

State of Rhode Island and Providence Plantations

Journal of the Senate

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

Volume 132, No. 49

Tuesday, May 17, 2005

Forty-ninth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:21 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

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

ABSENT – 2: Senators Bates, Pichardo

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, May 12, 2005 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Roberts and by unanimous consent, the Honorable President welcomes to the Chamber participants in the March of Dimes Lobby Day, Dan Dwyer, Chair, Diane Hurley, Robert Pirri, Josie Santilli, Lisa Schaffran, Kristen Sherman, Samara Viner-Brown, James Messier, Betsy Akin, State Director, Dawn Cardeiro, Lauren Goldenberg, Jennifer Gagnon, Dawn Andrews, Christina Shaw and Kristi Zonno.

Upon suggestion of Senators Polisen, Connors, DaPonte, Ciccone, Damiani, Gibbs, McCaffrey, Alves, Walaska and Ruggerio and by unanimous consent, the Honorable President welcomes to the Chamber members of the Precocious Patricians of Providence Red Hat Society, Queen Mom Romaine Moore, Vice Queen Mom Lady Leona Zienowicz, Lady Gail Brady, Lady Rita O'Neill, Lady, Patricia Decubellis, Lady Carol Donatelli, Lady Toni George, Lady, Gina Cofone, Lady Diane Conca, Lady Patricia Parker, Lady Joyce Butler and Lady Angela Illuzzi.

Upon suggestion of Senators Gallo, Sosnowski and Alves and by unanimous consent, the Honorable President welcomes to the Chamber Principal Marlene Gamba of Edgewood Highlands, Principal Joanne Valk of Hope Highlands, Principal Robert Gerardi of Hugh Bain Middle, Principal Donald Frederick of Cranston High School East and Richard Scherza, Deputy Superintendent.

Upon suggestion of Senator Alves and by unanimous consent, the Honorable President welcomes to the Chamber Richard Lovett.

COMMUNICATION

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER, PROVIDENCE**

May 16, 2005

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 Tuesday, May 17, 2005 and thus, will be absent from the Senate session. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,
David E. Bates
DEPUTY MINORITY LEADER

APPOINTMENTS BY THE GOVERNOR

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

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

May 11, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-19-6 of the Rhode Island General Laws, I have made the following appointment of the Rhode Island Resource Recovery Corporation:

Larry T. Gemma of Lincoln

VICE
The Honorable Roger Badeau

for a term expiring July 1, 2008.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

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

May 12, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 12-1.1-4 of the Rhode Island General Laws, I have made the following appointment to the State Crime Laboratory Commission:

Clay J. Choquette of Glocester

VICE

Chair/Designee of House Finance Committee

for a term to expire January 1, 2007.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

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. 76 SUB A

BY Senators Raptakis, Caprio F, Polisena, DaPonte, Blais

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES (alcoholic beverage server training programs)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 297 SUB A

BY Senators Levesque C, Tassoni, Goodwin, Fogarty P, Perry

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - - SPECIAL LICENSE PLATES

DECAL (make available an American flag license plate decal whenever someone registers or renews their registration, for the benefit of the Rhode Island Military Family Relief Fund)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 381

BY Senators Raptakis, Damiani, Polisena

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- REGULATION OF SALES (invoices and receipts for the purchase of liquor).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 457

BY Senators Raptakis, Damiani, Polisena, Tassoni, Doyle

ENTITLED, AN ACT RELATING TO LICENSES -- ALCOHOLIC BEVERAGES (eliminate the posting requirement of licenses for alcoholic beverages).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 953 as amended

BY Senators Doyle, Tassoni, Goodwin, Issa

ENTITLED, AN ACT RELATING TO GAMBLING AND LOTTERIES (increase the total prize award allowed in any one night at bingo games).

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. 274 SUB A

BY Senators Ciccone, Sosnowski, Lanzi, Badeau, Damiani

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS (prohibit the use of telephone conferencing for meetings of members of a public body under this chapter)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 583

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT (more severe penalty for a person who commits a sexual assault on a person ten or more years younger than himself or herself.).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 586 SUB A

BY Senators McCaffrey, Polisena, Paiva-Weed, McBurney, Connors

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- THREATS AND EXTORTION (against a public official)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 721

BY Senators Felag, Paiva-Weed

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (delivery sales of cigarettes/penalties for sales to minors).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 727 SUB A

BY Senators Perry, Sosnowski, Goodwin, Roberts, Gallo

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 844

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO SOVEREIGN IMMUNITY (clarify that a cause of action exists against the state of RI by state employees).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1009

BY Senators Gibbs, Paiva-Weed

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1010

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1011

BY Senator Perry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1051 SUB A**BY** Senators Montalbano J, Paiva-Weed, McBurney, Lenihan, Algieri**ENTITLED**, AN ACT RELATING TO COURTS -- JUDICIAL SELECTION (magistrates would be subject to the same appointment procedure as judges)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1061 SUB A (by request)**BY** Senator Algieri**ENTITLED**, AN ACT RELATING TO VOTING**BY** Senators NONRESIDENT PROPERTY OWNERS IN THE TOWN OF WESTERLY (amend its Home Rule Charter)

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. 6000 as amended**BY** McCauley**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS (make changes to the board of examination and registration of architects).

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

Also:

House Bill No. 6004**BY** McCauley**ENTITLED**, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- CONTRACTORS' REGISTRATION (notices in writing, regarding action on multiple registrations held by the same person).

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

Also:

House Bill No. 6007**BY** McCauley**ENTITLED**, AN ACT RELATING TO LAND SURVEYORS (board of registration may waive certain provisions of a certificate).

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

Also:

House Bill No. 5774 SUB A

BY Kennedy, Coderre E, Shanley, Moura, Lewiss

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- HAWKERS AND PEDDLERS (prohibit from selling any single items having a retail value in excess of \$300)

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

Also:

House Bill No. 5320 SUB A

BY Jacquard, San Bento, Schadone, Gemma, Picard

ENTITLED, AN ACT RELATING TO BANKING AND INSURANCE CONSUMER PROTECTION (prohibit the release of nonpublic information)

Received and referred to the Senate Committee on Financial Services, Technology and Regulatory Issues

Also:

House Bill No. 5773 SUB A (by request)

BY Kennedy

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES (the powers of municipalities to jointly establish an insurance corporation)

Received and referred to the Senate Committee on Financial Services, Technology and Regulatory Issues

Also:

House Bill No. 5464 SUB A

BY Schadone, Landroche

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS (with capital stock to convert to a general business corporation)

Received and referred to the Senate Committee on Financial Services, Technology and Regulatory Issues

Also:

House Bill No. 5100 SUB A as amended

BY Coderre E, Kennedy, San Bento, Costantino, McNamara

ENTITLED, AN ACT RELATING TO INSURANCE -- MEDICARE SUPPLEMENT INSURANCE (department of business regulation to hold hearings on rate changes made by nonprofit medical or hospital service corporations)

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

Also:

House Bill No. 5999 SUB A as amended

BY Gemma, Faria, Winfield, Sullivan, Gallison

ENTITLED, AN ACT RELATING TO ACCIDENT AND SICKNESS INSURANCE POLICIES (medical coverage for 2 mammograms per year for females with a family history of breast cancer)

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

Also:

House Bill No. 6164 SUB A as amended

BY Coderre E, Crowley, Almeida, Gemma, Kilmartin

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from certain boards and commissions in accord with the recent amendments to the state constitution)

Received and referred to the Senate Committee on Government Oversight

Also:

House Bill No. 6206 as amended

BY Crowley, Coderre E, Lewiss, Carter, Jackson

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

Received and referred to the Senate Committee on Government Oversight

Also:

House Bill No. 5887 (Attorney General)

BY Lally, Picard, Schadone, Palumbo

ENTITLED, AN ACT RELATING TO SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION (disclosure of level 2 and 3 sexual offenders).

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6279

BY Moura

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5548 as amended (Attorney General)

BY Rice, Gallison, Church, Jackson

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE (ensure a speedy trial to minimize the length of time the victim or witness must endure due to the stress of involvement in the proceeding).

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6001 SUB A

BY McCauley

ENTITLED, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT (prohibit utility companies from assigning tenant debt to landlords)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5500 SUB A applications for emergency mail ballots

BY Lewiss, Kennedy, O'Neill, McNamara, Gemma

ENTITLED, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS (applications for emergency mail ballots)

Received and referred to the Senate Committee on Judiciary

NEW BUSINESS

Senate Resolution No. 1098

BY Senators Polisena, Sosnowski, Fogarty P

ENTITLED, SENATE RESOLUTION PROCLAIMING MAY 16-20 AS "NATIONAL EMS WEEK".

Senator Polisena requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Polisena moves passage, seconded by the entire Senate.

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

CALENDAR

IN ORDER FOR TUESDAY, MAY 17, 2005:

- 1 Appointment of **David Abedon** (Public Member - Representing a Coastal Community) of Warwick VICE Joseph R. Paolino, Sr. to the Coastal Resources Management Council for a term expiring January 31, 2007.

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

Senator Sosnowski, seconded by Senators Walaska, DaPonte, Algieri and Breene moves that advice and consent of the Senate be given this appointment.

Senators Walaska and DaPonte discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

2 2005-S 776 SUB A

BY Damiani

ENTITLED, SENATE RESOLUTION RELATING TO INSURANCE -- MOTOR VEHICLE DAMAGE APPRAISERS

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

Senator Damiani, moves passage, seconded by Senator Walaska.

The resolution is read and passed, by unanimous consent, upon a voice.

3 2005-S 371

BY Revens

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BEDDING AND UPHOLSTERED FURNITURE

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Revens moves passage, seconded by Senators Caprio, Paiva Weed and Issa.

The act is read and passed, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Lenihan

4 2005-S 791 SUB A**BY McCaffrey****ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS**

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

Senator Caprio moves passage, seconded by Senator McCaffrey.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

5 2005-S 822**BY McCaffrey****ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Caprio moves passage, seconded by Senator McCaffrey.

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

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

NAYS- 0:

6 2005-S 1006 SUB A**BY Breene****ENTITLED, AN ACT RELATING TO TAXATION -- WEST GREENWICH**

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

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, May 19, 2005.

7 2005-S 1038

BY Ruggerio

ENTITLED, AN ACT RELATING TO THE DOWNCITY SECTION OF PROVIDENCE

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Ruggerio moves passage, seconded by Senators Metts and Goodwin.

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

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

NAYS- 0:

8 2005-S 13 SUB A

BY Tassoni

ENTITLED, AN ACT RELATING TO ADOPTION OF CHILDREN

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

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Tuesday, May 24, 2005.

9 2005-S 44 SUB A

BY Montalbano J

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- UNLAWFUL OPERATION OF A RECORDING DEVICE

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

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

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

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

NAYS- 0:

10 2005-S 108

BY Raptakis

ENTITLED, AN ACT RELATING TO CRIMINALS -- CORRECTIONAL INSTITUTIONS

Committee on Judiciary recommends passage.

Senator Raptakis moves passage, seconded by Senators Polisena, Damiani and Sheehan.

The act is read and passed, upon a roll call vote with 30 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

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

NAYS- 5: Senators Ciccone, Levesque, Metts, Perry, Roberts.

11 2005-S 877 SUB A

BY Perry

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY CHILD SAFETY IN CUSTODY AND VISITATION

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

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, May 19, 2005.

12 2005-S 908

BY Goodwin

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

Committee on Judiciary recommends passage.

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

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

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

NAYS- 0:

13 2005-H 6385

BY Sullivan

ENTITLED, AN ACT AUTHORIZING MR. AND MRS. GEORGE BROWN TO COMPLETE THE STRUCTURE AT 41 PARK LANE IN THE TOWN OF COVENTRY

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

Senator Raptakis moves passage, seconded by Senators Breene, Caprio and Blais.

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

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

NAYS- 0:

GUESTS

Upon suggestion of Senator Blais and Raptakis and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Nancy Sprengelmayer, Chair, Coventry School Committee, along with her husband Joseph Sprengelmayer.

Upon suggestion of Senator Sosnowski and by unanimous consent, the Honorable President welcomes to the Chamber Nancy Nettie of West Kingston School, Kim Mather, and Principal Joan Crother, North Kingstown School.

ANNOUNCEMENTS

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

Senator Lenihan announces that the Committee on Government Oversight will meet on Wednesday, May 18, 2005, at the rise of the Senate, in the Senate Lounge of the State House.

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

Senator Ciccone announces that the Committee on Labor will meet on Wednesday, May 18, 2005, at 3:00 o'clock P.M. in Room 212 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.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri the Senate adjourns at 4:51 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR ROGER R. BADEAU

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 WEDNESDAY, MAY 18, 2005:****1 2005-S 331****BY Perry****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
SOCIAL SECURITY NUMBER PRIVACY ACT**

Committee on Judiciary recommends passage.

2 2005-S 255**BY Breene****ENTITLED, AN ACT RELATING TO PUBLIC BUILDINGS**

Committee on Commerce, Housing & Municipal Government recommends passage.

3 2005-S 394 SUB A**BY Breene****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- DAM
MANAGEMENT DISTRICTS**

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

4 2005-S 981**BY Ciccone****ENTITLED, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND
MAINTENANCE OF STATE ROADS**

Committee on Environment & Agriculture recommends passage.

5 2005-S 985 SUB A as amended**BY Tassoni****ENTITLED, AN ACT RELATING TO EDUCATION**

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

6 2005-S 55 SUB A**BY Issa****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES'
HIGHER EDUCATION ADOPTEE GRANT**

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

7 2005-S 105

BY Montalbano J

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

Committee on Judiciary recommends passage.

8 2005-S 243 SUB A

BY McCaffrey

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

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

9 2005-S 725

BY Damiani

ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

10 2005-S 732

BY Blais

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

Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, MAY 19, 2005:

1 2005-S 1006 SUB A

BY Breene

ENTITLED, AN ACT RELATING TO TAXATION -- WEST GREENWICH

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

2 2005-S 877 SUB A

BY Perry

**ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE
COMMISSION TO STUDY CHILD SAFETY IN CUSTODY AND
VISITATION**

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

3 2005-S 76 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES**

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

4 2005-S 297 SUB A**BY Levesque C****ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - - SPECIAL
LICENSE PLATES DECAL**

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

5 2005-S 381**BY Raptakis****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES --
REGULATION OF SALES**

Committee on Constitutional & Gaming Issues recommends passage.

6 2005-S 457**BY Raptakis****ENTITLED, AN ACT RELATING TO LICENSES -- ALCOHOLIC BEVERAGES**

Committee on Constitutional & Gaming Issues recommends passage.

7 2005-S 953 as amended**BY Doyle****ENTITLED, AN ACT RELATING TO GAMBLING AND LOTTERIES**

Committee on Constitutional & Gaming Issues recommends passage as amended.

8 2005-S 274 SUB A**BY Ciccone****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
OPEN MEETINGS**

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

9 2005-S 583**BY McCaffrey****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL
ASSAULT**

Committee on Judiciary recommends passage.

10 2005-S 586 SUB A**BY McCaffrey****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- THREATS AND EXTORTION**

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

11 2005-S 721**BY Felag****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN**

Committee on Judiciary recommends passage.

12 2005-S 727 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT**

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

13 2005-S 844**BY McCaffrey****ENTITLED, AN ACT RELATING TO SOVEREIGN IMMUNITY**

Committee on Judiciary recommends passage.

14 2005-S 1009**BY Gibbs****ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE**

Committee on Judiciary recommends passage.

15 2005-S 1010**BY Sosnowski****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

16 2005-S 1011**BY Perry****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

17 2005-S 1051 SUB A

BY Montalbano J

ENTITLED, AN ACT RELATING TO COURTS -- JUDICIAL SELECTION

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

18 2005-S 1061 SUB A

BY Algieri

ENTITLED, AN ACT RELATING TO VOTING BY NONRESIDENT PROPERTY OWNERS IN THE TOWN OF WESTERLY

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Tuesday, May 17, 2005