

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. 23 Wednesday, March 6, 2002 Twenty-third Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, President Pro Tempore, at 4:14 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 Algieri, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 5: Senators Alves, DaPonte, Donelan, Goodwin, Montalbano.

INVOCATION

The Honorable President Pro Tempore, by unanimous consent, presents Senator Sosnowski, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President Pro Tempore, by unanimous consent, presents Senator Sosnowski, to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of Tuesday, March 5, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Blais, Breene and Issa, and by unanimous consent, The Honorable President Pro Tempore, welcomes to the Chamber Kristen Klimas of Scituate.

COMMUNICATIONS

The Honorable President Pro Tempore, presents the following communications:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

March 6, 2002

Raymond T. Hoyas, Jr.,
Secretary of the Senate
Room 318
State House
Providence, RI 02903

RE: Senate Bill S-2425

Dear Mr. Secretary:

Please be advised that under Senate Rule 4.1, I hereby elect to have my name disassociated from Senate Bill S-2454.

Sincerely,

MARC A. COTE
Senator, District 31

Received and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

March 6, 2002
Honorable Charles J. Fogarty
Lieutenant Governor
State of Rhode Island
Room 116, State House
Providence, RI 02903

Dear Lieutenant Governor Fogarty:

I am writing to inform you that on Thursday, March 7, 2002 I will be out of the state and will not be attending the Senate Session.

Thank you.

Sincerely,

CATHERINE E. GRAZIANO
Senator, District 5

Received and ordered to be placed on file.

FROM THE

HOUSE OF REPRESENTATIVES

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

(02-H 7565) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

COMMITTEE ON CORPORATIONS

Senator Celona, from the Committee on Corporations, reports back, with recommendation of passage of the following measures:

(02-S 2205) An Act relating to financial institutions.

Read and ordered to be placed on the Calendar.

(02-S 2286) An Act relating to the uniform commercial code.

Read and ordered to be placed on the Calendar.

COMMITTEE ON LABOR

Senator Badeau, from the Committee on Labor, reports back, with recommendation of passage of the following measures:

(02-S 2378) Senate Resolution urging the Providence-based New England Gas Company to allow union employees to return to work under their old contract.

Read and ordered to be placed on the Calendar.

(02-S 2263) An Act relating to employment.

Read and ordered to be placed on the Calendar.

(02-S 2267) An Act relating to employment security - appeals.

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.

Senators Polisena, Graziano, Irons, DaPonte, Algieri and others present (02-S 2849) Senate Resolution relating to "No Tolerance" policies for youth sports organizations.

Senator Polisena requests unanimous consent for immediate consideration.

Unanimous consent for immediate considera- tion is granted.

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

Senators Felag, Cicilline, Bates, Igliozi, Walton and others present (02-S 2850) Senate Resolution proclaiming March as "Colorectal Cancer Awareness Month" in the state of Rhode Island.

Senator Felag requests unanimous consent for immediate consideration.

Unanimous consent for immediate considera- tion 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 Gallo, Perry, Roberts, Paiva Weed, Goodwin and others present (02-S 2851) Senate Resolution declaring March 8, 2002 "International Women's Day" in Rhode Island.

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate considera- tion is granted.

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

Senators Paiva Weed, Cicilline and Enos present (02-S 2852) An Act relating to validating and ratifying certain amendments to home rule charter of the city of Newport.

Read and referred to the Committee on Corporations.

Senators Cicilline, Paiva Weed and Enos present (02-S 2853) An Act amending the City Charter of the City of Newport by increasing the maximum fine imposed by the Municipal Court from five hundred dollars (\$500) to one thousand dollars (\$1,000).

Read and referred to the Committee on Corporations.

Senators Cicilline, Perry, Walton, Roberts and Parella present (02-S 2854) An Act relating to taxation - personal income tax.

Read and referred to the Committee on Finance.

Senators Celona, Montalbano, Polisena, Irons, Graziano and others present (02-S 2855) Senate Resolution expressing our deepest condolences on the passing of Joseph R. Marciano, Jr.

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 rising vote.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senator Celona, seconded by Senator Blais, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

- 1. (02-S2595) Senate Resolution honoring Edward DeCristofaro, John Wright, Todd Morvillo and their companies for crafting the "Angels of Courage".
- 2. (02-S2844) An Act reinstating and restoring forfeited or revoked corporate charters.
- 3. (02-S2846) An Act reinstating and restoring forfeited or revoked corporate charters.

CALENDAR

In order for the day is taken up as follows:

- 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".

Senator Garabedian moves passage, seconded by Senator Polisena.

Senator Roney, seconded by Senator Gallo, Walton, Garabedian and others, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2424) (Substitute "A")

Mr. President:

I hereby move to amend (02-S 2424) (Substitute "A") entitled "AN ACT RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING", as follows:

On page 1, line 6, immediately after the word "accepts", by inserting the word "campaign"; and

On page 1, line 7, immediately after the word "any", by inserting the word "single"; and

On page 1 line 10, immediately after the period at the end of the line, by inserting the text, "For purposes of this section, "Campaign contributions" are defined as contributions given in cash for the purpose of and with the intent of supporting the candidacy of the recipient in any manner."

Respectfully submitted,

JOHN M. RONEY
Senator, District 2

Senators Algieri and Garabedian discuss the amendment.

The motion to amend prevails 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Senators Kelly, Garabedian and Paiva Weed discuss the act.

Upon motion of Senator Garabedian, seconded by Senators Polisena and Senate Majority Leader Irons, the bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 39 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS - 39: Senators Algieri, Badeau, Bates, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Enos, Felag, Fogarty, Garabedian, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 5: Senators Blais, Gallo, Gibbs, Kelly, Roney.

NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to

His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:35 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.

PERSONAL PRIVILEGE

Senate Majority Leader Irons, recognized on a point of personal privilege, addresses the body relative to a recent press release.

ADJOURNMENT

Upon motion of Senator Coderre, seconded by Senator Algieri, the Senate adjourns at 4:45 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR V. SUSAN SOSNOWSKI

We ask, you,
Lord, to show us in this chamber our place, define our duties, direct our energies, and guide us as we work. Amen.

Appendix

CONSENT CALENDAR

In order for Thursday, March 7, 2002:

1. (02-S2378) Senate Resolution urging the Providence-based New England Gas Company to allow union employees to return to work under their old contract.

Committee on Labor recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, March 6, 2002

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.

2. (02-S2205) An Act relating to financial institutions.

Committee on Corporations recommends passage.

3. (02-S2286) An Act relating to the uniform commercial code.

Committee on Corporations recommends passage.

4. (02-S2263) An Act relating to employment.

Committee on Labor recommends passage.

5. (02-S2267) An Act relating to employment security - appeals.

Committee on Labor recommends passage.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Wednesday, March 6, 2002

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

Thank you for stopping by!

