

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

Volume 129, No. 2 Wednesday, January 2, 2002 2nd Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:00 o'clock P.M.

The roll is called and a quorum is declared present with 48 Senators present and 2 Senators absent as follows;

PRESENT - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 2: Senators Damiani, Donelan.

INVOCATION

His Honor, the Lieutenant Governor, by unanimous consent, presents Senate Majority Leader Irons, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

His Honor, the Lieutenant Governor, by unanimous consent, presents Senate Majority Leader Irons, to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journals of Thursday, June 28, 2001, Wednesday, September 19, 2001, and Tuesday, January 1, 2002 proceedings are read in part.

Upon suggestion of Senate Majority Leader Irons, and by unanimous consent, further reading of the Journal is dispensed with and the Journals approved as recorded.

GUESTS

Upon suggestion of Senate Majority Leader Irons, and by unanimous consent, His Honor, the Lieutenant Governor,

welcomes to the Chamber the Honorable William Zuccarelli, former State Senator. Senate Majority Leader Irons presents Senator Zuccarelli with a special Senate hat.

Upon suggestion of Senator Fogarty, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Liz Anderson, Providence Journal reporter recently assigned to the State House.

Upon suggestion of Senator Algieri, Senate Majority Leader Irons, Senators Blais, Gibbs, Breene, Kelly, Cicilline and Perry, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Phoebe Chardon, Chief of Staff in the office of the Senate Minority Leader, who is retiring after many years of dedicated service. She will be greatly missed.

APPOINTMENT BY THE GOVERNOR

His Honor, the Lieutenant Governor, presents the following communication from His Excellency, the Governor, transmitting the following appointment and requesting the advice and consent of the Senate thereto:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

November 15, 2001

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42.6.3 of the Rhode Island General Laws, I have made the following appointment as Director of the Department of Human Services:

Jane A. Hayward of Narragansett

VICE
Christine Ferguson
(resigned)

to serve at the pleasure of the Governor.

This appointment will be presented to the Senate for Advice and Consent when they next convene.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

FROM THE

HOUSE OF REPRESENTATIVES

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

(02-H 6600) Joint Resolution of adjournment.

Senate Majority Leader Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, and by unanimous consent, read and passed in concurrence, under suspension of the rules, upon a voice vote.

Also:

(02-H 6601) Joint Resolution of adjournment.

Senate Majority Leader Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, and by unanimous consent, read and passed in concurrence, under suspension of the rules, upon a voice vote.

Also:

(02-H 6604) Joint Resolution extending the reporting date of the legislative commission to study the public purposes to be advanced by the redevelopment of those areas made available by the relocation of Route 195.

Senate Majority Leader Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, and by unanimous consent, read and passed in concurrence, under suspension of the rules, upon a voice vote.

NEW BUSINESS

Senator McBurney presents (02-S 2020) Joint Resolution congratulating Jacqueline M. Walsh on her retirement as Deputy Superintendent of the Pawtucket School Department.

Senator McBurney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator McBurney, seconded by Senate Majority Leader Irons, Senators Coderre, Montalbano and Perry, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

Senators Cicilline, Perry, Kells, Parella and Izzo present (02-S 2021) Joint Resolution proclaiming May as "Mental Health Month in Rhode Island".

Senator Cicilline requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Cicilline, seconded by Senator Kells, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

Senators Montalbano, Celona and Graziano present (02-S 2022) Senate Resolution expressing most profound sympathy on the passing of Benoit P. Fisette.

Senator Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Montalbano, seconded by Senator Celona, and by unanimous consent, read and passed, under suspension of the rules, upon a rising vote.

Senators Issa, Hunter, Izzo, Bates and McCaffrey present (02-S 2023) An Act relating to taxation - family education account- tax credit.

Read and referred to the Committee on Finance.

Senator Lenihan presents (02-S 2024) An Act relating to taxation- levy and assessment of local taxes.

Read and referred to the Committee on Corporations.

Senator Cicilline presents (02-S 2025) An Act relating to health and safety - health care power of attorney.

Read and referred to the Committee on Judiciary.

Senators Cicilline, Perry and Parella present (02-S 2026) An Act relating to state affairs and government - tests for law enforcement candidates.

Read and referred to the Committee on Judiciary.

Senator Cicilline presents (02-S 2027) An Act relating to real estate transactions - disclosures.

Read and referred to the Committee on Judiciary.

Senators Fogarty, Walaska, Paiva Weed, Kelly, Goodwin and others present (02-S 2028) An Act relating to methyl tertiary-butyl ether.

Read and referred to the Committee on Health, Education and Welfare.

Senators Cote, Lenihan, Raptakis, Breene, Bates and others present (02-S 2029) Joint Resolution to approve and publish and submit to the electors a proposition of amendment to the Constitution of the State (initiative and referendum).

Read and referred to the Committee on Special Legislation.

Senators Cote, Lenihan, Raptakis, Breene, Bates and others present (02-S 2030) An Act relating to initiative and referendum.

Read and referred to the Committee on Special Legislation.

Senators Cote, Tassoni, Kelly, Breene, Hunter and others present (02-S 2031) An Act relating to distribution of credit cards.

Read and referred to the Committee on Judiciary.

Senators Hunter, Bates, Tassoni and Issa present (02-S 2032) An Act relating to commercial law - general regulatory provisions- deceptive trade practices.

Read and referred to the Committee on Corporations.

Senators Hunter, Issa and Tassoni present (02-S 2033) An Act relating to the uniform commercial code - sales.

Read and referred to the Committee on Corporations.

Senators Tassoni, Celona, Hunter, Graziano and Iglioizzi present (02-S 2034) An Act relating to firefighters - annuities to departments.

Read and referred to the Committee on Finance.

Senators Tassoni, Celona, Hunter, Graziano and Iglioizzi present (02-S 2035) An Act relating to police and firefighters optional retirement.

Read and referred to the Committee on Finance.

Senators Hunter, Celona, Montalbano and Connors present (02-S 2036) An Act relating to state affairs and government - video lottery terminal - revenue.

Read and referred to the Committee on Finance.

Senators Hunter, Celona, Montalbano and Connors present (02-S 2037) An Act relating to motor and other vehicles - motor fuel tax.

Read and referred to the Committee on Finance.

Senators Hunter, Celona and Montalbano present (02-S 2038) An Act relating to education - school housing state aid ratios.

Read and referred to the Committee on Finance.

Senators Hunter, Issa and Cote present (02-S 2039) An Act relating to taxation - personal income tax.

Read and referred to the Committee on Finance.

Senators Hunter, Issa and Tassoni present (02-S 2040) An Act relating to real property - adverse possession.

Read and referred to the Committee on Judiciary.

Senators Tassoni, Celona, Hunter, Graziano and Iglioizzi present (02-S 2041) An Act relating to courts and civil procedure- fees.

Read and referred to the Committee on Judiciary.

Senators Tassoni, Celona, Hunter, Graziano and Iglioizzi present (02-S 2042) An Act relating to criminal offenses -

abandonment and nonsupport.

Read and referred to the Committee on Judiciary.

Senators Tassoni, Celona, Hunter, Graziano and Igliazzi present (02-S 2043) An Act relating to labor and labor relations - labor disputes.

Read and referred to the Committee on Labor.

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1. (02-S2004) An Act to vacate the forfeiture or revocation of the charter of Oaklawn Office Park Associates.

ANNOUNCEMENT

Senate Majority Leader Irons announces that the Senate will not meet on Thursday, January 3, 2002.

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 Senate Majority Leader Irons, seconded by Senator Algieri, and upon suggestion of Senator Montalbano, the Senate adjourns at 4:32 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of the Honorable Benoit P. Fiset of North Providence.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATE MAJORITY LEADER WILLIAM V. IRONS

BEGINNING OF THE SESSION

As we again begin anew, Lord, we ask that strength and courage be given to all who work for a world of reason and understanding. May the good that lies in each of us be magnified. May we see not that which divides us but that which unites us. And may the true spirit of the Holiday Season, especially its hope and abiding faith, remain with us every day of this new year. We ask that You bestow a special blessing of good health and happiness on each member of this chamber and their families. Amen.

As always, your [comments](#) concerning this page are welcomed and appreciated.

Thank you for stopping by!

