY** Senator Blais**ENTITLED**, AN ACT RELATING TO EMERGENCY MEDICAL TRANSPORTATION SERVICES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6617 SUB A**BY** Picard, San Bento, Trillo**ENTITLED**, AN ACT RELATING TO LEAD HAZARD MITIGATION

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1174 SUB B**BY** Senators Perry, Goodwin, Cote, Bates, Roberts**ENTITLED**, AN ACT RELATING TO LEAD HAZARD MITIGATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6618**BY** Picard, San Bento, Trillo**ENTITLED**, AN ACT RELATING TO LEAD HAZARD REDUCTION (delay the implementation of the Lead Hazard Mitigation Act until July 1, 2006).

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

Also:

House Bill No. 6533 SUB A**BY** Gemma, Ginaitt, Flaherty, Naughton, Trillo**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- KENT COUNTY WATER DISTRICT

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

Also:

House Bill No. 6377 SUB A as amended**BY** Coderre E, Gemma, Almeida, Crowley, Gallison**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS

Received and referred to Senate Government Oversight

Also:

House Bill No. 5670 (General Treasurer)

BY Kilmartin

ENTITLED, AN ACT RELATING TO MILITARY SERVICE AND VETERANS (compliance to USERRA).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1167 SUB A

BY Senators Raptakis, Revens, Lenihan, Blais, Alves

ENTITLED, AN ACT CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE KENT COUNTY WATER AUTHORITY

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 699 SUB A as amended

BY Senator Badeau

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS (reduction in weekly compensation shall not be delayed for more than 90 days after maximum medical improvement)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 985 SUB B as amended

BY Senators Tassoni, Polisen, Goodwin, McCaffrey, Ruggerio

ENTITLED, AN ACT RELATING TO EDUCATION (require coaches to complete a coaching education program regarding performance enhancing dietary supplements)

Read and ordered to be placed on the Calendar

REPORTS OF COMMITTEES

COMMITTEE ON GOVERNMENT OVERSIGHT

Senator Lenihan, from the Committee on Government Oversight, reports back, with recommendation of passage of the following measures:

Senate Bill No. 1179 SUB A as amended

BY Senator Lenihan

ENTITLED, AN ACT SEPARATION OF POWERS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6378 SUB A as amended

BY Coderre E, Gemma, Almeida, Crowley, Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6323 SUB A as amended

BY Coderre E, Kilmartin, Ginaitt, Lima, Williamson

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

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

House Bill No. 5756 SUB A as amended

BY Melo, Laroche, Faria, Carter, Diaz

ENTITLED, AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT ACT (give tenants who are over the age of sixty at least two months notice before raising the rent)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6103

BY Ajello, Almeida, Lally, Sullivan, Anguilla

ENTITLED, AN ACT RELATING TO EDUCATION (parent present for student interrogations).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6191 SUB A

BY Gemma, Sullivan, Lewiss, Caprio D, Scott

ENTITLED, AN ACT RELATING TO IDENTITY THEFT PROTECTION (establish strict standards)

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. 5098 SUB A as amended

BY Gallison, Carter, Anguilla, Landroche, Malik

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS - VETERANS' HOME (laundry services)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5135 SUB A (Lieutenant Governor)

BY Gallison, Carter, Sullivan, Brien T, Landroche

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD (eligible for five courses per semester at any Rhode Island state college or university)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5835 SUB A

BY Williams, Almeida

ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (adoption credit)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6192 SUB A

BY Jacquard

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6212 SUB A

BY O'Neill, Lewiss, Landroche, Palumbo, Church

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY ("Rhode Island Autism Spectrum Disorder Evaluation and Treatment Act.")

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6642

BY Coderre E, Kilmartin

ENTITLED, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6647 as amended

BY Costantino

ENTITLED, AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT.

Read and ordered to be placed on the Calendar

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:

House Bill No. 5999 SUB A as amended

BY Gemma, Faria, Winfield, Sullivan, Gallison

ENTITLED, AN ACT RELATING TO ACCIDENT AND SICKNESS INSURANCE POLICIES

Read and ordered to be placed on the Calendar

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri the Senate adjourns at 3:56 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR JUNE N. GIBBS**

Almighty God, we ask your blessing upon our deployed ground troops, those at sea and those in the air in Iraq, Afghanistan and the surrounding areas. Hold our Marines, Sailors, Soldiers, Airmen and Coast, Guardsmen in the palm of your hand as they enter harm's way. Protect them as they protect us in defense of liberty and freedom. Bless them and their families for the sacrifices and selfless acts they perform for us. Remind us all that courage is not the absence of fear, Be with us also here at home as we increase our readiness condition and move forward in support of our nation.

Appendix**CALENDAR****IN ORDER FOR FRIDAY, JULY 1, 2005:****1 2005-S 466 SUB A as amended****BY Badeau****ENTITLED,** AN ACT RELATING TO TOURISM AND DEVELOPMENT

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

2 2005-S 551**BY Bates****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
STATE LOTTERY

Committee on Government Oversight recommends passage.

3 2005-S 1184**BY Alves****ENTITLED,** AN ACT RELATING TO PERSONAL INCOME TAX

Committee on Finance recommends passage.

4 2005-S 712 SUB A**BY Tassoni****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
OPERATORS' AND CHAUFFEURS' LICENSES

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

5 2005-S 123 SUB A as amended**BY Gibbs****ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT
OF LOCAL TAXES

Ordered on the Calendar

6 2005-S 1161 SUB A**BY Walaska****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES

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

7 2005-H 6101 SUB A**BY Kilmartin****ENTITLED,** AN ACT RELATING TO UNFAIR SALES PRACTICES

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

8 2005-H 6471**BY Mumford****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES - ADJUTANT GENERAL EMERITUS

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

9 2005-H 5355 SUB A**BY McNamara****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS' LICENSES

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

10 2005-H 6170 SUB A as amended**BY Coderre E****ENTITLED,** AN ACT SEPARATION OF POWERS

Ordered on the Calendar

11 2005-H 5096**BY Gallison****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

Ordered on the Calendar

12 2005-H 5140 SUB A**BY Sullivan****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES -- SPECIAL LICENSE PLATES DECAL

Ordered on the Calendar

13 2005-H 5341 as amended**BY Dennigan****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- FOOD DONATIONS

Ordered on the Calendar

14 2005-H 5507 SUB A**BY Lewiss**

ENTITLED, AN ACT RELATING TO INSURANCE - AUTHORIZING HEALTH CARE PROVIDERS TO NEGOTIATE WITH HEALTH CARE INSURERS AND PROVIDING FOR THE POWERS AND DUTIES OF THE ATTORNEY GENERAL

Ordered on the Calendar

15 2005-H 5546 as amended**BY Rice**

ENTITLED, AN ACT RELATING TO ANIMALS

Ordered on the Calendar

16 2005-H 5635**BY Kilmartin**

ENTITLED, AN ACT RELATING TO CRIMINAL LAW

Ordered on the Calendar

17 2005-H 5715**BY Diaz**

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Ordered on the Calendar

18 2005-H 5734 SUB A**BY Naughton**

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT

Ordered on the Calendar

19 2005-H 5786 SUB A**BY Moura**

ENTITLED, AN ACT RELATING TO TAXATION

Ordered on the Calendar

20 2005-H 5815**BY Landroche**

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Ordered on the Calendar

21 2005-H 5949 SUB A**BY Story**

ENTITLED, AN ACT RELATING TO EMERGENCY MEDICAL TRANSPORTATION SERVICES

Ordered on the Calendar

22 2005-H 6176 SUB A**BY Gallison****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
TEMPORARY DISABILITY INSURANCE -- NATIONAL GUARD

Ordered on the Calendar

23 2005-H 6177 SUB A**BY Long****ENTITLED,** AN ACT RELATING TO HIGHWAYS -- RHODE ISLAND
TURNPIKE AND BRIDGE AUTHORITY

Ordered on the Calendar

24 2005-H 6237 SUB A**BY McManus****ENTITLED,** AN ACT RELATING TO THE LONSDALE FIRE DISTRICT

Ordered on the Calendar

25 2005-H 6427**BY Moura****ENTITLED,** AN ACT RELATING TO LABOR -- ARBITRATION

Ordered on the Calendar

26 2005-H 6655**BY Loughlin****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LICENSES

Ordered on the Calendar

27 2005-S 297 SUB B**BY Levesque C****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES -- SPECIAL LICENSE
PLATES DECAL

Ordered on the Calendar

28 2005-S 562 SUB A**BY Blais****ENTITLED,** AN ACT RELATING TO EMERGENCY MEDICAL
TRANSPORTATION SERVICES

Ordered on the Calendar

29 2005-S 1174 SUB B**BY Perry****ENTITLED,** AN ACT RELATING TO LEAD HAZARD MITIGATION

Ordered on the Calendar

30 2005-H 5777 SUB A as amended**BY Gallison****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES

Ordered on the Calendar

31 2005-H 6021**BY Carter****ENTITLED,** AN ACT RELATING TO CITIES AND TOWNS -- EXEMPTING FROM TAXATION PROPERTY OF THE PIOUS SOCIETY OF THE MISSIONARIES OF ST. CHARLES BOROME0, INC.

Ordered on the Calendar

32 2005-H 6617 SUB A**BY Picard****ENTITLED,** AN ACT RELATING TO LEAD HAZARD MITIGATION

Ordered on the Calendar

33 2005-H 5670**BY Kilmartin****ENTITLED,** AN ACT RELATING TO MILITARY SERVICE AND VETERANS

Ordered on the Calendar

34 2005-S 1167 SUB A**BY Raptakis****ENTITLED,** AN ACT CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE KENT COUNTY WATER AUTHORITY

Ordered on the Calendar

35 2005-S 699 SUB A as amended**BY Badeau****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS

Ordered on the Calendar

36 2005-S 985 SUB B as amended**BY Tassoni****ENTITLED,** AN ACT RELATING TO EDUCATION

Ordered on the Calendar

37 2005-S 1179 SUB A as amended**BY Lenihan****ENTITLED,** AN ACT SEPARATION OF POWERS

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

38 2005-H 6378 SUB A as amended**BY Coderre E****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

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

39 2005-H 6323 SUB A as amended**BY Coderre E****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT

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

40 2005-H 5756 SUB A as amended**BY Melo****ENTITLED,** AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT ACT

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

41 2005-H 6103**BY Ajello****ENTITLED,** AN ACT RELATING TO EDUCATION

Committee on Judiciary recommends passage in concurrence.

42 2005-H 6191 SUB A**BY Gemma****ENTITLED,** AN ACT RELATING TO IDENTITY THEFT PROTECTION

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

43 2005-H 5098 SUB A as amended**BY Gallison****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS - VETERANS' HOME

Ordered on the Calendar

44 2005-H 5135 SUB A**BY Gallison****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
NATIONAL GUARD

Ordered on the Calendar

45 2005-H 5835 SUB A**BY Williams****ENTITLED,** AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX

Ordered on the Calendar

46 2005-H 6192 SUB A**BY Jacquard****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY – REFUSE DISPOSAL

Ordered on the Calendar

47 2005-H 6212 SUB A**BY O'Neill****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

Ordered on the Calendar

48 2005-H 6642**BY Coderre E****ENTITLED,** AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD

Ordered on the Calendar

49 2005-H 6647 as amended**BY Costantino****ENTITLED,** AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT

Ordered on the Calendar

50 2005-H 5999 SUB A as amended**BY Gemma****ENTITLED,** AN ACT RELATING TO ACCIDENT AND SICKNESS INSURANCE
POLICIES

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