

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. 37 Wednesday, April 10, 2002 Thirty-seventh Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:17 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 Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, 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 - 6: Senators Algiere, Bates, Coderre, Donelan, Irons, Montalbano.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, April 9, 2002 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Polisena and Tassoni, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Anthony Decenzo.

Upon suggestion of Senator Caprio, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Sister Patricia Langton, Principal of St. Mary School.

Upon suggestion of Senator Goodwin, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Chris Nocera, Steve Raymond, Principal, St. Patrick's School, Former Councilman Thomas Glavin, and Children of St. Patrick's School.

Upon suggestion of Senator Graziano, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Charles and Diane Brelsford, Shawn Brelsford, and Carissa Brelsford.

Upon suggestion of Senator Sosnowski, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber South Kingstown Community Partnership for Prevention Coordinator Valerie McGuire, and members of the Teen Task Force: Becca Creighton, Tyler Mattiace, Liz Holland and Cassidy Swanson.

Upon suggestion of Senator Walaska, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Mr. and Mrs. Clancy and students from St. Kevin's School.

Upon suggestion of Senator Breene, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Beverly Blais and Liz Joyal, along with students at Fr. John Doyle School and Bishop Hendricken High School, Leanne Blais, Emily Joyal and Tom Joyal.

Upon suggestion of Senator Blais, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Michael Reeves of Coventry.

Upon suggestion of Senator Goodwin, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Liz Colon.

Upon suggestion of Senator Blais, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber his son Jeremy Blais and Colin Sullivan.

Upon suggestion of Senator DaPonte, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Brother William Dygert, CSC, Vicar for Education, and Superintendent of Catholic Schools.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS SENATE CHAMBER

April 10, 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, April 11, 2002, I will be out of the state attending a conference and will be

absent from the senate session.

Thank you.

Sincerely,

CATHERINE E. GRAZIANO
Senator, District 5

Received and ordered to be placed on file.

CATHOLIC SCHOOLS DAY

Upon suggestion of Senator Celona, and without objection, the Sheriff escorts the Most Reverend Robert J. McManus, Auxiliary Bishop of Providence, and Senator Cote to the rostrum.

The members of the Senate attend.

Senator Cote introduces Bishop McManus for a special address.

Bishop McManus addresses the body.

The Sheriff escorts the honored guest from the rostrum.

**FROM THE
HOUSE OF REPRESENTATIVES**

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

(02-H 7993 as amended) An Act relating to public property and works - leases and concessions.

Read and ordered to be placed on the Calendar.

Also:

(02-H 6713) An Act pertaining to the continued operation of power plants at the Quonset Point/Davisville Industrial Park.

Read and referred to the Committee on Corporations.

Also:

(02-H 7004 as amended) An Act relating to motor and other vehicles.

Read and referred to the Committee on Corporations.

Also:

(02-H 7079) (Substitute "A") An Act relating to the business corporations act.

Read and referred to the Committee on Corporations.

Also:

(02-H 7274) An Act relating to businesses and professions - telecommunications.

Read and referred to the Committee on Corporations.

Also:

(02-H 7277) An Act relating to the revaluation of the assessment of local taxes in the city of Providence.

Read and referred to the Committee on Corporations.

Also:

(02-H 7845) An Act relating to taxation - property tax exemption for persons over 65 - East Greenwich.

Read and referred to the Committee on Corporations.

Also:

(02-H 7867) An Act relating to New Shoreham - affordable housing board.

Read and referred to the Committee on Corporations.

Also:

(02-H 7869) 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.

Read and referred to the Committee on Corporations.

Also:

(02-H 7870) 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.

Read and referred to the Committee on Corporations.

Also:

(02-H 8022) An Act relating to towns and cities - town of Richmond.

Read and referred to the Committee on Corporations.

Also:

(02-H 7154) (Substitute "A") An Act relating to levy and assessment of local taxes.

Read and referred to the Committee on Finance.

Also:

(02-H 6660 as amended) An Act relating to criminal offenses - weapons.

Read and referred to the Committee on Judiciary.

Also:

(02-H 6968) An Act relating to courts and civil procedure - courts - District Court.

Read and referred to the Committee on Judiciary.

Also:

(02-H 6978) An Act relating to waters and navigation - obstructions to navigation.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7085) (Substitute "A") An Act relating to libraries - state law library.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7437) (Substitute "A" as amended) An Act relating to prisoner release and parole notification.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7588) (Substitute "A" as amended) An Act relating to Rhode Island Uniform Commercial Driver's License Act.

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 2374) (Substitute "A") An Act relating to corporations, associations and partnerships - corporations - general provisions - insurance.

Read and ordered to be placed on the Calendar.

(02-S 2553) (Substitute "A" as amended) An Act relating to motor and other vehicles - definitions and general code provisions.

Read and ordered to be placed on the Calendar.

(02-S 2587) (Substitute "A" as amended) An Act relating to motor vehicle insurance - motor vehicle body replacement parts.

Read and ordered to be placed on the Calendar.

(02-S 2682) (Substitute "A") An Act relating to credit card lending.

Read and ordered to be placed on the Calendar.

(02-S 2753) (Substitute "A" as amended) An Act relating to public utilities and carriers.

Read and ordered to be placed on the Calendar.

(02-S 2754) (Substitute "A") An Act to amend the insurance law to provide for the voluntary restructuring of solvent domestic property and casualty insurers and reinsurers.

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 2419) An Act relating to the pharmaceutical assistance to the elderly act.

Read and ordered to be placed on the Calendar.

(02-S 2522 as amended) An Act relating to taxation.

Read and ordered to be placed on the Calendar.

(02-S 2527) An Act relating to taxation.

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 measure:

(02-S 2280) (Substitute "A") An Act relating to corrections department.

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 Gibbs presents (02-S 2938) Joint Resolution extending the reporting date of the special legislative commission

on sustainability.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Blais, Celona, Hunter, Algieri, Walaska and others present (02-S 2939) Senate Resolution memorializing Congress to restore full funding to the Small Business Association 7(A) Loan Program.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

ANNOUNCEMENTS

Senator Damiani announces that the Committee on Corporations will meet on Thursday, April 11, 2002, at 3:00 o'clock P.M. in Room 212 of the State House.

Also:

Senator Felag announces that the Committee on Finance will meet on Thursday, April 11, 2002, at 3:00 o'clock P.M. in Room 211 of the State House.

Also:

Senator Graziano announces that the Committee on Health, Education and Welfare will meet today at the rise of the Senate in the Senate Lounge of the State House.

Also:

Senator Goodwin announces that the Committee on Special Legislation will meet today 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 Connors, seconded by Senator Breene, the Senate adjourns at 4:38 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR PATRICK T. McDONALD

Heavenly Father, guide us in the ways of peace. May we show loyalty towards one another and be worthy of the trust you have placed in us. 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.

5. (02-H7993 as amended) An Act relating to public property and works - leases and concessions.

Ordered on the Calendar.

Appendix

CALENDAR

In order for Tuesday, April 23, 2002:

1. (02-S2374) (Substitute "A") An Act relating to corporations, associations and partnerships - corporations - general provisions - insurance.

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

2. (02-S2553) (Substitute "A" as amended) An Act relating to motor and other vehicles - definitions and general code provisions.

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

3. (02-S2587) (Substitute "A" as amended) An Act relating to motor vehicle insurance - motor vehicle body replacement parts.

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

4. (02-S2682) (Substitute "A") An Act relating to credit card lending.

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

5. (02-S2753) (Substitute "A" as amended) An Act relating to public utilities and carriers.

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

6. (02-S2754) (Substitute "A") An Act to amend the insurance law to provide for the voluntary restructuring of solvent domestic property and casualty insurers and reinsurers.

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

7. (02-S2419) An Act relating to the pharmaceutical assistance to the elderly act.

Committee on Finance recommends passage.

8. (02-S2522 as amended) An Act relating to taxation.

Committee on Finance recommends passage as amended.

9. (02-S2527) An Act relating to taxation.

Committee on Finance recommends passage.

10. (02-S2280) (Substitute "A") An Act relating to corrections department.

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, April 10, 2002

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

Thank you for stopping by!

