

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. 13 Thursday, January 31, 2002 Thirteenth Day

The Senate meets pursuant to adjournment and is called to order by
His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:03 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, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisen, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.
ABSENT - 3: Senators Breene, Roney, Ruggerio.

INVOCATION

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator McCaffrey, to deliver the invocation.
(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CORRECTION

The Senate Journal of Wednesday, January 30, 2002, shall be corrected on page 5, column 2, line 22, by deleting Senator Issa's name and inserting Senator Izzo's name.

APPROVAL OF RECORD

The Senate Journal of Wednesday, January 30, 2002 proceedings is read in part.
Upon suggestion of Senator McCaffrey, and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as corrected.

GUESTS

Upon suggestion of Senator Graziano, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber Roberta Hawkins, Executive Director of the Alliance for Better Long Term Care, and Kathleen Spangler of the Rhode Island Commission on Women.

Upon suggestion of Senator Roberts, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber Christine O'Connor.

FROM THE

HOUSE OF REPRESENTATIVES

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

(02-H 6750) An Act authorizing the town of East Greenwich to issue not more than \$12,500,000 bonds and notes to finance extension of sewer lines and the upgrading of the sewage treatment plant of the town and all attendant expenses, including but not limited to engineering costs.

Read and referred to the Committee on Corporations.

Also:

(02-H 6751) An Act authorizing the town of East Greenwich to reduce the assessed value of real estate upon the removal of a damaged structure.

Read and referred to the Committee on Corporations.

NEW BUSINESS

Senators Celona, McCaffrey and Iglioizzi present (02-S 2443) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and ordered to be placed on the Consent Calendar.

Senators Sosnowski, Breene, Gibbs, Walaska, Kells and others present (02-S 2444) An Act relating to food and drugs.

Read and referred to the Committee on Corporations.

Senators Hunter, Tassoni and Celona present (02-S 2445) An Act relating to criminal offenses - credit card crime act.

Read and referred to the Committee on Corporations.

Senators Tassoni, Iglioizzi, Hunter and Fogarty present (02-S 2446) An Act relating to businesses and professions - interior designers.

Read and referred to the Committee on Corporations.

Senator Gallo presents (02-S 2447) An Act relating to cities and towns - state aid.

Read and referred to the Committee on Finance.

Senators Walsh and Sosnowski present (02-S 2448) An Act relating to retail liquor licenses - objection by adjoining property owners.

Read and referred to the Committee on Special Legislation.

Senator Bates presents (by request of the Department of Business Regulation) (02-S 2449) An Act relating to insurance - fire and marine liability and casualty insurance.

Read and referred to the Committee on Corporations.

Senators Tassoni, Gibbs, Igliozzi and Hunter present (02-S 2450) An Act relating to contractors' registration.

Read and referred to the Committee on Corporations.

Senator Blais presents (by request of the Department of Health) (02-S 2451) An Act relating to health and safety - laboratories.

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

Senators Celona, Tassoni, Alves, Fogarty and McCaffrey present (02-S 2452) An Act relating to health and safety.

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

Senator Blais presents (by request of the Department of Economic Development) (02-S 2453) An Act relating to taxation - employee stock options.

Read and referred to the Committee on Finance.

Senators McBurney, Montalbano, Badeau, Garabedian, Alves and others present (02-S 2454) An Act relating to elections - statewide referenda elections.

Read and referred to the Committee on Judiciary.

Senators Gibbs, Parella, Irons, Sosnowski, Algieri and others present (02-S 2455) Senate Resolution congratulating Lieutenant Colonel Martha Elizabeth McSally for the courage and integrity she has demonstrated in her quest for equal treatment among U.S. servicemen and servicewomen.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senator Bates presents (by request of the Department of Business Regulation) (02-S 2456) An Act relating to financial institutions - licensed activities.

Read and referred to the Committee on Corporations.

Senators Sheehan, Walaska, Alves, Kells and Algiere present (02-S 2457) An Act relating to personal income tax.

Read and referred to the Committee on Finance.

Senators Perry, Cicilline, Izzo, Paiva Weed and Connors present (02-S 2458) An Act relating to weapons - firearms safety.

Read and referred to the Committee on Judiciary.

Senators Perry, Cicilline, Roney, Walton and Kells present (02-S 2459) An Act relating to protection from retaliation.

Read and referred to the Committee on Judiciary.

Senators Perry, Cicilline, Roney, Walton and Kells present (02-S 2460) An Act relating to fair employment practices act.

Read and referred to the Committee on Labor.

Senators Revens, Montalbano and Issa present (02-S 2461) An Act relating to towns and cities - low and moderate income housing.

Read and referred to the Committee on Corporations.

Senator Damiani presents (02-S 2462) An Act relating to motor and other vehicles.

Read and referred to the Committee on Corporations.

Senators Perry, Parella, Cicilline, Roney, Walton and others present (02-S 2463) An Act relating to Rhode Island Fair Housing Practices Act.

Read and referred to the Committee on Judiciary.

Senators Damiani, Polisena, Celona and Montalbano present (by request of the Attorney General) (02-S 2464) An Act relating to criminal procedure - identification and apprehension of criminals.

Read and referred to the Committee on Judiciary.

Senators Perry, Cicilline, McCaffrey, Gallo, Parella and others present (02-S 2465) An Act relating to health and safety.

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

Senators Algiere, Blais and Parella present (by request of the Governor, the Department of Transportation and the State Police) (02-S 2466) An Act relating to motor and other vehicles - motor vehicle offenses.

Read and referred to the Committee on Judiciary.

Senators Graziano, Igliazzi, Polisena, Perry and Gallo present (02-S 2467) An Act relating to health and safety.

Read and referred to the Committee on Judiciary.

Senators Kells, Fogarty, Walaska, Issa, Hunter and others present (by request of the Attorney General) (02-S 2468) An Act relating to education - school committees and superintendents.

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

Senators Blais, Gibbs and Parella present (by request of the Department of Environmental Management) (02-S 2469) An Act relating to waters and navigation - regulation of boats.

Read and referred to the Joint Committee on Environment and Energy.

Senators Graziano, Polisena, Iglioizzi, Perry and Gallo present (02-S 2470) An Act relating to insurance.

Read and referred to the Committee on Corporations.

Senators Blais and Parella present (by request of the Department of Health) (02-S 2471) An Act relating to businesses and professions - physical therapists.

Read and referred to the Committee on Corporations.

Senator Blais presents (by request of the Department of Health) (02-S 2472) An Act relating to businesses and professions - athletic trainers.

Read and referred to the Committee on Corporations.

Senators Hunter, Celona and Montalbano present (02-S 2473) An Act authorizing the town of Lincoln to issue general obligation bonds and notes in an amount not to exceed \$35,000,000 for the acquisition of land for a new middle school and school facilities, the construction of a new middle school and additions to existing schools, and the renovation, rehabilitation, repair, improvements, furnishing and equipping of schools and school facilities, and the school administration building in the town.

Read and referred to the Committee on Corporations.

Senators Walaska, Lenihan, Perry, Raptakis and Sosnowski present (02-S 2474) An Act relating to campaign contributions.

Read and referred to the Committee on Judiciary.

Senators Kells, Fogarty, Walaska and Sheehan present (by request of the Attorney General) (02-S 2475) Joint Resolution extending the reporting date of the special legislative commission to study an enhanced role for probation and parole.

Read and referred to the Committee on Judiciary.

Senators Gibbs, Tassoni, Sosnowski, Breene and Blais present (02-S 2476) An Act relating to zoning ordinances.

Read and referred to the Committee on Corporations.

Senators Coderre, Connors, Issa, Celona, Goodwin and others present (02-S 2477) An Act relating to motor vehicles - emissions inspection program.

Read and referred to the Committee on Finance.

Senators Felag, Parella, Enos and Polisena present (02-S 2478) Senate Resolution commending Fire Chief Alexander R. Galinelli for his dedicated service to the town of Warren.

Senator Felag requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Hunter, Paiva Weed, Gibbs and Raptakis present (by request of the Secretary of State) (02-S 2479) An Act relating to elections - general provisions.

Read and referred to the Committee on Judiciary.

Senators Cicilline and Perry present (02-S 2480) An Act relating to the fair employment practices act.

Read and referred to the Committee on Judiciary.

Senators Perry, Kells, Cicilline and Roberts present (02-S 2481) An Act relating to community health services.

Read and referred to the Committee on Finance.

Senators Hunter and Paiva Weed present (by request of the Secretary of State) (02-S 2482) Joint Resolution to approve and publish and submit to the electors a proposition of amendment to the Constitution of the State (eligibility to vote).

Read and referred to the Committee on Special Legislation.

Senators Gibbs, Tassoni, Sosnowski, Breene and Walsh present (02-S 2483) Senate Resolution supporting RIPTA's efforts to establish group transportation benefit packages as a means to increase the use of public transportation and reduce roadway congestion.

Read and referred to the Committee on Special Legislation.

Senators Gibbs, Tassoni, Sosnowski, Breene and Walsh present (02-S 2484) An Act relating to the housing resources commission.

Read and referred to the Committee on Corporations.

Senators Gibbs, Tassoni, Sosnowski, Breene and Walsh present (02-S 2485) An Act relating to motor and other vehicles.

Read and referred to the Committee on Finance.

Senators Hunter, Paiva Weed and Gibbs present (by request of the Secretary of State) (02-S 2486) An Act relating to elections.

Read and referred to the Committee on Judiciary.

Senators DaPonte, Alves, Caprio, Irons and Celona present (02-S 2487) An Act relating to tax incentives for capital investment in small businesses.

Read and referred to the Committee on Finance.

CALENDAR

In order for the day is taken up as follows:

1. Appointment of Jane A. Hayward of Narragansett VICE Christine Ferguson (retired) as Director of the Department of Human Services.

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

Senator McDonald, seconded bySenate Majority Leader Irons and Senators Coderre, DaPonte, Felag, Sheehan, Gallo, Polisena, Enos, Revens, Izzo, Graziano, Cote, Lenihan, Blais, Algieri and many more, moves that confirmation of the Senate be given this appointment.

Senate Majority Leader Irons and Senators Algieri, Alves, Blais, Cicilline, Graziano, Paiva Weed, Izzo, Polisena, Garabedian, DaPonte and Gibbs discuss the confirmation.

By unanimous consent, the confirmation of the Senate is given this appointment, 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, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

GUEST

Upon suggestion of Senator McDonald, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber Jane A. Hayward, newly confirmed Director of the Department of Human Services.

ANNOUNCEMENTS

Senator Damiani announces that the Committee on Corporations will meet today at the rise of the Senate in Room 212 of the State House.

Also:

Senator Polisena announces that the Committee on Judiciary will meet on Friday, February 1, 2002, at 2:00 o'clock P.M. 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 Coderre, seconded by Senator Algieri, and upon suggestion of Senator Cicilline, the Senate adjourns at 4:30 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Brendan

Mulcahy.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR MICHAEL J. McCaffrey

Dear God, please grant us the wisdom, to be aware of the vital needs of the people we are here to serve. Please grant us the courage to meet those needs to the fullest extent of our ability. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, February 5, 2002:

- 1. (02-S2443) An Act reinstating and restoring forfeited or revoked corporate charters.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, January 31, 2002

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

Thank you for stopping by!

