

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. 22 Tuesday, March 5, 2002 Twenty-second Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 5:35 o'clock P.M.

The roll is called and a quorum is declared present with 45 Senators present and 5 Senators absent as follows:

PRESENT - 45: Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, 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 - 5: Senators Coderre, Damiani, DaPonte, Goodwin, McDonald.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, February 28, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Montalbano, Celona, Graziano and Kells, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber Col. Ernest Spaziano, newly appointed Chief of the North Providence Police Department.

Upon suggestion of Senator Montalbano, and by unanimous consent,
His Honor, the Lieutenant Governor, welcomes to the Chamber Jenna Maccarone of North Providence.
Upon suggestion of Senate Majority Leader Irons, and by unanimous consent,
His Honor, the Lieutenant Governor, welcomes to the Chamber Zeke Felag, son of Senator Felag.
Upon suggestion of Senate Majority Leader Irons, and by unanimous consent,
His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Sheldon Whitehouse, Attorney General of the State of Rhode Island.

COMMUNICATIONS

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

March 5, 2002

The Honorable Charles J. Fogarty
President of the Senate
116 State House
Providence, RI

Dear Mr. President:

Please be advised and let the record reflect that I will be absent from the chamber from Tuesday, March 5, 2002 through Thursday, March 22, 2002 as I will be out of town on a business trip.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

DANIEL DaPONTE
Senator, District 42

Received and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

March 5, 2002

Mr. Raymond T. Hoyas, Jr.
Secretary of the Senate
Senate Chamber

Dear Mr. Secretary:

Pursuant to Senate Rule 4.1 I hereby request that my name as a cosponsor of (02-S 2454) be withdrawn. Thank you for your assistance in this matter.

Sincerely,

J. MICHAEL LENIHAN
Senator, District 22

Received and ordered to be placed on file.

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 March 1, 2002, by His Excellency, the Governor:

(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.

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

March 1, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 46-15.1-2 of the Rhode Island General Laws, I have made the following appointment to the Water Resources Board:
Jon R. Schock of East Greenwich
(Public Water System Representative)
VICE
Maurice P. Trudeau

for a term expiring March 1, 2005.

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

March 1, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 46-15.1-2 of the Rhode Island General Laws, I have made the following appointment to the Water Resources Board:

Francis J. Perry, Jr. of Coventry
(Public Member)

for a term expiring March 1, 2005.

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 25, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following appointment to the Library Board of Rhode Island:

Peter V. Deekle of Providence
(Representing Academic Librarians)
VICE
Artemis G. Kirk

for a term expiring December 31, 2004.

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 7814) An Act relating to primary elections - city of East Providence.

Read and referred to the Committee on Corporations.

Also:

(02-H 6735 as amended) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Also:

(02-H 6961) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Also:

(02-H 6784) (Substitute "A") An Act authorizing the city of Woonsocket to finance the unfunded pension liability of the city of Woonsocket, by the issuance of not more than \$90,000,000 bonds therefor.

Read and ordered to be placed on the Calendar.

REPORTS OF COMMITTEES TRANSFER OF BILLS

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

(02-S 2174) An Act relating to accident reports.

Read and referred to the Committee on Corporations.

(02-S 2211) An Act relating to elections - voting districts and officials.

Read and referred to the Committee on Corporations.

Senator Goodwin, from the Committee on Special Legislation, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Special Legislation to the Joint Committee on Veterans' Affairs:

(02-S 2216) An Act relating to registration of vehicles.

Read and referred to the Joint Committee on Veterans' Affairs.

COMMITTEE ON SPECIAL LEGISLATION

Senator Goodwin, from the Committee on Special Legislation, reports back, with recommendation of passage of the following measure:

(02-S 2595) Senate Resolution honoring Edward DeCristofaro, John Wright, Todd Morvillo and their companies for crafting the "Angels of Courage".

Read and ordered to be placed on the Calendar.

(02-S 2093 as amended) An Act relating to military affairs and defense.

Read and ordered to be placed on the Calendar.

(02-S 2170) An Act relating to motor vehicles - police major emeritus.

Read and ordered to be placed on the Calendar.

(02-S 2403) An Act relating to motor vehicles - special registration plate - Coventry - police chief emeritus.

Read and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

Senator Caprio, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

(02-S 2082) (Substitute "A") An Act authorizing the city of Woonsocket to finance the unfunded pension liability of the city of Woonsocket by the issuance of not more than \$90,000,000 bonds therefore.

Read and ordered to be placed on the Calendar.

(02-S 2014) Joint Resolution respectfully requesting the Governor to rescind the freeze on monies appropriated for the Neighborhood Opportunities Program.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

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

Senator Sosnowski presents (02-S 2843) An Act amending Chapter 286 of the 1986 Public Laws, entitled "An Act relating to the preservation of farm land and open space in the town of New Shoreham and establishing a land trust".

Read and referred to the Committee on Corporations.

Senator Celona presents (02-S 2844) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and ordered to be placed on the Consent Calendar.

Senator Sosnowski presents (02-S 2845) An Act relating to elections - school closings - town of New Shoreham.

Read and referred to the Committee on Corporations.

Senator Celona presents (02-S 2846) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and ordered to be placed on the Consent Calendar.

Senators Roney and Irons present (02-S 2847) An Act relating to the solemnization of marriages.

Senator Roney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Roney moves passage, seconded by Senator Perry.

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 30: Senators Algiere, Alves, Bates, Blais, Breene, Celona, Connors, Cote, Fogarty, Gallo, Graziano, Hunter, Igliozi, Irons, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Parella, Perry, Polisena, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Senators Irons, Damiani, DaPonte and Bates present (02-S 2848) An Act relating to primary elections - city of East Providence.

Read and referred to the Committee on Corporations.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Irons, seconded by Senator Breene, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

- 1.** Reappointment of Austin Ferland of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2004.
- 2.** Reappointment of Michael A. Salvatore, Jr. of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2004.
- 3.** (02-S2223) Senate Resolution proclaiming April 3, 2002, as "Rhode Island Pay Equity Day".
- 4.** (02-S2225) Senate Resolution recognizing May 6-12th as "National Nurses Week".
- 5.** (02-S2418) Joint Resolution memorializing Congress to approve for passage the Nursing Employment and Education Development Act" (NEED Act).
- 6.** (02-S2671) Senate Resolution memorializing Congress to address the inequities in Medicare reimbursements for mental health services.
- 7.** (02-S2676) Joint Resolution memorializing Congress to enact a nationwide criminal background check and registry for long-term care workers.
- 8.** (02-S2818 as amended) Senate Resolution supporting the oral health commission's proposed mouthguard resolution.

CALENDAR

In order for the day is taken up as follows:

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

Committee on Corporations recommends passage.

Upon suggestion of Senator Algieri, ordered to be placed on the Calendar for Tuesday, March 21, 2002.

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

Committee on Corporations recommends passage as amended.

Senator Paiva Weed moves passage, seconded by Senators Celona, Breene, Roberts and others.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Enos, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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

Committee on Corporations recommends passage in concurrence.

Senator Walsh moves passage, seconded by Senators Sosnowski and Algieri.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 39 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 39: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Enos, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Roberts, Roney, 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 Walsh, the Senate adjourns at 5:55 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Earl Perry Crandall of Catskill, New York, and originally of Charlestown.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JAMES C. SHEEHAN

Eternal Father, give us Your wisdom and grace to make this state a better place for Your children. Guide all of us in this chamber and all others You have placed in a position of trust to uphold what is right and seek what is true. Amen.

Appendix

CONSENT CALENDAR

In order for Wednesday, March 6, 2002:

1. (02-S2595) Senate Resolution honoring Edward DeCristofaro, John Wright, Todd Morvillo and their companies for crafting the "Angels of Courage".

Committee on Special Legislation recommends passage.

2. (02-S2844) An Act reinstating and restoring forfeited or revoked corporate charters.

Ordered on the Consent Calendar.

3. (02-S2846) An Act reinstating and restoring forfeited or revoked corporate charters.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Tuesday, March 5, 2002

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".

Appendix

CALENDAR

In order for Thursday, March 7, 2002:

1. (02-S2082) (Substitute "A") An Act authorizing the city of Woonsocket to finance the unfunded pension liability of the city of Woonsocket by the issuance of not more than \$90,000,000 bonds therefore.

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

2. (02-H6784) (Substitute "A") An Act authorizing the city of Woonsocket to finance the unfunded pension liability of the city of Woonsocket, by the issuance of not more than \$90,000,000 bonds therefor.

Ordered on the Calendar.

3. (02-S2014) Joint Resolution respectfully requesting the Governor to rescind the freeze on monies appropriated for the Neighborhood Opportunities Program.

Committee on Finance recommends passage.

4. (02-S2093 as amended) An Act relating to military affairs and defense.

Committee on Special Legislation recommends passage as amended.

5. (02-S2170) An Act relating to motor vehicles - police major emeritus.

Committee on Special Legislation recommends passage.

6. (02-S2403) An Act relating to motor vehicles - special registration plate - Coventry - police chief emeritus.

Committee on Special Legislation recommends passage.

Appendix

CALENDAR

In order for Tuesday, March 12, 2002:

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

Committee on Corporations recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Tuesday, March 5, 2002

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

Thank you for stopping by!

