

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. 53 Thursday, May 26, 2005 and Tuesday, May 31, 2005 Fifty-third Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:15 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senators absent as follows:

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

ABSENT – 1: Senator Issa.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORDS

The Senate Journals of Thursday, May 19, 2005 and Wednesday, May 25, 2005 proceedings are read in part.

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

REPORTS OF COMMITTEES**COMMITTEE ON FINANCE**

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

Senate Bill No. 1115 as amended

BY Senator Connors

ENTITLED, AN ACT RELATING TO TAXATION (allow a city or town, when confronted with an emergency, which requires a tax increase to address the levy. However, the levy would not be allowed to be carried over in the next fiscal budget).

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. 22

BY Senators Bates, McCaffrey

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT (Family Court to order child support if the child has a severe handicap)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 344 SUB A (Attorney General)

BY Senators Levesque C, McCaffrey

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)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 349 (Attorney General)

BY Senators Damiani, Polisena

ENTITLED, AN ACT RELATING TO CRIMINAL LAW (witness protection exemption).

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 441 (Attorney General)

BY Senator Pichardo

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (civil rights advocate).

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 483 (Attorney General)

BY Senators Felag, Walaska, Caprio F, Goodwin, Connors

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CONSUMER ENFORCEMENT OF MOTOR VEHICLE WARRANTIES (motor vehicle arbitration board "lemon law").

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 916 SUB A

BY Senators Goodwin, Perry, Paiva-Weed, Pichardo, Roberts

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - DOMESTIC ASSAULT (restrict possession of firearms in cases of domestic violence)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 917 SUB A

BY Senators Goodwin, Perry, Paiva-Weed, Pichardo, Roberts

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS-DOMESTIC ABUSE PREVENTION (relinquish firearms pursuant to issuance of domestic abuse protective order)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 942 SUB A (Board of Elections)

BY Senator Badeau

ENTITLED, AN ACT RELATING TO CONDUCT OF ELECTIONS (authorize the presence of representatives of persons who appear on the ballot who do not belong to either the republican or democratic parties)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 945 (Board of Elections)

BY Senator Badeau

ENTITLED, AN ACT RELATING TO ELECTIONS -- CAMPAIGN CONTRIBUTIONS -- EXPENDITURES REPORTING (eliminate reporting requirements for political parties).

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 946 SUB A (Board of Elections)

BY Senator Badeau

ENTITLED, AN ACT ELECTIONS -- TABULATION AND CERTIFICATION OF RETURNS BY STATE BOARD (ballots and computer counters)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 948 SUB A (Board of Elections)

BY Senator Badeau

ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTION/VOTING EQUIPMENT AND SUPPLIES (prohibit publishing sample ballot with altered or deleted candidates name or info)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 1093 SUB A

BY Senator Montalbano J

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- FOOD DONATIONS (provide immunity from liability for organizations donating surplus, prepared food to charitable organizations for distribution to the needy)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 187 SUB A

BY Senators Perry, Levesque C, Pichardo, Roberts, Sosnowski

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST (electronic recording of custodial interrogations)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 347 SUB A (State Police)

BY Senators Blais, Breene

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 474 (Attorney General)

BY Senators McCaffrey, Tassoni, Alves

ENTITLED, AN ACT RELATING TO SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION (level 2 and level 3 registered sexual offenders as well as notification on the RI state police website and the Rhode Island Unified Court system website).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 710 SUB A as amended

BY Senators Perry, Polisena, Damiani, McCaffrey, Sosnowski

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE RHODE ISLAND MEDICAL MARIJUANA ACT (protect patients with debilitating medical conditions/medical use of marijuana)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 733 SUB A

BY Senators Sosnowski, Perry

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES (penalties for tobacco distributors)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 881 SUB A

BY Senators Pichardo, Connors, Gallo, Issa, Goodwin

ENTITLED, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS (applications for emergency mail ballots be received by 4:00 p.m. on the day prior to the election or primary)

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. 5327 as amended

BY Lally

ENTITLED, AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT.

Read and referred to the Committee on Judiciary.

Also:

House Bill No. 5850

BY Moura

ENTITLED, AN ACT RELATING TO LABOR AND PAYMENT OF DEBTS BY CONTRACTORS (rights and remedies for nonpayment of wages in posters posted on public works projects).

Read and referred to the Committee on Labor.

Also:

House Bill No. 5650 as amended

BY Moura, Slater, Diaz, McCauley

ENTITLED, AN ACT RELATING TO EMPLOYMENT OF WOMEN AND CHILDREN (increase fines for unlawful unemployment of women & children in the work place)

Read and referred to the Committee on Labor.

Also:

House Bill No. 5649 SUB A as amended

BY Moura, Slater, Diaz, McCauley

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT OF WOMEN AND CHILDREN (require a sufficient opportunity for eating lunch)

Read and referred to the Committee on Labor.

Also:

House Bill No. 5316 SUB A

BY O'Neill, Kilmartin, Church, Pacheco, Sullivan

ENTITLED, AN ACT RELATING TO THE PUBLIC UTILITIES AND CARRIERS (prohibit passing to the consumer the cost of any mercury spill cleanup)

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

Also:

House Bill No. 5911 SUB A as amended

BY Ginaitt, Handy, Long

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND EDUCATION ACT (require manufacturers of motor vehicles sold in RI establish a collected program for mercury switches)

Read and referred to the Committee on Environment and Agriculture.

Also:

House Bill No. 6480 SUB A as amended

BY Schadone

ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS (amend certain provisions relative to boxing, insurance for boxing contestants and the weight of boxing gloves)

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

Also:

House Bill No. 6371

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

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS (Pawtucket/annual license fee/dogs).

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

Also:

House Bill No. 5816 SUB A as amended

BY Coderre E, Ginaitt, Naughton, Gallison, Kilmartin

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

Read and referred to the Committee on Government Oversight.

Also:

House Bill No. 6405

BY Coderre E, Kilmartin, San Bento, Dennigan, O'Neill

ENTITLED, AN ACT EXEMPTING FROM TAXATION THE REAL, MIXED AND PERSONAL PROPERTY OF BLACKSTONE VALLEY COMMUNITY ACTION PROGRAM, INC. OF PAWTUCKET.

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

NEW BUSINESS

Senate Bill No. 1125

BY Senators Ruggerio, Goodwin, Badeau, Ciccone, Tassoni

ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS (remove the requirement that boxing contestants carry life insurance).

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

Also:

Senate Bill No. 1126

BY Senator Walaska

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND HUMAN RESOURCE INVESTMENT COUNCIL (Rhode Island Human Resource Investment Council from 15 members to 13 appointed by the governor).

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 1127

BY Senators Algieri, Breene

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

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

Also:

Senate Bill No. 1128

BY Senator Roberts

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

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

CALENDAR

IN ORDER FOR THURSDAY, MAY 26, 2005:

1 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.

Senator Connors moves passage, seconded by Senators Badeau, Damiani, Paiva Weed, Felag, Sheehan, Levesque, Raptakis and Polisena.

Senators Paiva Weed, Sheehan and Levesque discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

2 2005-S 981**BY Ciccone****ENTITLED, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS**

Committee on Environment & Agriculture recommends passage.

Upon suggestion of Senator Ciccone, and without objection, ordered to be placed on the Calendar for Wednesday, June 1, 2005.

3 2005-S 604 SUB A**BY Gibbs****ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS**

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon roll call vote with 32 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Connors, Felag, Levesque.

4 2005-S 1031

BY McBurney

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage.

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

NOW PRESIDING

His Honor, the President, yields the rostrum to the Honorable John C. Revens Jr., President Pro Tempore, at 4:25 o'clock P.M.

CALENDAR

5 2005-S 970 SUB A as amended

BY Montalbano J

**ENTITLED, AN ACT ENABLING THE RHODE ISLAND LOTTERY
COMMISSION'S ENTRY INTO A MASTER VIDEO LOTTERY
TERMINAL CONTRACT WITH UTGR, INC.**

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

Senator Montalbano moves passage, seconded by Senators Walaska, Polisena, Sosnowski, DaPonte, Connors, Ciccone, Ruggerio, Felag, Tassoni, McBurney, Algieri and many others.

Senators Polisena, Metts, Blais, Sheehan, Cote, Felag and Montalbano discuss the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon roll call vote with 32 Senators voting in the affirmative and 1 Senator voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Lanzi, Levesque, McBurney, McCaffrey, Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Cote

ABSTAINED- 1: Senator Paiva Weed

6 2005-S 15

BY Tassoni

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- CRIMINAL INJURIES COMPENSATION

Committee on Finance recommends passage.

Senator Tassoni moves passage, seconded by Senator Damiani.

The act is read and passed, upon a roll call vote with 30 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Fogarty, Gallo, Goodwin, Lanzi, McBurney, McCaffrey, Paiva Weed, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 4: Senators Levesque, Metts, Perry, Pichardo.

7 2005-S 36

BY Ciccone

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM -- CONTRIBUTIONS AND BENEFITS

Committee on Finance recommends passage.

Senator Ciccone moves passage, seconded by Senators Fogarty, Polisena, Damiani, Badeau, Levesque and Ruggerio.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

8 2005-S 57**BY Raptakis****ENTITLED, AN ACT RELATING TO TAXATION**

Committee on Finance recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

9 2005-S 63**BY Polisena****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION**

Committee on Finance recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

10 2005-S 80**BY Doyle****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- COUNCIL ON THE ARTS**

Committee on Finance recommends passage.

Senator Doyle moves passage, seconded by Senators Gallo, Tassoni, Alves, Goodwin, Felag, Raptakis, Roberts, McBurney, Montalbano, and many others.

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

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

NAYS- 0:

11 2005-S 113 SUB A

BY Revens

ENTITLED, AN ACT RELATING TO EDUCATION -- THE PUBLIC
HIGHER EDUCATION ENDOWMENT INCENTIVE PROGRAM

Committee on Finance 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 31, 2005.

12 2005-S 146

BY Perry

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

Committee on Finance recommends passage.

Senator Perry moves passage, seconded by Senators Goodwin, Alves, Levesque, Roberts, Sosnowski, Polisen, Connors, Pichardo and many others.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

13 2005-S 1121 SUB A

BY Montalbano J

ENTITLED, AN ACT RELATING TO JOBS GROWTH

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

Senator Walaska moves passage, seconded by Senators Montalbano, Polisena, Sosnowski, Tassoni, Doyle, Sheehan, Ruggerio, Blais, Bates, DaPonte and many others.

Senator Walaska seconded by Senators Montalbano, Tassoni, Bates and Polisena, offers the following written motion to amend.

FLOOR AMENDMENT

2005 -- S 1121 SUBSTITUTE A

Mr. President:

I hereby move to amend 2005 -- S 1121 SUBSTITUTE A, entitled "AN ACT RELATING TO JOBS GROWTH", as follows:

(1) On page 2, line 27, by inserting the words "having compensation at least equal to one hundred twenty-five percent (125%) of the average compensation of all employees in the state" before the word "first".

(2) On page 2, line 30, by inserting the words "having compensation at least equal to one hundred twenty-five percent (125%) of the average compensation of all employees in the state" before the word "first".

(3) On page 4, line 13, by inserting the word and punctuation "fully-" before the word "certified".

(4) On page 5, line 4, by deleting the word "average" before the word "annual".

(5) On page 5, between lines 15 and 16 insert the following new subsection:

"(h) The economic development corporation shall annually provide an economic impact analysis, consistent with the requirements of subsection 42-64-10(a)(2), on each provisionally-certified company and fully-certified company. This analysis shall be submitted to the chair of the house finance committee, the chair of the senate finance committee, the house fiscal advisor, and the senate fiscal advisor on or before the January 31st following the first certification of an eligible company. Such annual reports shall continue indefinitely and be submitted on or before January 31st, so long as the certified company has not abandoned its certification. As a condition of continued certification each provisionally-certified company and fully-certified company shall provide to the economic development corporation information the corporation deems necessary to complete this analysis."

(6) On page 5, line 16, be deleting the words "Partial exclusion of performance-based compensation." and inserting the words "Partial modification of performance-based compensation" in its place.

Respectfully submitted,
SENATOR WALASKA

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

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

NAYS- 0:

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

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

GUESTS

Upon suggestion of Senator Caprio and by unanimous consent, the Honorable President welcomes to the Chamber Joseph McBurney, son of Senator McBurney.

ANNOUNCEMENTS

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

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

RECESS

Upon motion of Senator DaPonte, and by unanimous consent, the Senate stands at recess at 5:17 o'clock P.M. until the call of the chair.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Tuesday, May 31, 2005, at 4:21 o'clock P.M.

APPOINTMENTS BY THE GOVERNOR

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

May 25, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-128-6 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Housing Resources Commission:

Barbara Fields Karlin of Providence
(Community Development Intermediary)

for a term expiring January 31, 2008.

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

Sincerely,



Donald L. Carcieri
Governor

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

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

May 25, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 39-18-1 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Public Transit Authority:

Carol Pratt of Warwick

VICE
William C. Kennedy

for a term expiring April 1, 2008.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

May 23, 2005

TO THE HONORABLE, THE SENATE:

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

G. Thomas Chabot of West Warwick
(Class "A" Electrician's License Holder)

for a term expiring May 1, 2007.

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

Sincerely,



Donald L. Carcieri
Governor

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

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. 283 (Transportation)

BY Senators Algieri, Gibbs, Breene

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- BICYCLE FACILITIES (update terminology and references/existing and future bicycle facilities).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1004

BY Senators Breene, Blais, Sosnowski

ENTITLED, AN ACT RELATING TO TAX EXEMPTION OF CERTAIN PROPERTY IN THE TOWN OF RICHMOND.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1069

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

ENTITLED, AN ACT RELATING TO TAXATION -- GLOCESTER (exempt town of Gloucester from 50% cap over rate applicable to any other classes of property).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5451 SUB A

BY McNamara, Malik, Ginaitt, Anguilla, Handy

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- BICYCLE FACILITIES (update terminology and references related to existing and future bicycle facilities)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6148

BY Watson

ENTITLED, AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE TOWN OF WEST GREENWICH (adopt a homestead exemption for residential properties within the town).

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. 346 (State Police)

BY Senator Breene

ENTITLED, AN ACT RELATING TO MOTOR VEHICLE REPARATIONS ACT (penalties/automobile liability insurance).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 354 (Governor)

BY Senators Algieri, Gibbs, Breene

ENTITLED, AN ACT RELATING TO AGGRESSIVE DRIVING (add laned roadway to the definition of aggressive driving).

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 measure:

House Bill No. 6438 SUB A (by request)

BY McHugh, Lewiss

ENTITLED, AN ACT RELATING TO VOTING BY NONRESIDENT PROPERTY OWNERS IN THE TOWN OF WESTERLY (amend its Home Rule Charter)

Read and referred to the Senate Committee on Judiciary.

NEW BUSINESS

Senate Resolution No. 1139

BY Senators Gallo, Fogarty P, Levesque C, Felag

ENTITLED, SENATE RESOLUTION PROCLAIMING MAY AS "BETTER SPEECH AND HEARING MONTH" IN THE STATE OF RHODE ISLAND.

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 1140

BY Senator Polisena

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$16,652.42 TO PAY THE CLAIM OF METRO MOTOR GROUP OF 1667 HARTFORD AVENUE, JOHNSTON, RHODE ISLAND 02919.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 1141

BY Senators Montalbano J, Goodwin, McBurney, Damiani, Bates

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE LOTTERY (would allow the director of the lottery commission to implement changes structured in the lottery games, Powerball, Keno and/or other monitor games, if the lottery commission is liable to constitute a quorum of its duly constituted membership.).

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

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1 2005-S 1132

BY Goodwin

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF INTERCITY AMBULANCE SERVICE, INC.

CALENDAR**IN ORDER FOR TUESDAY, MAY 31, 2005:****1 2005-S 113 SUB A**

BY Revens

ENTITLED, AN ACT RELATING TO EDUCATION -- THE PUBLIC HIGHER EDUCATION ENDOWMENT INCENTIVE PROGRAM

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

Senator Revens moves passage, seconded by Senators Sosnowski, Connors, Ruggerio, McBurney, Paiva Weed, Gallo, Sheehan, Raptakis and many others.

Senator Algieri discusses the act.

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 and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Doyle, Felag, Fogarty, Gallo, Gibbs, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

ABSTAINED- 1: Senator Polisena

2 2005-S 81 SUB A as amended

BY Badeau

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
SUNDAY BUSINESS**

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

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

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon roll call vote with 27 Senators voting in the affirmative and 4 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 27: The Honorable President Montalbano and Senators Algieri, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Doyle, Fogarty, Gallo, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 4: Senators Bates, Blais, Gibbs, Metts.

ABSTAINED- 1: Senator Felag

3 2005-S 37 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO TAXATION

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

Senator Bates moves passage, seconded by Senators Algieri, Gibbs, Breene, Blais, Roberts, Sosnowski and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

4 2005-S 510**BY Goodwin****ENTITLED,** AN ACT IN AMENDMENT OF "AN ACT AUTHORIZING THE GIRL SCOUTS OF RHODE ISLAND, INCORPORATED TO HOLD PROPERTY EXEMPT FROM TAXATION," AS AMENDED

Committee on Finance recommends passage.

Senator Ruggerio moves passage, seconded by Senators Blais, Damiani, Gibbs, Pichardo and Paiva Weed.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Doyle, Felag, Fogarty, Gallo, Gibbs, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

5 2005-S 514**BY Gallo****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY

Committee on Finance recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Doyle, Felag, Fogarty, Gallo, Gibbs, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

6 2005-S 530 SUB A**BY Gallo****ENTITLED,** AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

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

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

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

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

NAYS- 0:

7 2005-S 568

BY Polisena

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

Committee on Finance recommends passage.

Senator Polisena moves passage, seconded by Senators Damiani and Raptakis

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

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

NAYS- 0:

8 2005-S 668

BY Alves

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- PUBLIC
CORPORATION DEBT MANAGEMENT

Committee on Finance recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, June 2, 2005.

9 2005-S 676

BY Gallo

ENTITLED, AN ACT RELATING TO AUDIT OF ACCOUNTS

Committee on Finance recommends passage.

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

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

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

NAYS- 0:

10 2005-S 868 SUB A

BY Gallo

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- AUDIT OF ACCOUNTS AND INSTALLATION OF SYSTEMS

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

Senator Gallo moves passage, seconded by Senator Fogarty.

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

NAYS- 0:

11 2005-S 870

BY DaPonte

ENTITLED, AN ACT RELATING TO MILITARY SERVICE AND VETERANS

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senators Connors, Sosnowski and Damiani.

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

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

NAYS- 0:

12 2005-S 964 SUB A

BY Alves

ENTITLED, AN ACT COMMERCIAL LAWS -- UNFAIR SALES PRACTICES

Committee on Finance 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, June 2, 2005.

13 2005-S 1104

BY DaPonte

ENTITLED, AN ACT RELATING TO TAXATION -- STATE TAX OFFICIALS

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senators Walaska, Connors and Cote.

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

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

NAYS- 0:

14 2005-S 1114

BY DaPonte

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

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senator Connors.

The act is read and passed, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Ciccone

15 2005-H 6163**BY Church****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND FOR A NEW MIDDLE SCHOOL AND IT'S FACILITIES AND THE CONSTRUCTION AND EQUIPPING OF A NEW MIDDLE SCHOOL AND IT'S FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage in concurrence.

Senator Tassoni moves passage, seconded by Senators Fogarty and Cote

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

YEAS- 37: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, 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 today, at the rise of the Senate, in Room 212 of the State House.

Senator Felag announces that the Committee on Finance will meet today, 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.

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 Paiva Weed and upon suggestion of Senator Algieri the Senate adjourns at 4:38 o'clock P.M. in memory of Mrs. Sharon Jackvony, wife of former Lt. Governor Bernard Jackvony.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR WALTER S. FELAG, Jr.

Dear Lord, as we reflect on the lives of all who have died in service to our country, give us, your servants, their strength and fortitude to act with integrity and fidelity as we remember them this Memorial Day weekend. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 1, 2005:**

- 1** Appointment of **Alberto Aponte Cardona** of West Greenwich VICE Joaquin Gomes to the Commission for Human Rights for a term expiring July 1, 2009.

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

- 2** Appointment of **M. Theresa Santos** (Representing Town Council - under 25,000 in population) of Middletown to the State Housing Appeals Board for a term expiring January 1, 2008.

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

- 3** Appointment of **Jonathan K. Farnum** of Coventry VICE Leonard Walker to the Narragansett Bay Commission for a term expiring April 1, 2006.

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

- 4** Reappointment of **Richard M. Oster** to the Narragansett Bay Commission for a term expiring April 1, 2007.

Committee on Judiciary recommends that the Senate give its Advice and Consent to this reappointment.

- 5** Reappointment of **Richard Burroughs** of Kingston to the Narragansett Bay Commission for a term expiring April 1, 2007.

Committee on Judiciary recommends that the Senate give its Advice and Consent to this reappointment.

- 6** Reappointment of **Natalie Jackvony** (Republican Representative) of Cranston to the Personnel Appeal Board for a term expiring April 1, 2010.

Committee on Judiciary recommends that the Senate give its Advice and Consent to this reappointment.

- 7** Appointment of **Cynthia Fagan** (Representing Planning Board Member - over 25,000 in population) of Coventry to the State Housing Appeals Board for a term expiring January 1, 2008.

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

- 8** Appointment of **Mary B. Shekarchi, Esquire** (Attorney knowledgeable in land use regulation) of Warwick to the State Housing Appeals Board for a term expiring January 1, 2008.

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

- 9** Appointment of **Barbara Feibelman** of Providence VICE Mark Saccoccio to the Board of Examination and Registration of Architects for a term expiring April 1, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this appointment.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Tuesday, May 31, 2005

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 1, 2005:****1 2005-S 981****BY Ciccone****ENTITLED, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS**

Committee on Environment & Agriculture recommends passage.

2 2005-S 1115 as amended**BY Connors****ENTITLED, AN ACT RELATING TO TAXATION**

Committee on Finance recommends passage as amended.

3 2005-S 22**BY Bates****ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT**

Committee on Judiciary recommends passage.

4 2005-S 187 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST**

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

5 2005-S 344 SUB A**BY Levesque C****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE**

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

6 2005-S 347 SUB A**BY Blais****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS**

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

7 2005-S 349**BY Damiani****ENTITLED, AN ACT RELATING TO CRIMINAL LAW**

Committee on Judiciary recommends passage.

8 2005-S 441**BY Pichardo****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Committee on Judiciary recommends passage.

9 2005-S 474**BY McCaffrey****ENTITLED, AN ACT RELATING TO SEXUAL OFFENDER REGISTRATION
AND COMMUNITY NOTIFICATION**

Committee on Judiciary recommends passage.

10 2005-S 483**BY Felag****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
CONSUMER ENFORCEMENT OF MOTOR VEHICLE WARRANTIES**

Committee on Judiciary recommends passage.

11 2005-S 710 SUB A as amended**BY Perry****ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE RHODE
ISLAND MEDICAL MARIJUANA ACT**

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

12 2005-S 733 SUB A**BY Sosnowski****ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES
PRACTICES**

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

13 2005-S 881 SUB A**BY Pichardo****ENTITLED, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS**

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

14 2005-S 916 SUB A**BY Goodwin****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
COURTS - DOMESTIC ASSAULT

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

15 2005-S 917 SUB A**BY Goodwin****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS-DOMESTIC
ABUSE PREVENTION

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

16 2005-S 942 SUB A**BY Badeau****ENTITLED,** AN ACT RELATING TO CONDUCT OF ELECTIONS

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

17 2005-S 945**BY Badeau****ENTITLED,** AN ACT RELATING TO ELECTIONS -- CAMPAIGN
CONTRIBUTIONS -- EXPENDITURES REPORTING

Committee on Judiciary recommends passage.

18 2005-S 946 SUB A**BY Badeau****ENTITLED,** AN ACT ELECTIONS -- TABULATION AND CERTIFICATION
OF RETURNS BY STATE BOARD

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

19 2005-S 948 SUB A**BY Badeau****ENTITLED,** AN ACT RELATING TO ELECTIONS -- CONDUCT OF
ELECTION/VOTING EQUIPMENT AND SUPPLIES

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

20 2005-S 1093 SUB A**BY Montalbano J****ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- FOOD DONATIONS**

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

IN ORDER FOR THURSDAY, JUNE 2, 2005:**1 2005-S 668****BY Alves****ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- PUBLIC CORPORATION DEBT MANAGEMENT**

Committee on Finance recommends passage.

2 2005-S 964 SUB A**BY Alves****ENTITLED, AN ACT COMMERCIAL LAWS -- UNFAIR SALES PRACTICES**

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

3 2005-S 283**BY Algiere****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- BICYCLE FACILITIES**

Committee on Commerce, Housing & Municipal Government recommends passage.

4 2005-S 1004**BY Breene****ENTITLED, AN ACT RELATING TO TAX EXEMPTION OF CERTAIN PROPERTY IN THE TOWN OF RICHMOND**

Committee on Commerce, Housing & Municipal Government recommends passage.

5 2005-S 1069**BY Fogarty P****ENTITLED, AN ACT RELATING TO TAXATION -- GLOCESTER**

Committee on Commerce, Housing & Municipal Government recommends passage.

6 2005-S 346

BY Breene

ENTITLED, AN ACT RELATING TO MOTOR VEHICLE REPARATIONS ACT

Committee on Judiciary recommends passage.

7 2005-S 354

BY Algieri

ENTITLED, AN ACT RELATING TO AGGRESSIVE DRIVING

Committee on Judiciary recommends passage.

8 2005-H 5451 SUB A

BY McNamara

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
BICYCLE FACILITIES**

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

9 2005-H 6148

BY Watson

**ENTITLED, AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE
TOWN OF WEST GREENWICH**

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Tuesday, May 31, 2005