

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. 9 Wednesday, January 23, 2002 Ninth 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 47 Senators present and 3 Senators absent as follows:

PRESENT - 47: Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 3: Senators Coderre, Kelly, Roney.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senate Majority Leader Irons, and by unanimous consent,
His Honor, the Lieutenant Governor, welcomes to the Chamber Jeffrey Butland, Regional Administrator of the US Small Business Administration.

Upon suggestion of Senators McCaffrey, Izzo and Senate Majority Leader Irons, and by unanimous consent,
His Honor, the Lieutenant Governor, welcomes to the Chamber Rachel Walshe of the University of Rhode Island who was recently selected as a Rhodes Scholar. Joining her today are Dr. Cheryl Foster, Isobel Foster, Maria Marquis, Brendan Walshe, Kim Topper, Matthew Walshe, Chris Kilduff, and Christine Walshe.

Upon suggestion of Senator Algieri and Senate Majority Leader Irons, and by unanimous consent,
His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Joseph Parella, Bristol Town Administrator.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

January 23, 2002

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

Dear Lt. Governor Fogarty & The Rhode Island Senate:

Please be informed that I will be absent from the Senate on the following dates:

Thursday, January 24;
Tuesday, January 29;
Wednesday, January 30; and
Thursday, January 31, 2002.

I would greatly appreciate placing this on record.

Thank you for your cooperation in this matter.

Sincerely,

DOMINICK J. RUGGERIO
Senator, District 4

Received and ordered to be placed on file.

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

January 14, 2002

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 reappointment to the Rhode Island Public Transit Authority:

Thomas E. Deller of Providence for a term expiring April 1, 2003.

To this reappointment, I request your advice and consent.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

NEW BUSINESS

Senators Donelan, McCaffrey and Walaska present (02-S 2183) An Act to vacate the forfeiture or revocation of the charter of Kent House, Inc.

Read and ordered to be placed on the Consent Calendar.

Senators Irons, Izzo, McCaffrey, DaPonte, Donelan and others present (02-S 2184) Senate Resolution congratulating Rachel Walshe on being named the University of Rhode Island's first Rhodes Scholar.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Blais, Raptakis, McBurney, Breene and Alves present (02-S 2185) Senate Resolution extending condolences on the passing of Monique Capwell.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senator Sosnowski presents (02-S 2186) Senate Resolution proclaiming February 4-8, 2002 as ``National School Counseling Week" in the State of Rhode Island.

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Celona, Bates, Walaska, Irons and Fogarty present (02-S 2187) Senate Resolution congratulating the New England Patriots on their outstanding season and wishing them the best of luck in the AFC Championship.

Senator Celona requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Felag, Irons, Issa, McBurney, Celona and others present (02-S 2188) An Act relating to towns and cities - uniform relocation payments.

Read and referred to the Committee on Corporations.

Senator McBurney presents (02-S 2189) An Act relating to health and safety.

Read and referred to the Committee on Corporations.

Senators Donelan, Graziano, Montalbano, McCaffrey, Walton and others present (02-S 2190) An Act relating to sovereign immunity.

Read and referred to the Committee on Judiciary.

Senators Hunter, Tassoni and Issa present (02-S 2191) An Act relating to motor and other vehicles.

Read and referred to the Committee on Special Legislation.

Senators Polisena, Graziano, Damiani, Igliozi, Goodwin and others present (by request of the Lieutenant Governor) (02-S 2192) An Act relating to establishing fire safety standards for cigarettes.

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

Senators Tassoni, Celona, Hunter and Fogarty present (by request of the Lieutenant Governor) (02-S 2193) An Act relating to taxation.

Read and referred to the Committee on Finance.

Senators Igliozi, Graziano, Badeau and Tassoni present (02-S 2194) An Act relating to state affairs and government.

Read and referred to the Committee on Judiciary.

Senator Cote presents (by request) (02-S 2195) An Act relating to courts - joint and several liability.

Read and referred to the Committee on Judiciary.

Senators Montalbano, McCaffrey, Donelan, Graziano, Iglioizzi and others present (02-S 2196) An Act relating to courts and civil procedure - levy and sale on executions.

Read and referred to the Committee on Judiciary.

Senators Montalbano, Donelan, Graziano and Iglioizzi present (02-S 2197) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Senators McCaffrey, Ruggerio, Donelan, Graziano, Iglioizzi and others present (02-S 2198) An Act relating to health and safety - state building code.

Read and referred to the Committee on Judiciary.

Senators Montalbano, McCaffrey, Donelan, Graziano and Iglioizzi present (02-S 2199) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Senators Raptakis, Montalbano, Celona, Polisen, Damiani and others present (02-S 2200) An Act relating to criminal offenses.

Read and referred to the Committee on Judiciary.

Senators Montalbano, McCaffrey, Donelan, Graziano, Iglioizzi and others present (02-S 2201) An Act relating to auditor general.

Read and referred to the Committee on Finance.

Senators McCaffrey, Donelan, Graziano, Iglioizzi and Ruggerio present (02-S 2202) An Act relating to courts and civil practice - levy and sale on execution.

Read and referred to the Committee on Judiciary.

Senators Paiva Weed, Walsh, Lenihan, Bates and Perry present (02-S 2203) An Act relating to public officers and employees - code of ethics.

Read and referred to the Committee on Judiciary.

Senators Walaska and Donelan present (02-S 2204) An Act relating to motor and other vehicles - motor vehicle offenses.

Read and referred to the Committee on Judiciary.

Senators Alves, Celona, Goodwin, Felag and Badeau present (02-S 2205) An Act relating to financial institutions.

Read and referred to the Committee on Corporations.

Senators Alves, Caprio, Celona, Montalbano, Connors and others present (02-S 2206) An Act relating to taxation.

Read and referred to the Committee on Finance.

Senators Raptakis, Ruggerio, Igliozi, Graziano and Damiani present (02-S 2207) An Act relating to labor and labor relations - minimum wages.

Read and referred to the Committee on Labor.

Senators Ruggerio, Tassoni, Fogarty, McCaffrey, Perry and others present (02-S 2208) An Act relating to workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators McCaffrey, Ruggerio, Tassoni, Alves and Walton present (02-S 2209) An Act relating to licensing of health care facilities.

Read and referred to the Committee on Corporations.

Senators Hunter, Tassoni, Montalbano, Celona and Damiani present (02-S 2210) An Act relating to criminal procedure - criminal royalties.

Read and referred to the Committee on Judiciary.

Senators Hunter, Celona and Montalbano present (02-S 2211) An Act relating to elections - voting districts and officials.

Read and referred to the Committee on Judiciary.

Senators Paiva Weed, McCaffrey and Donelan present (02-S 2212) An Act relating to public officers and employees - code of ethics.

Read and referred to the Committee on Judiciary.

Senators Raptakis, Lenihan, Cote, Montalbano, Graziano and others present (by request of the Secretary of State) (02-S 2213) An Act relating to elections - registration of voters.

Read and referred to the Committee on Judiciary.

Senator Paiva Weed presents (02-S 2214) An Act relating to state affairs and government - economic development corporation.

Read and referred to the Committee on Corporations.

Senators Bates, Montalbano, McBurney, McCaffrey, Alves and others present (02-S 2215) An Act relating to child support enforcement.

Read and referred to the Committee on Judiciary.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, the following measures on today's Consent

Calendar, by unanimous consent, are read and passed upon a voice vote:

1. (02-S2159) An Act to vacate the forfeiture or revocation of the charter of St. Kel, Ltd.
2. (02-S2180) An Act to vacate the forfeiture or revocation of the charter of Rhode Island Directors Association for Senior Citizens Programs, Inc.

CALENDAR

In order for the day is taken up as follows:

1. (02-S2006) An Act relating to taxation - property subject to taxation.

Committee on Corporations recommends passage.

Senator Issa moves passage, seconded by Senators Hunter and Connors.

The act is read and passed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

2. (02-S2054) An Act authorizing the town of Smithfield to issue not exceeding \$8,600,000 general obligation bonds or notes for various capital projects.

Committee on Corporations recommends passage.

Senator Tassoni moves passage, seconded by Senator Ruggerio.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

3. (02-S2077) An Act authorizing the town of Barrington to finance road improvements in the town of Barrington and to issue not more than \$5,000,000 bonds or notes therefor.

Committee on Corporations recommends passage.

Senator Bates moves passage, seconded by Senator Blais.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0

Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

4. (02-H6624) 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.

Committee on Corporations recommends passage in concurrence.

Senator Bates moves passage, seconded by Senator Blais.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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 Blais, the Senate adjourns at 4:35 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Monique Capwell, former Coventry Town Clerk.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR HANNA M. GALLO

Heavenly Father, may we undertake our tasks in the spirit of selfless service and unrestrained devotion. May something of Your gentle ways and sensitivity be implanted in us and expressed in all our actions. Amen.

Appendix

CONSENT CALENDAR

In order for Thursday, January 24, 2002:

- 1. (02-S2183) An Act to vacate the forfeiture or revocation of the charter of Kent House, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, January 23, 2002

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

Thank you for stopping by!

