

**State of Rhode Island and Providence Plantations**

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**Journal of the Senate**

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

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Volume 131, No. 54

Wednesday, June 9, 2004

Fifty-fourth Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:06 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 1 Senator absent as follows:

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

**ABSENT** – 1: Senator Algieri

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

The Senate Journals of Thursday, June 3, 2004, and Tuesday, June 8, 2004 proceedings are read in part.

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

**GUESTS**

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President welcomes to the Chamber Judianne Point, Charles Hodkinson, Brandon Patel, Gary Point and Christopher Toown.

**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 measures:

**Senate Bill No. 2194**

**BY** Senators Raptakis, Polisena, Walaska, Gallo, Sosnowski  
**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2415**

**BY** Senators Sheehan, Roberts, Paiva-Weed, Lenihan, Sosnowski  
**ENTITLED**, AN ACT RELATING TO INSURANCE

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2763 SUB A** as amended

**BY** Senator Roberts  
**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE HEALTH INSURANCE PRUDENT PURCHASING ACT

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3001 SUB A**

**BY** Senators Alves, Ruggiero  
**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3075 SUB A****BY** Senators Alves, Goodwin**ENTITLED**, AN ACT RELATING TO LICENSING OF HEALTH CARE FACILITIES

Read and ordered to be placed on the Calendar

Also:

**Senate Resolution No. 3100** as amended**BY** Senators Perry, Sheehan, Cote, Felag, Blais**ENTITLED**, JOINT RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF BUSINESS REGULATION TO CONDUCT A COMPREHENSIVE STUDY OF HEALTH INSURANCE MARKET REFORM - THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004: EVALUATION OF INSURANCE REFORMS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7239 SUB A****BY** Fox, Lima, Costantino, Ajello, Almeida**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7414 SUB A** as amended**BY** Costantino, Slater, Dennigan, Anguilla, Naughton**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7665 SUB A****BY** Handy, Giannini, McHugh, Petrarca, Lima**ENTITLED**, AN ACT RELATING TO PHYSICIAN ASSISTANTS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7667 SUB A****BY** Giannini, Cerra, Aubin, Gallison**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS-PHYSICAL THERAPISTS

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7726** SUB A as amended  
(Lieutenant Governor)  
**BY** Ginaitt, McNamara, Lewiss, Long, Dennigan  
**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES

Read and ordered to be placed on the Calendar

Also:

**House Resolution No. 8514** as amended  
**BY** Corvese, Anguilla, Story, Menard, Lima  
**ENTITLED**, JOINT RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF BUSINESS REGULATION TO CONDUCT A COMPREHENSIVE STUDY OF HEALTH INSURANCE MARKET REFORM - THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004: EVALUATION OF INSURANCE REFORMS

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. 2146**  
**BY** Senators Algieri, Polisena, Breene  
**ENTITLED**, AN ACT RELATING TO PAROLE

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2405**  
(by request)  
**BY** Senator Connors  
**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PARTICULAR ACTIONS -- ARBITRATION

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2476**

**BY** Senator McCaffrey

**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2907**

**BY** Senators Sheehan, Fogarty P, Breene, Tassoni, Felag

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - CAUSES OF ACTION - FIREFIGHTERS' IMMUNITY

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3145**

**BY** Senator McBurney

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

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 7475**

**BY** Flaherty, Williamson

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PARTICULAR ACTIONS -- ARBITRATION

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 8104**

(Dept. of Children, Youth and Families)

**BY** Ginaitt, McNamara, Story, Savage, Long

**ENTITLED**, AN ACT RELATING TO CHILDREN, YOUTH AND FAMILIES DEPARTMENT -- CONFIDENTIALITY OF RECORDS

Read and ordered to be placed on the Calendar

**COMMITTEE ON LABOR**

Senator Badeau, from the Committee on Labor, reports back, with recommendation that advice and consent of the Senate be given to the following:

Appointment of Adelite Orefice of Providence VICE Marvin Perry as Director of the Department of Labor and Training.

Read and ordered to be placed on the Calendar.

**NEW BUSINESS****Senate Resolution No. 3172**

**BY** Senators Breene, Sheehan, Blais, Walaska, Montalbano J  
**ENTITLED**, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF PRESIDENT RONALD WILSON REAGAN.

Senator Breene requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Breene moves passage, seconded by the entire Senate.

Senators Breene and Sheehan discuss the resolution.

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

Also:

**Senate Resolution No. 3173**

**BY** Senators DaPonte, Montalbano J, Paiva-Weed, Damiani  
**ENTITLED**, SENATE RESOLUTION CONGRATULATING MARY TERESA MONIZ ON THE CELEBRATION OF HER NINETIETH BIRTHDAY.

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by the entire Senate.

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

Also:

**Senate Resolution No. 3174****BY** Senator McCaffrey**ENTITLED**, SENATE RESOLUTION CONGRATULATING NICHOLAS SMALLEY ON ATTAINING THE RANK OF EAGLE SCOUT.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by the entire Senate.

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

Also:

**Senate Bill No. 3175****BY** Senator Tassoni**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$20,850,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION AND LIBRARY CONSTRUCTION PROJECTS.

Read and referred to the Senate Committee on Finance

Also:

**Senate Bill No. 3176****BY** Senator Lenihan**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO FINANCE THE CONSTRUCTION, RENOVATION, ALTERATION, REPAIR, IMPROVEMENT, EQUIPPING AND FURNISHING OF, AND/OR ADDITIONS TO, PUBLIC SCHOOLS AND SCHOOL FACILITIES IN THE TOWN AND TO ISSUE NOT MORE THAN \$42,800,000 BONDS AND/OR NOTES THEREFOR.

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

Also:

**Senate Resolution No. 3177****BY** Senators Connors, Lenihan, Perry, McBurney, Goodwin**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE HONORABLE PAUL E. HANAWAY AND THE HONORABLE SANDRA K. HANAWAY ON THEIR 50TH WEDDING ANNIVERSARY.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by the entire Senate.

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

Also:

**Senate Resolution No. 3178**

**BY** Senators Gibbs, Blais, Bates, Algiere, Parella

**ENTITLED**, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF PRESIDENT RONALD WILSON REAGAN.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gibbs moves passage, seconded by the entire Senate.

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

**FROM THE HOUSE OF REPRESENTATIVES**

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

**House Bill No. 8625**

**BY** Kennedy

**ENTITLED**, AN ACT RELATING TO TAXATION - TOWN OF HOPKINTON

Senator Breene requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Breene moves passage, seconded by Senator Blais.

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

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

NAYS- 0:

Also:



**House Resolution No. 8612****BY** Callahan, Gallison, Crowley, Shavers**ENTITLED**, JOINT RESOLUTION REINSTATING THE LIFE OF AND EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO PLAN THE COMMEMORATION OF THE 225<sup>TH</sup> ANNIVERSARY OF THE MARCH OF GENERAL ROCHAMBEAU FROM NEWPORT, RHODE ISLAND TO YORKTOWN, VIRGINIA

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

The resolution is read and passed, in concurrence, upon a rising vote.

**CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 9, 2004:****1. 2004-S 2368 as amended****BY** Cote**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
LANDSCAPE ARCHITECTS

Ordered on the Calendar

Senator Cote moves passage, seconded by Senator Lenihan.

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

NAYS- 0:

**2. 2004-S 2957 SUB A****BY** Paiva-Weed**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
ABRAHAM LINCOLN BICENTENNIAL COMMISSION

Ordered on the Calendar

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**3. 2004-S 2725 as amended**

**BY Ciccone**

**ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - ABANDONED CARS**

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

Senator Ciccone moves passage, seconded by Senators Felag, Goodwin and Damiani.

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

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

NAYS- 0:

**4. 2004-S 2791**

**BY Goodwin**

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

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Goodwin moves passage, seconded by Senator Damiani.

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

NAYS- 0:

**5. 2004-S 3064****BY Polisena****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ZONING NOTICE**

Committee on Commerce, Housing & Municipal Government recommends passage.

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

**6. 2004-S 2753 SUB A****BY McCaffrey****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - -  
COMMUNITY OBLIGATIONS AND BANKING OFFENSES**

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

Senator Walaska moves passage, seconded by Senator Gallo.

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

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

NAYS- 0:

**7. 2004-S 2288 SUB A****BY Bates****ENTITLED, AN ACT RELATING TO MECHANICAL TRADES**

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

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

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

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

NAYS- 0:

**8. 2004-H 7054 as amended**

**BY Winfield**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
REGISTRATION OF VEHICLES

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

Senator Fogarty moves passage, seconded by Senator Blais.

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

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

NAYS- 0:

**9. 2004-H 7135 SUB B**

**BY Gallison**

**ENTITLED,** AN ACT RELATING TO DISTRIBUTION OF CREDIT CARDS

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

Senator Cote moves passage, seconded by Senators Walaska and Paiva-Weed.

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

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

NAYS- 0:

**10. 2004-H 7325**

**BY Menard**

**ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

Senator Connors moves passage, seconded by Senator Walaska.

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

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

NAYS- 0:

**11. 2004-H 7664 as amended**

**BY Handy**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS**

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

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

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

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

NAYS- 0:

**12. 2004-H 7799 SUB B**

**BY Kennedy**

**ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - - COMMUNITY OBLIGATIONS AND BANKING OFFENSES**

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 Senators Gallo and Breene.

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

YEAS- 32: The Honorable President Montalbano and Senators Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

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

NAYS- 0:

**13. 2004-H 7802**

**BY Coderre E**

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

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

Senator Issa moves passage, seconded by Senator Goodwin.

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

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

NAYS- 0:

**14. 2004-H 7993 SUB B**

**BY Carter**

**ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS

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

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

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

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

NAYS- 0:

**15. 2004-H 8168 SUB B**

**BY Savage**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- FIRE INSURANCE POLICIES AND RESERVES

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

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

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

YEAS- 31: The Honorable President Montalbano and Senators Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**16. 2004-H 8309 SUB B**

**BY Fox**

**ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - LOBBYING**

Committee on Government Oversight recommends indefinite postponement of the original bill and the Substitute A and passage of Substitute B.

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

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

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

NAYS- 0:

**ANNOUNCEMENTS**

Senator Fogarty announces that the Committee on Commerce, Housing and Municipal Government will meet on Thursday, June 10, 2004, at 3:00 o'clock P.M. in Room 212 of the State House.

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

Senator Polisena announces that the Committee on Judiciary will meet on Thursday, June 10, 2004, at the rise of the Senate, in Room 313 of the State House.

Senator Lenihan announces that the Committee on Oversight will meet today, at the rise of the Senate, 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 rise of the Senate, in Room 212 of the State House.

Senator Gallo announces that the Committee on Finance will meet on Thursday, June 10, 2004, at the rise of the Senate, in Room 211 of the State House.

### TRANSMITTAL

By unanimous consent, some matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

### REPORTS OF COMMITTEES

#### 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 Health and Human Services:

**House Bill No. 7659** as amended

**BY** Giannini, McNamara, Cerra, Corvese, Naughton

**ENTITLED**, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN --  
O'ROURKE CHILDREN'S CENTER.

Read and referred to the Committee on Health and Human Services.

### ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Blais, and upon suggestion of Senator Breene, the Senate adjourns at 4:42 o'clock P.M. in memory the Honorable Ronald Wilson Reagan, former President of the United States of America.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate



**Appendix**

**INVOCATION**

**SENATOR RHODA E. PERRY**

God grant me the serenity to accept the things I cannot change; courage to change the things I can; and wisdom to know the difference. Amen.

**Appendix****CALENDAR****IN ORDER FOR THURSDAY, JUNE 10, 2004:**

1. **2004-H 8021**  
**BY Wasylyk**  
**ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Health & Human Services recommends passage in concurrence.

**IN ORDER FOR TUESDAY, JUNE 15, 2004:**

1. Appointment of Adelita Orefice of Providence VICE Marvin Perry as Director of the Department of Labor and Training.

Committee on Labor recommends that the Senate give its Advice and Consent to this appointment.

2. **2004-S 2194**  
**BY Raptakis**  
**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN**

Committee on Health & Human Services recommends passage.

3. **2004-S 2415**  
**BY Sheehan**  
**ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Health & Human Services recommends passage.

4. **2004-S 2763 SUB A as amended**  
**BY Roberts**  
**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**  
**-- THE HEALTH INSURANCE PRUDENT PURCHASING ACT**

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

5. **2004-S 3001 SUB A**  
**BY Alves**  
**ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL**  
**ASSISTANCE**

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

**6. 2004-S 3075 SUB A****BY Alves****ENTITLED,** AN ACT RELATING TO LICENSING OF HEALTH CARE FACILITIES

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

**7. 2004-S 3100 as amended****BY Perry****ENTITLED,** JOINT RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF BUSINESS REGULATION TO CONDUCT A COMPREHENSIVE STUDY OF HEALTH INSURANCE MARKET REFORM - THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004: EVALUATION OF INSURANCE REFORMS

Committee on Health & Human Services recommends passage as amended.

**8. 2004-S 2146****BY Algiere****ENTITLED,** AN ACT RELATING TO PAROLE

Committee on Judiciary recommends passage.

**9. 2004-S 2405****BY Connors****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PARTICULAR ACTIONS -- ARBITRATION

Committee on Judiciary recommends passage.

**10. 2004-S 2476****BY McCaffrey****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Committee on Judiciary recommends passage.

**11. 2004-S 2907****BY Sheehan****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - CAUSES OF ACTION - FIREFIGHTERS' IMMUNITY

Committee on Judiciary recommends passage.

**12. 2004-S 3145****BY McBurney****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

Committee on Judiciary recommends passage.

**13. 2004-H 7239 SUB A****BY Fox****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.

**14. 2004-H 7414 SUB A as amended****BY Costantino****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
NURSES**

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

**15. 2004-H 7475****BY Flaherty****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
PARTICULAR ACTIONS -- ARBITRATION**

Committee on Judiciary recommends passage in concurrence.

**16. 2004-H 7665 SUB A****BY Handy****ENTITLED, AN ACT RELATING TO PHYSICIAN ASSISTANTS**

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

**17. 2004-H 7667 SUB A****BY Giannini****ENTITLED, AN ACT RELATING TO BUSINESSES AND  
PROFESSIONS-PHYSICAL THERAPISTS**

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

**18. 2004-H 7726 SUB A as amended****BY Ginaitt****ENTITLED, AN ACT RELATING TO HUMAN SERVICES**

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

**19. 2004-H 8104****BY Ginaitt****ENTITLED, AN ACT RELATING TO CHILDREN, YOUTH AND FAMILIES  
DEPARTMENT -- CONFIDENTIALITY OF RECORDS**

Committee on Judiciary recommends passage in concurrence.

**20. 2004-H 8514 as amended****BY Corvese****ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE  
DEPARTMENT OF BUSINESS REGULATION TO CONDUCT A  
COMPREHENSIVE STUDY OF HEALTH INSURANCE MARKET  
REFORM - THE RHODE ISLAND HEALTH CARE REFORM ACT  
OF 2004: EVALUATION OF INSURANCE REFORMS**

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

**Raymond T. Hoyas, Jr.**  
**Secretary of the Senate**