

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 sixth day of January in the year of Our Lord two thousand and four.

Volume 131, No. 55

Thursday, June 10, 2004

Fifty-fifth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:20 o'clock P.M.

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

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

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, June 9, 2004 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President welcomes to the Chamber Chris Hoyas of Cincinnati, Ohio, the nephew and godson of the Secretary of the Senate, Raymond T. Hoyas, Jr.

Upon suggestion of Senators Breene, Algieri, McBurney, Sosnowski and Ruggiero and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Al Russo former State Senator and Minority Leader.

COMMUNICATION

The Honorable President presents the following communication:

June 10, 2004

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

Dear Mr. President:

Please be advised and let the record reflect that I will be absent from the chamber on Thursday, June 10th, as I will be traveling out of state.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thanks you for your attention to this matter.

Sincerely,
Senator William A. Walaska
Senate District 30

Also:

June 8, 2004

Raymond T. Hoyas, Jr.
Clerk of the Senate
State House
Providence, RI 02903

Dear Mr. Hoyas:

This is to inform you that I will be out of state on Thursday, June 10, 2004, and, therefore, will not be present for the Senate session on that day.

Thank you for your assistance in this matter.

All best wishes.

Sincerely,
Senator Paul W. Fogarty
Senate District 23

Also:

June 3, 2004

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

Dear Mr. President:

Please be advised that I will be out of state on business on Tuesday and Wednesday, June 8 and 9, 2004 and, therefore, will be absent from the Senate sessions. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,
Dennis L. Algieri
SENATE MINORITY LEADER

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:

Senate Bill No. 3108 as amended

BY Senator Paiva-Weed

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

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3161

BY Senator Perry

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7355 SUB A

BY Senators Coderre E, Crowley, Lewiss, Ginaitt, Kennedy

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 7732 SUB A

BY Senators Dennigan, Malik, Anguilla, Almeida

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7766 SUB B

BY Lewiss, Malik, Anguilla, Fox, Ginaitt

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7896

(Lieutenant Governor)

BY Fox, Gallison, Malik, Brien T, Cerra

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8271 as amended

BY Murphy, Fox, Menard, Lima

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ABRAHAM LINCOLN BICENTENNIAL COMMISSION

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:

Senate Bill No. 2685

BY Senator Walaska

ENTITLED, AN ACT RELATING TO INSURANCE -- INDIVIDUAL DEFERRED ANNUITIES

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2816 SUB A

BY Senator Felag

ENTITLED, AN ACT RELATING TO CHECK CASHING

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2881 SUB A

BY Senators DaPonte, Perry, Damiani

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF ADMINISTRATION

Read and ordered to be placed on the 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. 3048 SUB A

BY Senators Lenihan, Perry, Goodwin, Gallo, Parella

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3049 SUB A

BY Senators Lenihan, Cote, Tassoni, Fogarty P, Ciccone

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3051 SUB A

BY Senators Lenihan, Montalbano J, Paiva-Weed, Connors, Blais

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

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. 8548

BY Gemma

ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION

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

Also:

House Bill No. 7990

BY Story

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

Received and referred to the Senate Committee on Education

NEW BUSINESS

Senate Bill No. 3179

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3180

BY Senators Paiva-Weed, Gibbs

ENTITLED, AN ACT RELATING TO TAXATION -- NEWPORT SENIOR RESIDENT PROPERTY TAX SERVICE CREDIT PROGRAM.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3181

BY Senators Walaska, McCaffrey, Bates, Felag, Lenihan

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

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3182

BY Senators Gallo, Sosnowski

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

Read and referred to the Senate Committee on Finance

Also:

Senate Resolution No. 3183

BY Senators McBurney, Issa

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$250,000 FOR THE PAWTUCKET VISITOR CENTER.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3184

BY Senators Roberts, Lanzi, Gallo

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

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3185

BY Senators McBurney, Issa

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF CITY HALL IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006.

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

Also:

Senate Bill No. 3186

BY Senators Roberts, Lanzi, Gallo

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

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

Also:

Senate Bill No. 3187

BY Senators Gallo, Lanzi, Roberts

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

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

Also:

Senate Bill No. 3188

BY Senators Lanzi, Roberts, Gallo

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

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

Also:

Senate Bill No. 3189

BY Senators Fogarty P, Perry, Walaska, Tassoni, Gallo

ENTITLED, AN ACT AUTHORIZING THE TOWN OF GLOCESTER TO FINANCE THE ACQUISITION OF LAND FOR AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A SENIOR CENTER IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,215,000 BONDS AND/OR NOTES THEREFOR.

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

Also:

Senate Resolution No. 3190

BY Senators Montalbano J, McBurney, Polisen, Lanzi, Gallo

ENTITLED, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF DORIA A. COPPOLA.

Senator Alves requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Alves moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 3191

BY Senators DaPonte, Paiva-Weed, Algieri

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF JUNE AS "PORTUGUESE AMERICAN MONTH" IN THE STATE OF RHODE ISLAND.

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 Bill No. 3192

BY Senator Alves

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - - DEPARTMENT OF TRANSPORTATION.

Received and ordered to be placed on the Desk

Also:

Senate Bill No. 3193

BY Senator Breene

ENTITLED, AN ACT CREATING THE EXETER FIRE DISTRICT.

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

Also:

Senate Resolution No. 3194

BY Senator Perry

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY THE BENEFITS AND SUPPORT SYSTEM FOR ADOPTIONS IN THE STATE OF RHODE ISLAND.

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Resolution No. 3195

BY Senator Perry

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE BENEFITS AND SUPPORT SYSTEM FOR ADOPTIONS IN THE STATE OF RHODE ISLAND.

Read and referred to the Senate Committee on

Also:

Senate Bill No. 3196

BY Senator Lanzi

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES.

Read and referred to the Senate Committee on

Also:

Senate Bill No. 3197

BY Senators Felag, Sosnowski, Paiva-Weed, Alves

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

Read and referred to the Senate Committee on

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.

Senator Roberts moves passage, seconded by Senator Goodwin.

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

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

TO

2004 -- H 8021

AN ACT RELATING TO INSURANCE

Mr. President:

I hereby move to amend 2004 -- H 8021, entitled "AN ACT RELATING TO INSURANCE", as follows:

(1) On Page 1, by deleting all after the enactment clause and inserting in place thereof the following:

“SECTION 1. Chapter 27-18.6 of the General Laws entitled "Large Group Health Insurance Coverage" is hereby amended by adding thereto the following section:

27-18.6-11. Health insurance plan payment and expense reporting. - - (1) A health insurance carrier (a) providing proposed rate, premium, fee, or other prospective cost information in connection with an offering of health insurance coverage to a large group or large employer setting forth claims cost as an element of cost; or (b) providing information to a large group or large employer (as so defined) regarding claims paid, shall be required to distinguish set forth and itemize as separate and distinct elements of cost: (i) sums actually payable (or paid) to health care providers; and (ii) sums actually (or proposed to be) retained or paid by the carrier for administration, including, but not limited to, sums relating to claim services, managed care fees, network access fees, and

contributions to reserves.

SECTION 2. This act shall take effect on January 1, 2005.”

Respectfully submitted,
SENATOR ROBERTS

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

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

NAYS- 0:

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

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

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

NAYS- 0:

FROM THE DESK

Senate Bill No. 3064

BY Senators Polisena, Damiani

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ZONING NOTICE.

Read and ordered to be placed on the Calendar for Tuesday, June 15, 2004.

NEW BUSINESS

Senate Bill No. 3192

BY Senators Alves

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - - DEPARTMENT OF TRANSPORTATION.

Senator Alves requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Alves moves passage, seconded by Senator Felag.

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

YEAS- 26: The Honorable President Montalbano and Senators Alves, Bates, Caprio, Ciccone, Cote, DaPonte, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, Paiva-Weed, Parella, Perry, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

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

ANNOUNCEMENTS

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

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

TRANSMITTAL

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

RECESS

Upon suggestion of Senator DaPonte and by unanimous consent the Senate stands at recess at 4:45 o'clock P.M. until the call of the chair.

CALL TO ORDER

The Senate is called to order at 4:20 o'clock P.M. on Tuesday June 15, 2004.

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. 3165

BY Senator Paiva-Weed

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8041

BY Fox

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- RHODE ISLAND STATE BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8120

BY Gallison, Anguilla

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8268

BY Menard, Petrarca, McManus

ENTITLED, AN ACT RELATING TO HOMESTEAD EXEMPTIONS IN THE TOWN OF LINCOLN.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8376 as amended

BY Winfield, Gorham, Aubin

ENTITLED, AN ACT RELATING TO THE ELIMINATION OF SCHOOL COMMITTEE PRIMARY ELECTIONS IN THE TOWN OF GLOCESTER, RHODE ISLAND.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8395

BY Gorham, Moffitt, Anderson R, Landroche

ENTITLED, AN ACT ESTABLISHING A BOUNDARY (A PORTION THEREOF) BETWEEN THE TOWNS OF COVENTRY AND WEST GREENWICH.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8499 as amended

BY Winfield

ENTITLED, AN ACT EXEMPTING FROM TAXATION PROPERTY OF HARMONY HILL SCHOOL, INC. TO AN AMOUNT NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8560

BY Flaherty, Gemma, McNamara, Naughton, Trillo

ENTITLED, AN ACT RELATING TO TAX CREDIT IN THE CITY OF WARWICK.

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 measures, with recommendation of transfer to the Committee on Finance:

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 Finance.

REPORTS OF COMMITTEES

TRANSFER OF BILLS

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

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.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 8637

BY Flaherty, Gemma, McNamara, Trillo, Ginaitt

ENTITLED, AN ACT RELATING TO THE CITY OF WARWICK.

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

Also:

House Bill No. 8033

BY Lima, Shavers

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

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

Also:

Senate Bill No. 2420 SUB B

BY Senators Lenihan, Sosnowski, Sheehan, Polisena, Cote

ENTITLED, AN ACT RELATING TO LOBBYING

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2317 SUB B

BY Senators Perry, Goodwin, Caprio F, DaPonte, Pichardo

ENTITLED, AN ACT RELATING TO DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2594 SUB B (Attorney General)

BY Senators Gallo, Issa

ENTITLED, AN ACT RELATING TO EDUCATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7484 as amended

BY Senators San Bento, Gallison, Lewiss, Coderre E

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

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7074

BY Williamson

ENTITLED, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 8392 as amended

BY Fox, Lima, Dennigan, Almeida, Reilly

ENTITLED, AN ACT RELATING TO WORKPLACE SAFETY.

Received and referred to the Senate Committee on Health and Human Services

Also:

House Bill No. 7497 SUB A

BY Lewiss, Kennedy, Costantino, Ginaitt, Anguilla

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

Received and referred to the Senate Committee on Health and Human Services

Also:

House Bill No. 8346 SUB A

BY Costantino, Slater

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

Received and referred to the Senate Committee on Health and Human Services

Also:

House Bill No. 8180

BY Crowley, Shavers

ENTITLED, AN ACT RELATING TO EDUCATION -- RHODE ISLAND LITERACY AND DROPOUT PREVENTION ACT.

Received and referred to the Senate Committee on Education

Also:

House Bill No. 8484

BY Ginaitt

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

Received and referred to the Senate Committee on Education

Also:

House Bill No. 7986

BY Crowley, Savage, Watson

ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE.

Received and referred to the Senate Committee on Education

Also:

House Bill No. 8492

BY Winfield

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

Received and referred to the Senate Committee on Education

Also:

House Bill No. 7900

BY Crowley

ENTITLED, AN ACT RELATING TO EDUCATION -- DUTIES OF COMMISSIONER OF ELEMENTARY AND SECONDARY EDUCATION.

Received and referred to the Senate Committee on Education

Also:

House Bill No. 7445 SUB A as amended

BY Lima

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- VETERINARY PRACTICE

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

Also:

House Bill No. 7606

BY Shavers, Crowley, Fox, Gallison, Callahan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DISTRESSED AREAS ECONOMIC REVITALIZATION ACT.

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

Also:

House Bill No. 7945 SUB A

BY Anguilla, Williamson, Kilmartin, Schadone, Jacquard

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS

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

Also:

House Bill No. 8598

BY San Bento, Corvese

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF TONY REALTY CORPORATION.

Placed on the Senate Consent Calendar

Also:

House Bill No. 8644

BY Lowe

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CARMELOT REALTY, INC.

Placed on the Senate Consent Calendar

Also:

Senate Bill No. 2134 SUB B

BY Senators Polisena, McCaffrey, Tassoni, Ciccone, Badeau

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

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2443 as amended

BY Senators Ruggiero, DaPonte, Ciccone, Paiva-Weed, Lanzi

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2829 as amended

BY Senators Sosnowski, Pichardo, Roberts, Paiva-Weed, DaPonte

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- VETERINARY PRACTICE.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3089 as amended

BY Senators Fogarty P, Algiere

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - MILL BUILDING AND ECONOMIC REVITALIZATION ACT.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7492 as amended

BY Lewiss, Gallison, Anguilla, Crowley, Mumford

ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT.

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 7493

BY Lewiss, Gallison, Anguilla, Crowley, Mumford

ENTITLED, AN ACT RELATING TO EDUCATION - TEACHERS' RETIREMENT.

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 7646

BY Aubin, Lowe

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- BURRILLVILLE.

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 8481 as amended

BY Aubin, Lowe

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- MILL BUILDING AND ECONOMIC REVITALIZATION ACT.

Received and referred to the Senate Committee on Finance

**REPORTS OF COMMITTEES
COMMITTEE ON FINANCE**

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

Senate Bill No. 2071

BY Senators Issa, Montalbano J, Tassoni, McCaffrey, Walaska
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2973

BY Senator Breene
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3000

BY Senators Paiva-Weed, Felag, Bates, Parella, Gibbs
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - EAST BAY ECONOMIC INITIATIVE.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3144 as amended

BY Senators Alves, Raptakis
ENTITLED, AN ACT RELATING TO TAXATION.

Read and ordered to be placed on the Calendar

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:21 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR V. SUSAN SOSNOWSKI

Gracious God, we are grateful for the assurance of Your presence, available at all times, dependable in all circumstances, bracing when we need correction, and inspiring when we need courage. Lead on, Lord, as we press on. Amen

Appendix**CALENDAR****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 3064**

BY Polisena

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ZONING NOTICE

Committee on Commerce, Housing & Municipal Government recommends passage.

3 **2004-S 2194**

BY Raptakis

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Committee on Health & Human Services recommends passage.

4 **2004-S 2415**

BY Sheehan

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Health & Human Services recommends passage.

5 **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.

6 **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.

7 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.

8 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.

9 2004-S 2146**BY Algieri****ENTITLED,** AN ACT RELATING TO PAROLE

Committee on Judiciary recommends passage.

10 2004-S 2405**BY Connors****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PARTICULAR ACTIONS -- ARBITRATION

Committee on Judiciary recommends passage.

11 2004-S 2476**BY McCaffrey****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Committee on Judiciary recommends passage.

12 2004-S 2907**BY Sheehan****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - CAUSES OF ACTION - FIREFIGHTERS' IMMUNITY

Committee on Judiciary recommends passage.

13 2004-S 3145**BY McBurney****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

Committee on Judiciary recommends passage.

14 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.

15 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.

16 2004-H 7475**BY Flaherty****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
PARTICULAR ACTIONS -- ARBITRATION**

Committee on Judiciary recommends passage in concurrence.

17 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.

18 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.

19 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.

20 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.

21 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.

IN ORDER FOR WEDNESDAY, JUNE 16, 2004:**1 2004-S 2134 SUB B****BY Polisena****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
NURSES**

Ordered on the Calendar

2 2004-S 2317 SUB B**BY Perry****ENTITLED, AN ACT RELATING TO DETERMINATION OF NEED FOR NEW
HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL
HEALTH SERVICES**

Ordered on the Calendar

3 2004-S 2420 SUB B**BY Lenihan****ENTITLED, AN ACT RELATING TO LOBBYING**

Ordered on the Calendar

4 2004-S 2443 as amended**BY Ruggiero****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Ordered on the Calendar

5 2004-S 2594 SUB B**BY Gallo****ENTITLED,** AN ACT RELATING TO EDUCATION

Ordered on the Calendar

6 2004-S 2829 as amended**BY Sosnowski****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
VETERINARY PRACTICE

Ordered on the Calendar

7 2004-S 3089 as amended**BY Fogarty P****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
MILL BUILDING AND ECONOMIC REVITALIZATION ACT

Ordered on the Calendar

8 2004-S 3165**BY Paiva-Weed****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE
THE CONSTRUCTION, EXTENSION AND IMPROVEMENT OF A
WATER WORKS SYSTEM, TO ISSUE NOT MORE THAN
\$6,200,000 BONDS AND NOTES THEREFOR AND TO IMPOSE
ADDITIONAL WATER RATES UNDER CHAPTER 273 OF THE
PUBLIC LAWS OF 1968, AS AMENDED, TO PAY THE
PRINCIPAL AND INTEREST ON SUCH BONDS AND NOTES

Committee on Commerce, Housing & Municipal Government recommends passage.

9 2004-S 3108 as amended**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU

Committee on Constitutional & Gaming Issues recommends passage as amended.

10 2004-S 3161**BY Perry****ENTITLED,** AN ACT RELATING TO PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constitutional & Gaming Issues recommends passage.

11 2004-S 2685**BY Walaska****ENTITLED,** AN ACT RELATING TO INSURANCE -- INDIVIDUAL DEFERRED ANNUITIES

Committee on Financial, Technology, Regulatory recommends passage.

12 2004-S 2816 SUB A**BY Felag****ENTITLED,** AN ACT RELATING TO CHECK CASHING

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

13 2004-S 2881 SUB A**BY DaPonte****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF ADMINISTRATION

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

14 2004-S 3048 SUB A**BY Lenihan****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

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

15 2004-S 3049 SUB A**BY Lenihan****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

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

16 2004-S 3051 SUB A**BY Lenihan****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

17 2004-H 7355 SUB A**BY Coderre E****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES**

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

18 2004-H 7732 SUB A**BY Dennigan****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND**

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

19 2004-H 7766 SUB B**BY Lewiss****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES**

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

20 2004-H 7896**BY Fox****ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS**

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

21 2004-H 8041**BY Fox****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- RHODE ISLAND STATE BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS**

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

22 2004-H 8120**BY Gallison****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

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

23 2004-H 8268**BY Menard****ENTITLED,** AN ACT RELATING TO HOMESTEAD EXEMPTIONS IN THE TOWN OF LINCOLN

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

24 2004-H 8271 as amended**BY Murphy****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ABRAHAM LINCOLN BICENTENNIAL COMMISSION

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

25 2004-H 8376 as amended**BY Winfield****ENTITLED,** AN ACT RELATING TO THE ELIMINATION OF SCHOOL COMMITTEE PRIMARY ELECTIONS IN THE TOWN OF GLOCESTER, RHODE ISLAND

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

26 2004-H 8395**BY Gorham****ENTITLED,** AN ACT ESTABLISHING A BOUNDARY (A PORTION THEREOF) BETWEEN THE TOWNS OF COVENTRY AND WEST GREENWICH

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

27 2004-H 8499 as amended

BY Winfield

ENTITLED, AN ACT EXEMPTING FROM TAXATION PROPERTY OF HARMONY HILL SCHOOL, INC. TO AN AMOUNT NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000)

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

28 2004-H 8560

BY Flaherty

ENTITLED, AN ACT RELATING TO TAX CREDIT IN THE CITY OF WARWICK

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

Raymond T. Hoyas, Jr.
Secretary of the Senate