

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.

Volume129, No. 17 Tuesday, February 12, 2002 Seventeenth Day

The Senate meets pursuant to adjournment and is called to order by
His Honor, the Lieutenant Governor, Charles J. Fogarty, at 3:06 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, 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 2: Senators Damiani, Roney.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, February 7, 2002 proceedings is read in part.

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

FROM THE

HOUSE OF REPRESENTATIVES

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

(02-H 6943) An Act relating to zoning ordinance - town of Charlestown.

Read and referred to the Committee on Corporations.

Also:

(02-H 7699) An Act to vacate the forfeiture or revocation of the charter of Rhode Island Transmission Exchange, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(02-H 6626) (Substitute ``A") An Act approving the financing of housing programs.

Read and referred to the Committee on Finance.

NEW BUSINESS

The following item s are received and referred to committee pending any objection of the body on the next legislative day.

Senators Cicilline, Perry, Kells and Parella present (02-S 2819) An Act relating to the mental health law.

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

Senators Coderre, Caprio, Connors and DaPonte present (02-S 2820) An Act relating to public accountants.

Read and referred to the Committee on Corporations.

Senators Coderre, Caprio, Connors and DaPonte present (02-S 2821) An Act relating to taxation - business corporation tax.

Read and referred to the Committee on Finance.

Senators Coderre, Caprio, Connors and DaPonte present (02-S 2822) An Act relating to taxation.

Read and referred to the Committee on Finance.

Senators Coderre, Caprio, Connors and DaPonte present (02-S 2823) An Act relating to businesses and professions.

Read and referred to the Committee on Finance.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion ofSenate Majority Leader Irons, seconded by Senator Algieri, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, item no. 2 in concurrence, upon a voice vote:

1. (02-S2650) An Act to vacate the forfeiture or revocation of the charter of Baseball Cards of Rhode Island, Inc.

Ordered on the Consent Calendar.

2. (02-H7694) An Act to vacate the forfeiture or revocation of the charter of Pro Touch Janitorial Services, Inc.

Ordered on the Consent Calendar.

CALENDAR

In order for the day is taken up as follows:

1. (02-S2124) An Act validating and ratifying amendments to the home rule charter of the town of Warren.

Committee on Corporations recommends passage.

Senator Felag moves passage, seconded by Senators Enos and Parella.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, 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-S2133) An Act validating and ratifying amendments to the home rule charter of the town of West Greenwich.

Committee on Corporations recommends passage.

Senator Breene moves passage, seconded by Senator Blais.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, 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-S2260) An Act relating to the Shelter Harbor Fire District.

Committee on Corporations recommends passage.

Senator Algieri moves passage, seconded by Senator Blais.

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, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, 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-S2473) 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.

Committee on Corporations recommends passage.

Senator Hunter moves passage, seconded by Senators Kells, Walaska, Connors, Ruggerio, Montalbano and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, 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.

5. (02-S2058) An Act relating to towns and cities - municipal court in the town of Westerly.

Committee on Judiciary recommends passage.

Senator Algieri moves passage, seconded by Senator Blais.

The act is read and passed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative, 0 Senators voting in the negative, and 1 Senator abstaining as follows:

YEAS - 44: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Hunter, Iglioizzi, 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.

ABSTAINED - 1: Senator Graziano.

6. (02-S2069) An Act relating to towns and cities - Westerly Municipal Court.

Committee on Judiciary recommends passage.

Senator Walsh moves passage, seconded by Senator Algieri.

The act is read and passed, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative, 0

Senators voting in the negative, and 1 Senator abstaining as follows:

YEAS - 42: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Hunter, Igliozi, Irons, Issa, Izzo, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

ABSTAINED - 1: Senator Graziano.

7. (02-S2212) An Act relating to public officers and employees - code of ethics.

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senators Cicilline, Perry and Walsh.

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, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

8. (02-S2235) An Act relating to powers of fiduciaries.

Committee on Judiciary recommends passage.

Upon suggestion of Senator Montalbano, and without objection, ordered to be placed on the Calendar for Wednesday, February 13, 2002.

9. (02-S2268) An Act relating to uniform premarital agreement act.

Committee on Judiciary recommends passage.

Upon suggestion of Senator Montalbano, and without objection, ordered to be placed on the Calendar for Wednesday, February 13, 2002.

10. (02-S2354) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senators Cicilline and Perry.

The act is read and passed, by unanimous consent, upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Bates, Breene, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Upon suggestion of Senate Majority Leader Irons, and without objection, the Desk will remain open to receive (02-H 7056 as amended) An Act relating to redistricting of the General Assembly, and the act will be placed on the Calendar for Wednesday, February 13, 2002.

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet on Wednesday, February 13, 2002, at 3:00 o'clock P.M. in Room 211 of the State House.

Also:

Senator Montalbano announces that the Rhode Island Supreme Court Chief Justice Frank Williams will be delivering the State of the Judiciary on Wednesday, February 13, 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.

FROM THE

HOUSE OF REPRESENTATIVES

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

(02-H 7056 as amended) An Act relating to redistricting of the General Assembly.

Received and ordered to be placed on the Calendar.

ADJOURNMENT

Upon motion of Senator Coderre, seconded by Senator Algieri, the Senate adjourns at 3:19 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JOSEPH A. MONTALBANO

Dear Lord, show us how to cooperate with each other in sharing our individual talents. Remind us that working together in a unified effort provides us with strength and produces desired end results. Amen.

Appendix

CONSENT CALENDAR

In order for Wednesday, February 13, 2002:

- 1. (02-H7699) An Act to vacate the forfeiture or revocation of the charter of Rhode Island Transmission Exchange, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Tuesday, February 12, 2002

Appendix

CALENDAR

In order for Wednesday, February 13, 2002:

- 1. (02-H7056 as amended) An Act relating to redistricting of the General Assembly.

Ordered on the Calendar.

- 2. (02-S2235) An Act relating to powers of fiduciaries.

Committee on Judiciary recommends passage.

- 3. (02-S2268) An Act relating to uniform premarital agreement act.

Committee on Judiciary recommends passage.

4. (02-H6816 as amended) An Act relating to towns and cities - zoning ordinances.

Committee on Corporations recommends passage as amended.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Tuesday, February 12, 2002

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

Thank you for stopping by!

