

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.35 Thursday, April 4, 2002 Thirty-fifth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, Jr., President Pro Tempore, at 4:12 o'clock P.M.

The roll is called and a quorum is declared present with 47 Senators present and 3 Senators absent as follows:

PRESENT - 47: Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 3: Senators Coderre, Kelly, Perry.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, April 3, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Parella and Roberts, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Dr. Daniel Kane, St. Joseph's Hospital Dental Program; Christine Vallee, St. Joseph's Hospital; Shirley Medina, Pawtucket Schools; and Marie Bridges, Dental Hygienist, St. Joseph's Hospital/ Pawtucket School Dental Program.

Upon suggestion of Senators Raptakis, Algieri and McBurney, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber the Honorable Jonathan Farnum, former Senate Minority Leader.

Upon suggestion of Senator Tassoni, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber United Steel Workers of America Local 12431 Employees, Raymond Lang, President and Joseph Montanaro, Vice President.

Upon suggestion of Senator Caprio, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Stephen Bannon of the Rhode Island State Police.

Upon suggestion of Senator Tassoni, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Linda Soderberg of the Rhode Island School to Career Office in the Department of Labor and Training.

COMMUNICATION

The Honorable President Pro Tempore, presents the following communication:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS SENATE CHAMBER

April 4, 2002

Honorable Charles J. Fogarty
Lieutenant Governor
Room 116, State House
Providence, RI 02903

Dear Lieutenant Governor Fogarty:

I am writing to inform you that on Thursday, April 4, 2002, I will not be attending the Senate Session.

Thank you.

Sincerely,

RHODA E. PERRY
Senator, District 3

Received and ordered to be placed on file.

APPOINTMENT BY THE GOVERNOR

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

April 1, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 5-70-4 of the Rhode Island General Laws, I have made the following reappointment to the Board of Examination and Licensing of Telecommunication Systems Contractors, Technicians, and Installers: Paul A. Feeney of Warwick (Representing voice technicians) for a term expiring August 1, 2008. To this reappointment, 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 7988) An Act to vacate the forfeiture or revocation of the charter of Coachman Condominium, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(02-H 7991) An Act authorizing the town of Burrillville to finance the construction of extensions and improvements to its sewage disposal system and to issue not more than \$6,000,000 bonds therefor.

Read and referred to the Committee on Corporations.

Also:

(02-H 7992) An Act authorizing the town of Burrillville to finance the construction, equipping and furnishing of a town library and to issue not more than \$5,000,000 bonds therefor.

Read and referred to the Committee on Corporations.

Also:

(02-H 8000) An Act relating to human services - health care for families.

Read and referred to the Committee on Corporations.

Also:

(02-H 8002) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$5,000,000 for drainage projects.

Read and referred to the Committee on Corporations.

Also:

(02-H 8001) An Act relating to the Small Employer Health Insurance Availability Act.

Read and referred to the Committee on Corporations.

REPORT OF COMMITTEE

COMMITTEE ON JUDICIARY

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

(02-H 7919) An Act relating to solemnization of marriages.

Senator Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Montalbano, seconded by Senate Majority Leader Irons, and by unanimous consent, read and passed in concurrence, under suspension of the rules, upon a voice vote.

NEW BUSINESS

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

Senators Irons, Igliozzi and Garabedian present (02-S 2932) An Act relating to sales and use taxes - transportation of furniture.

Read and referred to the Committee on Corporations.

Senators Felag, Kells, Issa, Cicilline and Gallo present (02-S 2933) Joint Resolution making an appropriation to pay certain veterans' bonuses.

Read and referred to the Joint Committee on Accounts and Claims.

Senators Felag, Kells, Issa, Cicilline and Gallo present (02-S 2934) Joint Resolution making an appropriation to pay certain veterans' bonuses.

Read and referred to the Joint Committee on Accounts and Claims.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion ofSenate Majority Leader Irons, seconded by Senator Algieri, the following measure on today's Consent Calendar, by unanimous consent, is read and passed, in concurrence, upon a voice vote:

(02-H 7826) An Act to vacate the forfeiture or revocation of the charter of R.B. Site Construction, Inc.

CALENDAR

In order for the day is taken up as follows:

1. (02-S2321 as amended) An Act relating to employment security - general provisions.

Committee on Labor recommends passage as amended.

Senator Blais moves passage, seconded by Senators Breene and Algieri.

The act is read and passed, as amended, 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 0.

2. (02-S2883) An Act authorizing the town of East Greenwich to finance the construction, renovation, alteration, repair, improvement, equipping and furnishing of, and/or additions to, public schools and school facilities in the town and to issue not more than \$34,000,000 bonds and/or notes therefor.

Committee on Corporations recommends passage.

Senator Lenihan moves passage, seconded by Senators Breene, Raptakis and Ruggerio.

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

NAYS - 0.

3. (02-S2616) (Substitute "A") An Act relating to public utilities and carriers - safe termination of services.

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

Senator Iglioizzi moves passage, seconded bySenate Majority Leader Irons and Senators Caprio, Montalbano, Gibbs,

Badeau, Tassoni, Celona, Walsh, Lenihan, Walaska, Connors, Izzo, Bates, Polisena and many others.

Senate Majority Leader Irons and Senators Algiere, Fogarty, Walaska, Badeau, Gibbs, Blais, Walton, Graziano, Polisena, Sheehan, Cicilline, Izzo, Celona, Goodwin, Roberts, Garabedian, DaPonte, Issa, Kells, Gallo and Damiani discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 47: Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

4. (02-H7133) (Substitute "A" as amended) An Act relating to public utilities and carriers - duties of utilities and carriers.

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

Upon suggestion of Senator Celona, and without objection, ordered to be placed on the Calendar for Thursday, April 11, 2002.

5. (02-S2784) (Substitute "A") An Act relating to labor and labor relations - pipefitters and refrigeration technicians.

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

Senator Ruggerio moves passage, seconded by Senators Damiani, Connors, Goodwin, Tassoni, Graziano, Badeau and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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 today at the rise of the Senate in Room 211 of the State House.

Also:

Senator Montalbano announces that the Committee on Judiciary will meet today at the rise of the Senate in Room 313 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 Majority Leader Irons, seconded by Senator Algieri, and upon suggestion of Senator Cicilline, the Senate adjourns at 5:00 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Dr. Martin Luther King, Jr., one of the greatest civil rights leaders this country has ever seen. Thirty-four years ago today, Dr. King was assassinated in a senseless, tragic killing of a person who espoused peaceful resolutions to conflict. He has left us with a legacy of acceptance, inclusion, equality and justice.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR PAUL W. FOGARTY

Dear Lord, keep our vision clear and our purpose pure as we take part in trying to help all of our people live in decency, dignity, and honor. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, April 9, 2002:

- 1. (02-H7988) An Act to vacate the forfeiture or revocation of the charter of Coachman Condominium, Inc.

Ordered on the Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, April 4, 2002

Appendix

CALENDAR

In order for Thursday, April 11, 2002:

1. (02-H7133) (Substitute "A" as amended) An Act relating to public utilities and carriers - duties of utilities and carriers.

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

2. (02-S2652) An Act relating to public officers and employees - organization of state employees.

Committee on Labor recommends passage.

3. (02-S2748) An Act relating to labor and labor relations - municipal employees' arbitration.

Committee on Labor recommends passage.

4. (02-S2305) An Act relating to hunting and fishing safety.

Committee on Special Legislation recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, April 4, 2002

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

Thank you for stopping by!

