

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. 3	Tuesday, January 8, 2002	Third Day
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The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:05 o'clock P.M.

The roll is called and a quorum is declared present with 44 Senators present and 6 Senators absent as follows:

PRESENT - 44; Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Perry, Polisena, Raptak, Revers, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 6: Senators Connors, DaPonte, Graziano, Halls, McDonald, Parella.

INVOCATION

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator Algieri, to deliver the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator Algieri, to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of Wednesday, January 2, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Polisena, Senate Majority Leader Irons, Senators Blais, Breene and Walaska, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Donald Letendre, Dean of College Pharmacy at the University of Rhode Island, and William Beaulieu, BS, RPh, Coordinator, University of Rhode Island College of Pharmacy.

Upon suggestion of Senator Breene, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Scott Bill Hurst of the Hopkinton Town Council.

COMMUNICATION

His Honor, the Lieutenant Governor, presents the following communication:

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

January 8, 2002

His Honor, Charles J. Fogarty
Lieutenant Governor
116 State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be advised that I will be absent from the Senate session on Tuesday, January 8, 2002, due to illness. I would appreciate having your recording this letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

MARY A. PARELLA
Senator, District 45

Received and ordered to be placed on file.

FROM THE

HOUSE OF REPRESENTATIVES

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

(02-H 6619) An Act to vacate the forfeiture or revocation of the charter of Pioneer Construction Company, Inc.

Received and ordered to be placed on the Consent Calendar.

(02-H 6620) An Act to vacate the forfeiture or revocation of the charter of Macera Landscape Construction.

Received and ordered to be placed on the Consent Calendar.

(02-H 6621) An Act to vacate the forfeiture or revocation of the charter of United States Challenge Cup, Inc.

Received and ordered to be placed on the Consent Calendar.

(02-H 6622) An Act exempting the real, mixed and personal property of Club Sport Uniao Madeirence.

Received and ordered to be placed on the Consent Calendar.

(02-H 6623) An Act to vacate the forfeiture or revocation of the charter of FJCC Enterprise, Inc.

Received and ordered to be placed on the Consent Calendar.

(02-H 6624) An Act authorizing the town of Barrington to finance school renovations, repairs and furnishings in the town of Barrington and to issue not more than \$4,000,000 bonds and notes therefor.

Received and referred to the Committee on Corporations.

NEW BUSINESS

Senator Celona presents (by request) (02-S 2044) Senate Resolution proclaiming December 15th as "Bill of Rights Day" in Rhode Island.

Read and referred to the Committee on Special Legislation.

Senators Paiva Weed and Lenihan present (02-S 2045) An Act relating to state affairs and government - economic development corporation.

Read and referred to the Committee on Corporations.

Senators Revens, McCaffrey, Lenihan and Donelan present (02-S 2046) An Act relating to airports and landing fields - taxation- Warwick Station.

Read and referred to the Committee on Finance.

Senators Revens, Walaska, McCaffrey, Lenihan and Donelan present (02-S 2047) An Act relating to retirement system contributions and benefits.

Read and referred to the Committee on Finance.

Senator Cote presents (by request) (02-S 2048) An Act relating to labor and labor relations.

Read and referred to the Committee on Labor.

Senators Walaska, McCaffrey, Fogarty, Hunter, Celona and others present (02-S 2049) An Act relating to children and their families - parent responsibility.

Read and referred to the Committee on Judiciary.

Senators Walaska, McCaffrey, Fogarty, Hunter, Issa and others present (02-S 2050) An Act relating to state affairs and government video lottery terminal.

Read and referred to the Committee on Special Legislation.

Senators Fogarty, Kelly, Paiva Weed, Walaska and Celona present (02-S 2061) Senate Resolution respectfully requesting that the United States Congress remove the requirement in the Clean Air Act for 2~ of content by weight

oxygenate in reformulated gasoline.

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

Senators Fogarty, Kelly, Paiva Weed, Celona and Walaska present (0~S 2052) An Act relating to state affairs and government Department of Environmental Management - elimination of MBTE as a gasoline additive.

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

Senator Enos presents (02-S 2053) An Act relating to participation by Tiverton School Department employees in the Municipal Employees Retirement System.

Read and referred to the Committee on Corporations.

Senator Tassoni presents (02-S 2054) An Act authorizing the town of Smithfield to issue not exceeding \$8,600,000 general obligation bonds or notes for various capital projects.

Read and referred to the Committee on Corporations.

Senators Fogarty, Kelly, Enos, Tassoni and Walsh present (02-S 2055) An Act relating to education.

Read and referred to the Committee on Finance.

Senators Fogarty, Kelly, Breene, Enos, Tassoni and others present (02-S 2056) An Act relating to education.

Read and referred to the Committee on Finance.

Senator Blais presents (02-S 2057) Joint Resolution creating a special legislative commission to study the implementation of recommendations of the Auditor General.

Read and referred to the Committee on Finance.

Senators Algiere and Walsh present (02-S 2058) An Act relating to towns and cities - Municipal Court in the town of Westerly.

Read and referred to the Committee on Judiciary.

Senators Blais, Breene and Raptakis present (02-S 2059) An Act relating to the regulation of earth removal and gravel processing in the town of Coventry.

Read and referred to the Committee on Corporations.

Senators Tassoni, Celona and Hunter present (02-S 2060) An Act relating to public utilities and carriers - duties of utilities and carriers.

Read and referred to the Committee on Corporations.

Senators Hunter, Bates and Tassoni present (02-S 2061) An Act relating to leased vehicles.

Read and referred to the Committee on Corporations.

Senators Blais, Breene, Gibbs and Sosnowski present (02-S 2062) An Act relating to state affairs and government - Department of Environmental Management - elimination of MTBE as a gasoline additive.

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

Senators Polisen, Graziano, Igliazzi and Montalbano present (02-S 2063) An Act relating to health and safety - Rhode Island Resource Recovery Corporation.

Read and referred to the Committee on Corporations.

Senators Blais, Breene and Raptakis present (02-S 2064) An Act relating to health and safety - Rhode Island Resource Recovery Corporation.

Read and referred to the Committee on Corporations.

Senators Fogarty, Walaska, Gallo, Tassoni, Goodwin and others present (02-S 2065) An Act relating to taxation - sales and use taxes -liability and computation.

Read and referred to the Committee on Finance.

Senators Damiani, Irons, Daponte, Bates, Igliazzi and others present (02-S 2066) Senate Resolution expressing condolences on the passing of Captain Alister McGregor.

Senator Damiani requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Damiani, seconded by Senate Majority Leader Irons and the entire Senate, and by unanimous consent, read and passed, under suspension of the rules, upon a rising vote.

ANNOUNCEMENT

Senator Felag announces that the Committee on Finance will meet on Thursday, January 10, 2002, at 3:00 o'clock P.M. in Room 211 of the State House.

ADJOURNMENT

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, and upon suggestion of Senator Damiani, the Senate adjourns at 4:25 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Captain Alister McGregor of the East Providence Police Department. He will be greatly missed.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

CONSENT CALENDAR

In order for Wednesday, January 9, 2002:

1. (02-H 6619) An Act to vacate the forfeiture or revocation of the charter of Pioneer Construction Company, Inc.

Ordered on the Consent Calendar.

2. (02-H6620) An Act to vacate the forfeiture or revocation of the charter of Macera Landscape Construction.

Ordered on the Consent Calendar.

3. (02-H6621) An Act to vacate the forfeiture or revocation of the charter of United States Challenge Cup, Inc.

Ordered on the Consent Calendar.

4. (02-H6622) An Act exempting the real, mixed and personal property of Club Sport Uniao Madeirence.

Ordered on the Consent Calendar.

5. (02-H6623) An Act to vacate the forfeiture or revocation of the charter of FJCC Enterprise, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Tuesday, January 8, 2002

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

Thank you for stopping by!

