

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. 54

Wednesday, June 1, 2005

Fifty-fourth 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 36 Senators present and 2 Senators absent as follows:

PRESENT – 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, 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.

ABSENT – 2: Senator Damiani, Issa.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, May 26, 2005 proceedings is read in part.

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

COMMUNICATION

The Honorable President presents the following communication:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

June 1, 2005

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

Dear Mr. President

Please be advised that I will be absent from the Senate Session on Wednesday June 1, 2005. I will be in Boston assisting a friend who is very ill.

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

Sincerely,
Michael J. Damiani
State Senator District 18

Read and ordered to be placed on file.

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. 454 SUB A**BY** Senators Ciccone, Badeau, Lanzi, Perry, Connors**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)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 490 SUB A**BY** Senators Alves, Badeau**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PUBLIC ACCOUNTANCY (appoint certified public accountant members to the RI board of accountancy)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1081

BY Senators Fogarty P, Gallo, Breene, Tassoni

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1085

BY Senators Fogarty P, Gallo, Walaska

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5360

BY McNamara, Pacheco, Ginaitt, Landroche

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - EMERGENCY VEHICLES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5750 as amended

BY Anguilla, Jacquard, O'Neill, Schadone, Jackson

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS

Read and ordered to be placed on the Calendar

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)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6153

BY Lewiss, Kennedy, McHugh

ENTITLED, AN ACT RELATING TO THE WESTERLY FIRE DISTRICT.

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. 1111

BY Senators Ruggerio, Alves, Lanzi, Tassoni, Badeau

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - COMPOSITION OF THE SENATE (amend the composition of the Fifteenth and Seventeenth Senate Districts).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 1133

BY Senators Polisena, Damiani, Sosnowski, Tassoni, Gallo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BUILDING AND FIRE SAFETY CODE.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6002 (Attorney General)

BY Sullivan, O'Neill, Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6356

BY Church

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

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. 5759 SUB A as amended

BY Kilmartin

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

Received and referred to the Senate Committee on Labor

Also:

House Bill No. 6553

BY Dennigan

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Received and referred to the Senate Committee on Judiciary

NEW BUSINESS

Senate Bill No. 1142

BY Senators Roberts, Paiva-Weed, Felag

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- PUBLIC RADIO STATIONS.

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

Also:

Senate Bill No. 1143

BY Senators Badeau, Ruggerio, Paiva-Weed, McCaffrey, DaPonte

ENTITLED, AN ACT RELATING TO INSURANCE -- WORKERS' COMPENSATION INSURANCE FUND.

Read and referred to the Senate Committee on Labor

Also:

Senate Resolution No. 1144

BY Senators Connors, Montalbano J, Paiva-Weed, Bates, Walaska

ENTITLED, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF FORMER STATE SENATOR PAUL HANAWAY.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by the entire Senate.

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

Also:

Senate Bill No. 1145

BY Senators Lenihan, Raptakis

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH.

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

Also:

Senate Resolution No. 1146**BY** Senators Algieri, Felag**ENTITLED**, SENATE RESOLUTION MEMORIALIZING CONGRESS TO AWARD THE MEDAL OF HONOR POSTHUMOUSLY TO FIRST LIEUTENANT GARLIN MURL CONNER.

Senator Algieri requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Algieri moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 1147**BY** Senators Fogarty P, Breene, Blais, Gallo, Walaska**ENTITLED**, SENATE RESOLUTION HONORING THE LAVOIE FAMILY, OWNERS OF THE PURPLE CAT RESTAURANT, FOR OVER 70 YEARS OF SERVICE TO THE COMMUNITY AND THE BLACKSTONE RIVER VALLEY.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by the entire Senate.

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

Also:

Senate Bill No. 1148**BY** Senator Paiva-Weed**ENTITLED**, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN.

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

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 measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

- 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.

- 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..
- 3 Appointment of **Jonathan K. Farnum** of Coventry VICE Leonard Walker to the Narragansett Bay Commission for a term expiring April 1, 2006.
- 4 Reappointment of **Richard M. Oster** to the Narragansett Bay Commission for a term expiring April 1, 2007.
- 5 Reappointment of **Richard Burroughs** of Kingston to the Narragansett Bay Commission for a term expiring April 1, 2007.
- 6 Reappointment of **Natalie Jackvony** (Republican Representative) of Cranston to the Personnel Appeal Board for a term expiring April 1, 2010.
- 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.
- 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.
- 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.

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.

Upon suggestion of Senator Ciccone, and without objection, ordered to be placed on the Calendar for Tuesday, June 7, 2005.

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

Committee on Finance recommends passage as amended.

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

3 2005-S 22

BY Bates

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT

Committee on Judiciary recommends passage.

Senator Bates moves passage, seconded by Senators Walaska, Gibbs 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, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, 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:

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.

Senator Perry moves passage, seconded by Senators Paiva Weed, McCaffrey, Polisena, Levesque, Metts and Pichardo.

Senators Algieri and Perry discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 27 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Alves, Badeau, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Gallo, Goodwin, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Algieri, Bates, Blais, Breene, Gibbs, Lenihan, Raptakis.

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.

Senator Levesque moves passage, seconded by Senators Connors and Metts.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, 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:

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.

Senator Blais moves passage, seconded by Senators Breene and McCaffrey.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, 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 349**BY Damiani****ENTITLED, AN ACT RELATING TO CRIMINAL LAW**

Committee on Judiciary recommends passage.

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

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

Committee on Judiciary recommends passage.

Senator Pichardo moves passage, seconded by Senators Metts, Goodwin and Levesque.

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, 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:

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

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Polisena, Goodwin, Blais, Paiva Weed, Roberts and Sheehan.

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, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Levesque.

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.

Senator Felag moves passage, seconded by Senator Gallo.

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, 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:

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.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Tuesday, June 7, 2005.

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.

Senator Sosnowski moves passage, seconded by Senator Polisena.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, 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:

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.

Senator Pichardo moves passage, seconded by Senators Metts and DaPonte.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 35 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Polisena.

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.

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

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.

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

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.

Senator Badeau moves passage, seconded by Senators McCaffrey, Sheehan, Ciccone and Ruggerio.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, 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:

17 2005-S 945

BY Badeau

ENTITLED, AN ACT RELATING TO ELECTIONS -- CAMPAIGN
CONTRIBUTIONS -- EXPENDITURES REPORTING

Committee on Judiciary recommends passage.

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

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

NAYS- 0:

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.

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, 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:

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.

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

Senators Metts, McCaffrey and Alves discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 35 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Metts.

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.

Senator McCaffrey moves passage, seconded by Senators Gallo, Paiva Weed, Algieri, Polisena and Sosnowski.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, 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 Goodwin announces that the Committee on Constitutional and Gaming Issues will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Sosnowski announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Roberts announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, 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 Paiva Weed seconded by Senator Algieri and upon suggestion of Senator Connors, the Senate adjourns at 4:48 o'clock P.M. in memory of the Honorable Paul Hanaway, former State Senator from the Town of Cumberland. He was a beloved community leader and devoted public servant from a tremendously respected political family. His contributions and good deeds to his family, community and to the State of Rhode Island will long be remembered.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR LEONIDAS P. RAPTAKIS

Heavenly Father, please bestow your wisdom on everyone here today. As we begin this lively experiment, help us remember that in Your eyes we are all non-partisan. With Your wisdom and in Your light, may we progress through the hectic days ahead. Amen.

Appendix**CALENDAR****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 349**BY Damiani****ENTITLED, AN ACT RELATING TO CRIMINAL LAW**

Committee on Judiciary recommends passage.

4 2005-S 1115 as amended**BY Connors****ENTITLED, AN ACT RELATING TO TAXATION**

Committee on Finance recommends passage as amended.

5 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.

6 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.

7 2005-S 283**BY Algieri****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
BICYCLE FACILITIES

Committee on Commerce, Housing & Municipal Government recommends passage.

8 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.

9 2005-S 1069**BY Fogarty P****ENTITLED,** AN ACT RELATING TO TAXATION -- GLOCESTER

Committee on Commerce, Housing & Municipal Government recommends passage.

10 2005-S 346**BY Breene****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLE REPARATIONS ACT

Committee on Judiciary recommends passage.

11 2005-S 354**BY Algieri****ENTITLED,** AN ACT RELATING TO AGGRESSIVE DRIVING

Committee on Judiciary recommends passage.

12 2005-H 5451 SUB A**BY McNamara****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
BICYCLE FACILITIESCommittee on Commerce, Housing & Municipal Government recommends indefinite
postponement of the original bill and passage of Substitute A.**13 2005-H 6148****BY Watson****ENTITLED,** AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE
TOWN OF WEST GREENWICHCommittee on Commerce, Housing & Municipal Government recommends passage in
concurrence.

IN ORDER FOR TUESDAY, JUNE 7, 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 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.

3 2005-S 454 SUB A**BY Ciccone****ENTITLED,** AN ACT RELATING TO BUSINESS AND PROFESSIONS -- HAWKERS AND PEDDLERS

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

4 2005-S 490 SUB A**BY Alves****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PUBLIC ACCOUNTANCY

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

5 2005-S 1081**BY Fogarty P****ENTITLED,** AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Commerce, Housing & Municipal Government recommends passage.

6 2005-S 1085**BY Fogarty P****ENTITLED,** AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Commerce, Housing & Municipal Government recommends passage.

7 2005-S 1111**BY Ruggiero****ENTITLED,** AN ACT RELATING TO THE GENERAL ASSEMBLY -
COMPOSITION OF THE SENATE

Committee on Judiciary recommends passage.

8 2005-S 1133**BY Polisena****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- BUILDING
AND FIRE SAFETY CODE

Committee on Judiciary recommends passage.

9 2005-H 5360**BY McNamara****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES - EMERGENCY
VEHICLESCommittee on Commerce, Housing & Municipal Government recommends passage in
concurrence.**10 2005-H 5750 as amended****BY Anguilla****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPSCommittee on Commerce, Housing & Municipal Government recommends passage as
amended in concurrence.**11 2005-H 5774 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO BUSINESS AND PROFESSIONS --
HAWKERS AND PEDDLERSCommittee on Commerce, Housing & Municipal Government recommends indefinite
postponement of the original bill and passage of Substitute A in concurrence.**12 2005-H 6153****BY Lewiss****ENTITLED,** AN ACT RELATING TO THE WESTERLY FIRE DISTRICTCommittee on Commerce, Housing & Municipal Government recommends passage in
concurrence.

13 2005-H 6002

BY Sullivan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION

Committee on Judiciary recommends passage in concurrence.

14 2005-H 6356

BY Church

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Wednesday, June 1, 2005