In accordance with Chapter 22-3-2 of the General Laws of the State of Rhode Island, the Honorable Senate is called to order at 2:17 o'clock P.M., by the Honorable M. Teresa Paiva Weed, being the senior member, in continuous service from the City of Newport, on the first Tuesday in January, A.D. 2005 (being the first Tuesday of the Month).

The Honorable Senate appoints Senator Algiere, Caprio, Revens and Sosnowski to escort His Excellency, the Governor, Donald Carcieri to the rostrum.

The members attend.

The Honorable Senator appoints Senators Damiani, Gibbs, Metts, Perry, Raptakis and Sheehan to escort Secretary of State Matthew Brown to the rostrum.

The members attend.

The Honorable Senator Presents the Honorable Matthew A. Brown, Secretary of State.

As provided in Article III of the Constitution, the roll of the Senate, pursuant to Law, is read by the Honorable Secretary of State as follows:

January 4, 2005

To the Honorable Senate:

I, Matthew Brown, Secretary of State, hereby certify the following list of members elected to the Senate in the General Assembly, in accordance with the certificate of election filed in this office by the Board of Elections on the twenty-sixth day of November, A.D. 2004, as provided by Section 22-3-13 of the General Laws of 1956:
<table>
<thead>
<tr>
<th>Senators</th>
<th>District</th>
<th>Senators</th>
<th>District</th>
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</thead>
<tbody>
<tr>
<td>Maryellen Goodwin</td>
<td>1</td>
<td>Roger Badeau</td>
<td>20</td>
</tr>
<tr>
<td>Juan M. Pichardo</td>
<td>2</td>
<td>Marc A. Cote</td>
<td>21</td>
</tr>
<tr>
<td>Rhoda E. Perry</td>
<td>3</td>
<td>John J. Tassoni, Jr.</td>
<td>22</td>
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<tr>
<td>Dominick J. Ruggerio</td>
<td>4</td>
<td>Paul W. Fogarty</td>
<td>23</td>
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<tr>
<td>Frank T. Caprio</td>
<td>5</td>
<td>Leo R. Blais</td>
<td>24</td>
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<tr>
<td>Harold M. Metts</td>
<td>6</td>
<td>Joseph M. Polisena</td>
<td>25</td>
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<tr>
<td>Frank A. Ciccone, III</td>
<td>7</td>
<td>Beatrice A. Lanzi</td>
<td>26</td>
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<tr>
<td>James E. Doyle, II</td>
<td>8</td>
<td>Hanna M. Gallo</td>
<td>27</td>
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<tr>
<td>David E. Bates</td>
<td>9</td>
<td>Elizabeth H. Roberts</td>
<td>28</td>
</tr>
<tr>
<td>Walter S. Felag, Jr.</td>
<td>10</td>
<td>Michael J. McCaffrey</td>
<td>29</td>
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<tr>
<td>Charles J. Levesque</td>
<td>11</td>
<td>William A. Walaska</td>
<td>30</td>
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<tr>
<td>June N. Gibbs</td>
<td>12</td>
<td>John C. Revens, Jr.</td>
<td>31</td>
</tr>
<tr>
<td>M. Teresa Paiva-Weed</td>
<td>13</td>
<td>Stephen D. Alves</td>
<td>32</td>
</tr>
<tr>
<td>Daniel DaPonte</td>
<td>14</td>
<td>Leonidas P. Raptakis</td>
<td>33</td>
</tr>
<tr>
<td>John F. McBurney, III</td>
<td>15</td>
<td>Kevin A. Breene</td>
<td>34</td>
</tr>
<tr>
<td>Daniel J. Issa</td>
<td>16</td>
<td>J. Michael Lenihan</td>
<td>35</td>
</tr>
<tr>
<td>Joseph A. Montalbano</td>
<td>17</td>
<td>James C. Sheehan</td>
<td>36</td>
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<tr>
<td>Michael J. Damiani</td>
<td>18</td>
<td>V. Susan Sosnowski</td>
<td>37</td>
</tr>
<tr>
<td>Daniel P. Connors</td>
<td>19</td>
<td>Dennis L. Algiere</td>
<td>38</td>
</tr>
</tbody>
</table>

In testimony whereof, I have hereunto set my hand and affixed the Seal of the State of Rhode Island on this fourth day of January, A.D. 2005.

Respectfully Yours,
Matthew Brown
Secretary of State

Received and ordered to be placed on file.
The Oath of Office is administered to the foregoing Senators-elect by the Honorable Matthew A. Brown, Secretary of State.

ROLL

The Honorable Senator, directs the Reading Clerk, John S. Baxter, Jr., to call the roll of the body.

The roll is called and a quorum is declared present with 37 Senators present and 0 Senators absent as follows:


ABSENT – 1: Pichardo

INVOCATION

The Honorable Senator, by unanimous consent, presents His Excellency, the Most Reverend Robert E. Mulvee, Bishop of Providence, to deliver the invocation.

PRESENTATION OF COLORS

The Presentation of Colors is performed by members of the historic Kentish Guards.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable Senator, by unanimous consent, presents Senator McBurney, the Dean of the Senate, to lead the Senate in the pledge of allegiance to the flag.
NATIONAL ANTHEM

The National Anthem is performed by Emilee Meehan of Middletown.

RETIREMENT OF COLORS

The Kentish Guards retire the colors.

SPECIAL GUEST

The Honorable Senator, by unanimous consent, presents His Excellency, the Governor, to address the body.

The Governor delivers his remarks.

ELECTION OF THE PRESIDENT OF THE SENATE

Senator Polisena, seconded by Senator Fogarty, moves that the floor be open to nominations.

The motion to open nominations prevails on a voice vote.

The Honorable Senator declares that nominations for the office of President of the Senate are now in order.

Senator McCaffrey, nominates Senate President Joseph A. Montalbano, President of the Rhode Island Senate. The nomination is seconded by Senator Goodwin.

Senator Ciccone, seconded by Senator Felag, moves that nominations be closed.

The motion to close nominations prevails on a voice vote.

The Honorable Senator directs the Reading Clerk, to call the roll of the body.

The motion to elect Senator Montalbano as President of the Senate is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS - 0.

The Honorable Senator announces that Senator Montalbano has been elected President of the Rhode Island Senate for the years 2005 and 2006.

The Honorable Senator appoints Senators Algiere, Caprio, Connors, Gallo, Levesque, and McBurney to escort the Honorable Frank Williams, Chief Justice of the Rhode Island Supreme Court to the rostrum.

The members attend.

The Honorable Senator appoints Senators Badeau, Bates, Doyle, Lanzi, Sosnowski, and Tassoni to escort the President of the Senate, Mrs. Joseph A. Montalbano and Stephen Montalbano, to the rostrum.

The members attend.

OATH OF OFFICE

The Honorable Senator introduces the Honorable Chief Justice to administer the oath of Office to the Senate President.

PRESIDENTIAL REMARKS

The Honorable President, Joseph A. Montalbano, addresses the members of the Senate and their special guests.

(See Appendix for Presidential Remarks)
ELECTION OF PRESIDENT PRO TEMPORE

The Honorable President declares that nominations for the office of President Pro Tempore of the Senate are now in order.

Senator Issa nominates Senator John C. Revens, Jr., as President Pro Tempore of the Senate for the 2005 and 2006 Sessions. The nomination is seconded by Senator DaPonte.

The motion to elect Senator Revens as President Pro Tempore 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:


**NAYS** - 0.

ELECTION OF THE SECRETARY OF THE SENATE

The Honorable President declares that nominations for the office of Secretary of the Senate are now in order.

Senator Lenihan nominates Raymond T. Hoyas, Jr. of Pawtucket, as Secretary of the Senate for the 2005 and 2006 Sessions. The nomination is seconded by Senators Roberts.

The motion to elect Raymond T. Hoyas, Jr. of Pawtucket, as Secretary of the Senate for the 2005 and 2006 Sessions is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:


**NAYS** - 0.
OATH

The Honorable Matthew A. Brown, Secretary of State, administers the Oath of Office to the Secretary of the Senate-elect, Raymond T. Hoyas, Jr. of Pawtucket.

COMMUNICATION

The Honorable President presents the following communications:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE SECRETARY OF STATE
ROOM 217, STATE HOUSE
PROVIDENCE, RHODE ISLAND 02903-1105

Matthew Brown
Secretary of State

January 4, 2005

To the Honorable Senate:

I have the honor to inform you that I administered this fourth day of January, A.D. 2005 the oath of engagement to Raymond T. Hoyas, Jr., of Pawtucket as Secretary of the Senate for the years 2005 and 2006.

Respectfully yours,

Matthew Brown
Secretary of State

Received an ordered to be placed on file.

Also:

The Honorable Joseph A. Montalbano
President of the Senate
317 State House
Providence, RI 02903

To the Honorable, the Senate:
I have the honor to inform you that I administered this day the oath of engagement as President of the Senate for the State of Rhode Island to you, the Honorable Joseph A. Montalbano.

Yours sincerely,

Frank J. Williams
Chief Justice

Received an ordered to be placed on file.

Also:

November 19, 2004

The Honorable Joseph A. Montalbano
President of the Senate
Room 318, State House
Providence, Rhode Island 02903

Dear President Montalbano:

This is to inform you that the Democratic Senators elected on November 2, 2004, have organized the Democratic Caucus for the Senate’s 2005-2006 term.

As part of the organizational meeting, held in the Senate Lounge at the State House on November 18, 2004, the thirty-three members of the caucus elected Honorable M. Teresa Paiva Weed, of the 13th Senatorial District, as the Senate Majority Leader for the 2005-2006 term.

Sincerely,

Juan M. Pichardo
Senator, District 2
Secretary, Democratic Caucus

Received an ordered to be placed on file.

Also:

January 4, 2005

The Honorable Joseph Montalbano
President of the Senate
318 State House
Providence, RI 02903
Dear Mr. President:

I have the honor to inform you that the Senate Republican Caucus met on the 11th day of November 2004 and elected the Senate Minority Leader, the Senate Minority Whip, the Senate Minority Senior Deputy Leader and the Senate Minority Deputy Leaders. They are as follows:

Dennis L Algiere, Senate Minority Leader
Kevin A. Breene, Senate Minority Whip
June N. Gibbs, Senate Minority Senior Deputy Leader
David E. Bates, Senate Minority Deputy Leader
Leo R. Blais, Senate Minority Deputy Leader

Respectfully yours,

Dennis L. Algiere
Senate Minority Leader

Received an ordered to be placed on file.

SENATE ADDRESS

The Honorable President introduces Senate Majority Leader, M. Teresa Paiva Weed, to address the body.

Senate Majority Leader Paiva Weed addresses the members and their guests.

The Honorable President introduces Senate Minority Leader Dennis L. Algiere, to address the body.

Senate Minority Leader Algiere addresses the members and their guests.

INTERIM RULES

Upon suggestion of Senator Connors, seconded by Senator Ruggerio, the Senate will adopt temporary rules, the rules under which it operated during the 2003-2004 session, pending the report of the rules committee and the adoption of a resolution embodying permanent rules for the 2005-2006 session, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:


NAYS - 0.
GUESTS

Upon suggestion of Senator Ruggerio and by unanimous consent, the Honorable President welcomes to the Chamber the family of President Montalbano, his wife Linda Montalbano, son Stephen Montalbano, father Anthony Montalbano, brother Chris Montalbano and his mother-in-law Antonia Robert.

Upon suggestion of Senator Alves and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Walaska, his wife Marsha Walaska and Ann & Mike Riccitelli, his sister and brother-in-law.

Upon suggestion of Senator Alves and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator McCaffrey his wife Deirdre, son Michael, daughters Cailin, Brenna and Deirdre, his father the Honorable Gene McCaffrey, former member of the Senate and former Mayor of Warwick, and his sister Mary McCaffrey.

Upon suggestion of Senator Issa and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Doyle, his father the Honorable James E. Doyle, mother Joan Doyle, wife Jaclyn Doyle, Sister and brother-in-law Steve and Cristen Coberey, uncle Jack Richer, mother-in-law Sandra Fiore, Frank and Joan Crawley Maureen handrigan and Wanda Carlson and former State Representative, Harvey Goulet.

Upon suggestion of Senator Issa and by unanimous consent, the Honorable President welcomes to the Chamber Michael Sosnowski, Husband of Senator Sosnowski.

Upon suggestion of Senator Issa and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Thomas Lazieh, former mayor of Central Falls.

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Sheldon Whitehouse, former Attorney General.

Upon suggestion of Senator Felag and by unanimous consent, the Honorable President welcomes to the Chamber members of his family, his brother Mark Felag, and Sisters Nancy Threadgil, Mary Johns, Jayne Balasdo.

Upon suggestion of Senator Roberts and by unanimous consent, the Honorable President welcomes to the Chamber David J. Sheehan, brother of Senator James Sheehan.

Upon suggestion of Senator Raptakis and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Frank Hyde President of the Coventry Town Council and Erin Arcand Chairman of the Coventry Democratic Town Committee.

Upon suggestion of Senator Badeau and by unanimous consent, the Honorable President welcomes to the Chamber the father of Senator Ciccone, Frank A. Ciccone Sr., Daniel Nason and Robert Dimaio.

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Charles D. Walton, the Honorable John O’Leary, the Honorable Balbina A.
Young, the Honorable Thomas F. O’Connor, Stephanie Cruz, Johanne Washington, Kevin Woods, Melvin Rivera, Bryan Evans, Dr. Wayne Montague.

Upon suggestion of Senator Cote and by unanimous consent, the Honorable President welcomes to the Chamber family of Senator Lenihan, his wife, Patricia Lenihan, Todd Mageira son-in-law, Meghan Lenihan-Mageira daughter and Victoria Mageira Granddaughter.

Upon suggestion of Senator Blais and by unanimous consent, the Honorable President welcomes to the Chamber family of Senator Breene, his wife Gail Breene, Melissa Breene and Rebecca Breene.

Upon suggestion of Senator Levesque and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Perry, her sister, Pamela E. Bailey and her son Alex Perry.

Upon suggestion of Senator Levesque and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Hellen Mathieu former State Senator.

Upon suggestion of Senator Levesque and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Paiva Weed husband Mark S. Weed parents Arthur and Marie Paiva Councilwoman Jean Marie Napolitano and City Clerk – Kathleen Monticone Silvia

Upon suggestion of Senator Lanzi and by unanimous consent, the Honorable President welcomes to the Chamber her family Mother Rosemarie Lanzi, Daughter Sofia Rose, Molly Romano, Nick Capobianco and Cranston Council person Paula McFarland.

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Gallo, Her mother Emilee Kiggins, husband Russell, daughters Julie and Laura, new School committee person and close friend Andrea Ianazzi.

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President welcomes to the Chamber family of Senator DaPonte, Mother Adrianne DaPonte, God Mother Mary Ann Marques, Christina Silva and very dear friend Marcia Sousa.

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Arthur M. DaCosta, Jr., a member of the Cumberland School Committee and a Sgt. with the 119th Military Police of the Rhode Island National Guard, Sgt. DaCosta was recently awarded the purple Heart having been shot during Iraqi Freedom and Chief Susi of the Cumberland Hill Fire Department

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Fogarty, Lt. Governor Charles Fogarty, Martha Fogarty, Nancy Fogarty, Austin Coyne, Ann McCoy, Helen Maroney, Ann Polacek and Barbra Lataille Betty Harris.

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Connors, his mother Charlene Connors, his father Paul Connors his brother Michael Connors and his very dear friend Amy Moses.
Upon suggestion of Senator Walaska and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Alves, his mother Ann Alves, and father, the Honorable Buddy Alves former State Representatives.

Upon suggestion of Senator Polisena and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Damiani, Sharlene Damiani, Mike Damiani Jr., Jenifer Damani, Christine Damiani, uncle Mandy Damiani. Chief Frank Sylvester, Limerock Fire District, Mayor John O’Leary, Senator Charles Walton and Senator John Tassoni’s Family, Dad John Tassoni Sr., Mom, Janet Tassoni, Daughter Jennifer Tassoni.

Upon suggestion of Senator Damani and by unanimous consent, the Honorable President welcomes to the Chamber Fred Bieberbach, Anthony Almeida, Rita Falaguerra, Danny Annunziaia, Peggy Hedgpeth, Ronnie and Robin Botheco, Steve Checrallah, Mary Ann Callaghan.

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President welcomes to the Chamber members of Senator Ruggerio’s family, his mother Dorothy Ruggerio, his Sister Lisa Aceto, And Dear Friend Barbara Santilli.

Upon suggestion of Senator Breene and by unanimous consent, the Honorable President welcomes to the Chamber Mrs. Beverly Blais, Jeremy Blais, Leanne Blais.

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President welcomes to the Chamber Joshua Helm of Pawtucket.

**MUSICAL GUESTS**

The Honorable President introduces the North Providence High School Choir to perform America the Beautiful and Amazing Grace.

**BENEDICTION**

The Honorable President, by unanimous consent, presents the Most Reverend Louis T. Natalizia, Pastor of The Church of the Presentation of the Blessed Virgin Mary, to deliver the Benediction.

**ADJOURNMENT**

Upon motion of Senator DaPonte, seconded by Senator Cote, the Senate adjourns at 4:06 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thank you, Chief Justice Williams, for those kind words. And thank you, my dear colleagues, for granting me a term as President of the Senate in my own right. It is with pride and humility that I accept this honor. It is truly humbling to be selected by you my colleagues, for whom I have so much admiration, to serve as your Senate President.

I have and will continue to make it a priority to listen to the needs and concerns of the members of this Chamber and our constituents in order to provide effective and responsive representation. My job as a leader in this chamber is made easier by the dedicated team of public servants with whom I am blessed to work every day. Together we have established a tradition of working together to address tough issues and improve our state on behalf of the citizens we represent.

During my tenure in leadership, the dedicated members of the Senate have worked together to achieve many significant, and in some cases historic accomplishments. This Chamber was at the forefront in passage of separation of powers, tougher drunk driving laws, and protecting workers by banning smoking in public places, to name just a few instances in which members of the Senate led the charge. All of the dedicated and hard-working members of the Senate deserve the credit for the many accomplishments we have made.

We are coming off a productive 2004 session in which we continued to work together to improve Rhode Island.

- We settled a redistricting suit to increase minority-voting strength in Providence. To do that required the sacrifice of nine of our colleagues as well as myself, who saw the shape of their districts change for the second time in as many election cycles. The result is the doubling of minority representation in the Senate. Congratulations, and welcome, Senator Metts.

- We worked together through the Joint Committee on Health Care Oversight to implement sweeping reforms to the health care in Rhode Island, assuring greater affordability, accessibility and accountability.

- We worked together to create a new system for managing our aquatic environment, passing legislation that puts the Ocean State right where it should be, as a national model.
We worked together to encourage the production of affordable housing while balancing the rights of local communities to plan for responsible growth.

We increased education aid and continued to look for means to relieve the property tax burden.

The accomplishments were many—good government legislation, economic development, education reform, public safety, consumer protection and much more. I have been proud to lead this chamber, which is filled with unselfish individuals committed to achieving a positive result for the people of Rhode Island. Every member of this chamber last year contributed to our successful session.

As the 2005 session begins, we look to build upon the accomplishments of last year. We know some of the issues we must address on behalf of the people we represent. Separation of powers means we must reconstitute boards and commissions, confirm a host of new appointments, and develop a new process to fulfill our oversight responsibilities. Those who appreciate the Senate’s role in passage of Separation of Powers know that we are once again well ahead of the curve on this issue.

Health care will continue to be a priority, with the Joint Committee on Health Care Oversight already conducting hearings on long-term care as well as health care reforms in other states.

As we campaigned we all heard directly from our constituents the issues they want us to address. Two such issues are the fire code and the lead paint law, which we will review this session. The Senate will continue its efforts to address utility shutoffs, and we are determined to make progress this session. We will also continue to create jobs and economic development, look to relieve the property tax burden, improve the environment, and responsibly provide the services necessary to make Rhode Island an even better place to live and work.

Today we are joined by three new members whose contributions are sure to help in our efforts to build upon the accomplishments of last year: James Doyle, Charles Levesque and Harold Metts. Welcome to the Senate. Congratulations to you, and congratulations also to the returning members of the Senate. The voters in each of your districts have chosen to place their trust in you to serve as their voice in the Senate, and you have demonstrated you are worthy of that trust.

On a personal note, I am truly fortunate to have Majority Leader Teresa Paiva Weed as my loyal partner in leadership. We share a love and deep commitment to this institution and we have nothing but admiration for the dedication to public service displayed by our colleagues on both sides of the aisle, day in, and day out.

Also on a personal note I have a lot to be thankful for, not the least of which is the support of the wonderful family with which I have been truly blessed. Most of my brothers and sisters are here today, as is my mother-in-law, Toni Robert. Many of you know that my mother, Joan, was truly a pioneer in the legal profession and I was fortunate to have her as not only a great mother but as my law partner, my inspiration, and my true friend. My dad, Anthony, continues to be my incredible role model, my mentor in the law and in life. My son, Stephen, has been in the news a lot lately, but he can handle it. He’s doing a great job, he’s a great son, a good person with a great future.

Finally, what can I say about Linda, my soul mate and the love of my life? She knocked on doors with me in 1984 and people still think she’s my daughter. What she really is, is my rock.
There is much to be done, and we will work together to address the issues that come before us in 2005. I look forward to continuing to work with Majority Leader Paiva Weed, Minority Leader Algiere, and all of the members of the Senate, as well as the leadership of the House of Representatives and the Governor to further improve our state. The continued dedication and enthusiasm of you, my colleagues, is inspiring. Together we will continue to work towards the betterment of Rhode Island.