

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.21 Thursday, February 28, 2002 Twenty-first 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 46 Senators present and 4 Senators absent as follows:

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

ABSENT - 4: Senators Algieri, Alves, Cicilline, McDonald.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, February 27, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Blais, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable W. Michael Sullivan, former State

Senator.

Upon suggestion of Senator DaPonte, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber Chindavanh Sounthonevat, a junior at the University of Rhode Island, who will be serving as an intern in the Senate this year.

APPROVED BY THE GOVERNOR

His Honor, the Lieutenant Governor, presents an announcement of the receipt by the Secretary of State of the following measure, signed and approved February 13, 2002, by His Excellency, the Governor:

(02-S 2354) An Act relating to the solemnization of marriages.

EDWARD S. INMAN, III
Secretary of State

Received and ordered to be placed on file.

**EFFECTIVE WITHOUT
THE SIGNATURE OF THE GOVERNOR**

His Honor, the Lieutenant Governor, presents an announcement of the receipt by the Secretary of State of the following measure which became effective without the signature of His Excellency, the Governor on February 15, 2002:

(02-S 2443) An Act reinstating and restoring forfeited or revoked corporate charters.

EDWARD S. INMAN, III
Secretary of State

Received and ordered to be placed on file.

APPOINTMENTS BY THE GOVERNOR

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

February 15, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Alison DiPetrillo of Coventry
(Student Representative)
VICE
Jessica Tempest

for a term expiring January 31, 2004.

To this appointment, I respectfully request your advice and consent.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

February 15, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 23-19-6 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Resource Recovery Corporation:

John St. Sauveur of North Smithfield

for a term expiring July 1, 2004.

To this reappointment, I respectfully request your advice and consent.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

February 19, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 46-23-2 of the Rhode Island General Laws, I have made the following appointment to the Coastal Resources Management Council:

Michael M. Tikoian of Narragansett
(Public Member - Representing a Coastal Community)
VICE
Robert Ellis Smith

for a term expiring January 31, 2005.

To this appointment, I respectfully request your advice and consent.

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 7008) An Act validating and ratifying amendments to the home rule charter of the town of Warren.

Read and referred to the Committee on Corporations.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

Senator Montalbano, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

Reappointment of Michael A. Salvatore, Jr. of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2004.

Read and ordered to be placed on the Consent Calendar.

Reappointment of Austin Ferland of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2004.

Read and ordered to be placed on the Consent Calendar.

(02-S 2424) (Substitute ``A'') An Act relating to elections - Rhode Island campaign contributions and expenditures reporting.

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

Senator Graziano, from the Committee on Health, Education and Welfare, reports back, with recommendation of passage of the following measures:

(02-S 2223) Senate Resolution proclaiming April 3, 2002, as ``Rhode Island Pay Equity Day".

Read and ordered to be placed on the Calendar.

(02-S 2225) Senate Resolution recognizing May 6-12th as ``National Nurses Week".

Read and ordered to be placed on the Calendar.

(02-S 2418) Joint Resolution memorializing Congress to approve for passage the ``Nursing Employment and Education Development Act" (NEED Act).

Read and ordered to be placed on the Calendar.

(02-S 2671) Senate Resolution memorializing Congress to address the inequities in Medicare reimbursements for mental health services.

Read and ordered to be placed on the Calendar.

(02-S 2676) Joint Resolution memorializing Congress to enact a nationwide criminal background check and registry for long-term care workers.

Read and ordered to be placed on the Calendar.

(02-S 2818 as amended) Senate Resolution supporting the oral health commission's proposed mouthguard resolution.

Read and ordered to be placed on the Calendar.

REPORT OF COMMITTEE

TRANSFER OF BILLS

Senator Montalbano, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Judiciary to the Committee on Corporations:

(02-S 2381) An Act relating to the Rhode Island Uniform Securities Act.

Read and referred to the Committee on Corporations.

(02-S 2556) An Act relating to commercial law - unit pricing.

Read and referred to the Committee on Corporations.

(02-S 2628) An Act relating to motor vehicles - certificates of titles and security interests.

Read and referred to the Committee on Corporations.

(02-S 2711) An Act relating to towns and cities - relief of firefighters and police officers.

Read and referred to the Committee on Corporations.

Senator Montalbano, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Judiciary to the Committee on Health, Education and Welfare:

(02-S 2218) An Act relating to elderly affairs.

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

(02-S 2294) An Act relating to criminal offenses - children.

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

(02-S 2391) An Act relating to education - health and safety of pupils.

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

(02-S 2467) An Act relating to health and safety.

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

(02-S 2722) An Act relating to health and safety.

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

Senator Montalbano, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Judiciary to the Committee on Labor:

(02-S 2709) An Act relating to causes of action.

Read and referred to the Committee on Labor.

(02-S 2710) An Act relating to courts and civil procedure - causes of action.

Read and referred to the Committee on Labor.

(02-S 2816) An Act relating to complaints of harassment.

Read and referred to the Committee on Labor.

NEW BUSINESS

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

Senators Paiva Weed, Felag, Parella, Enos and Sheehan present (02-S 2840) Joint Resolution creating a special legislative commission to develop a strategic plan for Narragansett Bay.

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

Senators Tassoni, Igliazzi, Ruggerio and Graziano present (02-S 2841) An Act relating to health and safety - establishment of fire academy.

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

Senators Fogarty, Kelly, Goodwin, Gallo and Walton present (02-S 2842) An Act relating to towns and cities - redevelopment agencies.

Read and referred to the Committee on Corporations.

ANNOUNCEMENTS

Senate Majority Leader Irons announces that the Senate will meet on Tuesday, March 5, 2002, at 5:00 o'clock P.M.

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, the Senate adjourns at 4:07 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR LEO R. BLAIS

Lord, we seek from today your wisdom, strength, and courage, as we endeavor to meet the needs of the people of our State. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, March 5, 2002:

1. Reappointment of Austin Ferland of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2004.

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

2. Reappointment of Michael A. Salvatore, Jr. of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2004.

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

3. (02-S2223) Senate Resolution proclaiming April 3, 2002, as ``Rhode Island Pay Equity Day".

Committee on Health, Education and Welfare recommends passage.

4. (02-S2225) Senate Resolution recognizing May 6-12th as ``National Nurses Week".

Committee on Health, Education and Welfare recommends passage.

5. (02-S2418) Joint Resolution memorializing Congress to approve for passage the Nursing Employment and Education Development Act" (NEED Act).

Committee on Health, Education and Welfare recommends passage.

6. (02-S2671) Senate Resolution memorializing Congress to address the inequities in Medicare reimbursements for mental health services.

Committee on Health, Education and Welfare recommends passage.

7. (02-S2676) Joint Resolution memorializing Congress to enact a nationwide criminal background check and registry for long-term care workers.

Committee on Health, Education and Welfare recommends passage.

8. (02-S2818 as amended) Senate Resolution supporting the oral health commission's proposed mouthguard resolution.

Committee on Health, Education and Welfare recommends passage as amended.

Appendix

CALENDAR

In order for Tuesday, March 5, 2002:

1. (02-S2343) An Act relating to cities and towns.

Committee on Corporations recommends passage.

2. (02-S2768 as amended) An Act relating to towns and cities - zoning ordinances.

Committee on Corporations recommends passage as amended.

3. (02-H6793) An Act relating to education.

Committee on Corporations recommends passage in concurrence.

Appendix

CALENDAR

In order for Wednesday, March 6, 2002:

1. (02-S2424) (Substitute ``A") An Act relating to elections - Rhode Island campaign contributions and expenditures reporting.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute ``A".

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, February 28, 2002

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



Thank you for stopping by!