

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.36 Tuesday, April 9, 2002 Thirty-sixth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, President Pro Tempore, at 4:08 o'clock P.M.

The roll is called and a quorum is declared present with 44 Senators present and 6 Senators absent as follows:

PRESENT - 44: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

ABSENT - 6: Senators Bates, DaPonte, Irons, Kelly, Montalbano, Walton.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, April 4, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Celona, Enos and Graziano, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Kathy Bilotas, Manager, Public Affairs, Eli Lilly and Company, and Marie Chelli of the Chelli Group.

COMMUNICATION

The Honorable President Pro Tempore, presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER**

April 3, 2002

Lt. Governor, Charles J. Fogarty

Lieutenant Governor
116 State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be advised that I will be at a legislative conference in Washington, D.C. during the week of April 8-12, and therefore, will be absent from any Senate sessions held that week. I would appreciate your recording my letter recorded in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

DAVID E. BATES

Deputy Minority Leader

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

April 4, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 46-25-1 of the Rhode Island General Laws, I have made the following reappointment to the Narragansett Bay Commission: Bradley J. Waugh of East Greenwich for a term expiring April 1, 2005. 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

April 4, 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: Daniel J. Ryan of Barrington VICE Frederick C. Luhrum 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.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE**

Lincoln Almond
Governor

April 4, 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: Jose M. Gonzales,

Ed.D. of Providence VICE Laura DiSano 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.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE**

Lincoln Almond
Governor

April 4, 2002

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 46-25-1 of the Rhode Island General Laws, I have made the following reappointment to the Narragansett Bay Commission: Thomas E. Perkins, Jr. of East Providence for a term expiring April 1, 2005. To this reappointment, I respectfully request your advice and consent.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

NEW BUSINESS

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

Senators Blais, Raptakis, Parella, Breene, Roberts and others present (02-S 2935) An Act relating to criminal offenses.

Read and referred to the Committee on Judiciary.

Senators Raptakis, Blais, Breene, Graziano, Paiva Weed and others present (02-S 2936) An Act relating to criminal procedure - domestic violence prevention act.

Read and referred to the Committee on Judiciary.

Senators Raptakis, Blais, Breene, Roberts, Graziano and others present (02-S 2937) An Act relating to criminal procedure.

Read and referred to the Committee on Judiciary.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senator Celona, seconded by Senator Caprio, the following measure on today's Consent Calendar, by unanimous consent, is read and passed in concurrence, upon a voice vote:

(02-H 7988) An Act to vacate the forfeiture or revocation of the charter of Coachman Condominium, Inc.

ANNOUNCEMENTS

Senator McCaffrey 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 Wednesday, April 10, 2002, at the rise of the Senate in the Senate Lounge of the State House.

Also:

Senator Ruggerio announces that the Committee on Labor will meet on Wednesday, April 10, 2002, at 3:45 o'clock P.M. in Room 212 of the State House.

Also:

Senator Goodwin announces that the Committee on Special Legislation will meet on Wednesday, April 10, 2002, at the rise of the Senate in Room 211 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 Caprio, seconded by Senator Algieri, and upon suggestion of Senator Issa, the Senate adjourns at 4:16 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Dr. Hani Zaki.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Appendix

INVOCATION

SENATOR M. TERESA PAIVA WEED

Father in heaven, enlighten our minds and touch our hearts so that we may carry on the best traditions of our Senate's history. Remembering always that it is the people's government, made by the people and accountable to the people. Amen.

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
Tuesday, April 9, 2002

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

Thank you for stopping by!

