

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. 27 Thursday, March 14, 2002 Twenty-seventh Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:04 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 Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 4: Senators Algiere, DaPonte, Irons, Ruggerio.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, March 13, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Sosnowski, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Martha Ball of New Shoreham.

Upon suggestion of Senator Walton, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber Dr. Diana Lam, Superintendent of the Providence School Department along with Melody Johnson, Deputy Superintendent, Susan Luisi and Mark Dunham.

Upon suggestion of Senators Montalbano and McBurney, and by unanimous consent,

His Honor, the Lieutenant Governor, welcomes to the Chamber members of the Girl Scouts and especially Pat Smith, Valerie Girourd and Shana Girourd.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS SENATE CHAMBER

March 14, 2002

His Honor, Charles J. Fogarty
Lieutenant Governor
116 State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be advised that I will be absent from today's Senate session due to a business commitment. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

DENNIS L. ALGIERE
Senate Minority Leader

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 7896) An Act amending the charter of North Providence.

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:

(02-S 2544) Senate Resolution creating a special Senate commission to study electronic recording of real estate instruments.

Read and ordered to be placed on the Consent Calendar.

Appointment of Michael M. Tikoian of Narragansett (Public Member - Representing a Coastal Community) VICE Robert Ellis Smith to the Coastal Resources Management Council for a term expiring January 31, 2005.

Read and ordered to be placed on the Consent Calendar.

(02-S 2244) An Act relating to probate practice.

Read and ordered to be placed on the Calendar.

(02-S 2714) An Act relating to taxation - tax sales.

Read and ordered to be placed on the Calendar.

JOINT COMMITTEE ON HIGHWAY SAFETY

Senator Damiani, from the Joint Committee on Highway Safety, reports back, with recommendation of passage of the following measures:

(02-S 2542) (Substitute "A") An Act relating to motor and other vehicles.

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, Damiani, Montalbano and Celona present (02-S 2885) An Act relating to sports - youth sports spectator behavior.

Read and referred to the Committee on Judiciary.

Senators Izzo, Irons, Sosnowski, Breene and Blais present (02-S 2886) An Act relating to the General Assembly.

Read and referred to the Joint Committee on Naming State Constructions.

Senators Fogarty, Kelly, Tassoni, Celona and Igliazzi present (02-S 2887) An Act relating to towns and cities - Burrillville.

Read and referred to the Committee on Corporations.

Senator Celona presents (02-S 2888) An Act to vacate the forfeiture or revocation of the charter of Eastern Vision Group, Inc.

Read and ordered to be placed on the Consent Calendar.

Senators Connors, Montalbano, Coderre, Goodwin and Perry present (02-S 2889) An Act relating to criminals - correctional institutions - parole.

Read and referred to the Committee on Judiciary.

Senator Lenihan presents (02-S 2890) An Act to vacate the forfeiture or revocation of the charter of the Chaminade Club of Providence, Rhode Island.

Read and ordered to be placed on the Consent Calendar.

Senators Walsh, Gallo and Sosnowski present (02-S 2891) Senate Resolution extending congratulations to Beth Harvey for achieving national board certification.

Senator Walsh requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Perry, Goodwin, Kells, Graziano, Igliazzi and others present (02-S 2892) Senate Resolution expressing condolences on the passing of Beatrice Kelich.

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Revens, Walaska, McCaffrey and Donelan present (02-S 2893) Senate Resolution respectfully requesting the Rhode Island Airport Corporation, Mayor Avedisian, and the Warwick City Council to rescind the expulsion of the Study Resource Committee Members.

Senator Revens requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Revens, seconded by Senator Roberts and others, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

CALENDAR

In order for the day is taken up as follows:

1. (02-S2093 as amended) An Act relating to military affairs and defense.

Committee on Special Legislation recommends passage as amended.

Senator Celona moves passage, seconded by Senators Coderre, Connors, Fogarty, Bates, Igliazzi and others.

Senators Graziano, Issa, Roney, Garabedian, Connors and Goodwin discuss the act.

The act is read and passed, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS - 37: Senators Bates, Blais, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Hunter, Igliazzi, Issa, Izzo, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Revens, Roberts, Roney, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 2: Senators Garabedian, Graziano.

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 Felag announces that the Committee on Finance will meet on Tuesday, March 19, 2002, at 3:00 o'clock P.M. in Room 211 of the State House.

Also:

Senator Polisena announces that the Committee on Judiciary will meet today at the rise of the Senate in Room 313 of the State House.

Also:

Senator Graziano announces that the Committee on Health, Education and Welfare will meet on Friday, March 15, 2002, at 2:00 o'clock P.M. in the Senate Lounge 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 Blais, and upon suggestion of Senator Perry, 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 Beatrice Kelich of Providence.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR MARC A. COTE

Eternal Father, open our hearts and minds for Your divine light upon our daily duties. May we proceed with the courage to make righteous decisions. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, March 19, 2002:

- 1.** Appointment of Michael M. Tikoian of Narragansett (Public Member - Representing a Coastal Community) VICE Robert Ellis Smith to the Coastal Resources Management Council for a term expiring January 31, 2005.

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

- 2.** (02-S2544) Senate Resolution creating a special Senate commission to study electronic recording of real estate instruments.

Committee on Judiciary recommends passage.

- 3.** (02-S2888) An Act to vacate the forfeiture or revocation of the charter of Eastern Vision Group, Inc.

Ordered to be placed on the Consent Calendar.

- 4.** (02-S2890) An Act to vacate the forfeiture or revocation of the charter of the Chaminade Club of Providence, Rhode Island.

Ordered to be placed on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, March 14, 2002

Appendix

CALENDAR

In order for Tuesday, March 19, 2002:

1. (02-S2490) An Act relating to insurance.

Committee on Corporations recommends passage.

2. (02-S2085) (Substitute "A") An Act relating to E-911 Uniform Emergency Telephone System Division.

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

3. (02-S2694) An Act relating to public utilities and carriers - taxicabs and limited public motor vehicles.

Committee on Corporations recommends passage.

4. (02-S2695) (Substitute "A") An Act relating to financial institutions - powers and operations.

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

5. (02-S2755) (Substitute "A") An Act relating to selling or leasing goods via the internet.

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

6. (02-S2321 as amended) An Act relating to employment security - general provisions.

Committee on Labor recommends passage as amended.

7. (02-S2377) An Act relating to labor and labor relations - employment security - Indian tribes.

Committee on Labor recommends passage.

8. (02-S2752) An Act relating to employment security - worksharing.

Committee on Labor recommends passage.

Appendix

CALENDAR

In order for Wednesday, March 20, 2002:

1. (02-S2244) An Act relating to probate practice.

Committee on Judiciary recommends passage.

3. (02-S2714) An Act relating to taxation - tax sales.

Committee on Judiciary recommends passage.

3. (02-S2542) (Substitute "A") An Act relating to motor and other vehicles.

Joint Committee on Highway Safety recommends indefinite postponement of the original bill and passage of Substitute "A".

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, March 14, 2002

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

Thank you for stopping by!

