

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. 44 Thursday, May 2, 2002 Forty-fourth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:07 o'clock P.M.

The roll is called and a quorum is declared present with 49 Senators present and 1 Senator absent as follows:

PRESENT - 49: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisen, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 1: Senator McBurney.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, May 1, 2002 proceedings is read in part.

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

CONGRATULATIONS

Senate Majority Leader Irons extends congratulations to Senator Bates on the very special occasion of the birth of his third grandchild, Matthew E. Bates, of East Providence, who graced his presence to all on April 28, 2002, weighing 6 lbs., 7 oz., bringing much joy and happiness to his very proud parents, Scott and Kimberly Bates. The entire chamber

extends congratulations to the entire Bates family.

GUESTS

Upon suggestion of Senator Sheehan, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Renee Schueler, Karen Schueler and their daughter Alexia Schueler.

Upon suggestion of Senator Graziano, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Patricia C. Gagne, President, TMS, Inc., Coventry, Rhode Island, and Wendy Fagan, Owner and Director, Pied Piper Nursery School, Johnston, Rhode Island.

Upon suggestion of Senate Majority Leader Irons and Senators Polisena, Felag, Tassoni and Celona, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber a number of guests from Lions Clubs International who are in town for the 64th Annual District 42 State Convention taking place May 3rd and 4th, Past International Director Wayne A. Madden and his wife Linda Madden, from Auburn, Indiana, District Governor Angela Zalabowski and her husband Richard Zalabowski and Past International Director Peter G. Barilla and his wife Sandra Barilla.

**FROM THE
HOUSE OF REPRESENTATIVES**

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

(02-H 7956) An Act to vacate the forfeiture or revocation of the charter of Doraan Yachting, Inc.

Senator Paiva Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Paiva Weed, seconded by Senator Coderre, and by unanimous consent, read and passed, in concurrence, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Also:

(02-H 6731) An Act relating to disabled American veterans - educational benefits.

Read and ordered to be held on the Desk.

Also:

(02-H 6909) An Act relating to whistleblowers' protection.

Read and referred to the Committee on Labor.

Also:

(02-H 7048 as amended) An Act relating to labor and labor relations - inspection of personnel files.

Read and referred to the Committee on Labor.

Also:

(02-H 7149) (Substitute ``A" as amended) An Act relating to labor and labor relations - genetic testing as a condition of employment.

Read and referred to the Committee on Labor.

Also:

(02-H 7270) (Substitute ``A" as amended) An Act relating to administrative procedures.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7842 as amended) An Act relating to state affairs and government - corrections department.

Read and referred to the Committee on Judiciary.

Also:

(02-H 6766) (Substitute ``A") An Act relating to noise limits for motor vehicles.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7107) (Substitute ``A" as amended) An Act relating to motor vehicle theft and motor vehicle insurance fraud reporting - immunity act.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7114 as amended) An Act relating to criminal offenses.

Read and referred to the Committee on Judiciary.

Also:

(02-H 7307 as amended) An Act relating to health and safety - durable power of attorney for health care.

Read and referred to the Committee on Health, Education and Welfare.

Also:

(02-H 6647 as amended) An Act relating to education - school committees and superintendents.

Read and referred to the Committee on Health, Education and Welfare.

Also:

(02-H 7299 as amended) An Act relating to health and safety - pain assessment act.

Read and referred to the Committee on Health, Education and Welfare.

Also:

(02-H 7281) (Substitute ``A") An Act to amend the management and control of the Community College of Rhode Island Foundation.

Read and referred to the Committee on Health, Education and Welfare.

Also:

(02-H 7923) An Act relating to the town of Exeter - juvenile hearing board.

Read and referred to the Committee on Corporations.

Also:

(02-H 7937) An Act relating to elections - Hopkinton.

Read and referred to the Committee on Corporations.

Also:

(02-H 6942) An Act relating to veterans' tax exemption - Exeter.

Read and referred to the Committee on Corporations.

Also:

(02-H 7271) (Substitute ``A" as amended) An Act relating to motor and other vehicles.

Read and referred to the Committee on Corporations.

Also:

(02-H 7364) (Substitute ``A") An Act relating to towns and cities - municipal accounting systems.

Read and referred to the Committee on Corporations.

Also:

(02-H 7682 as amended) An Act relating to health and safety - amusement ride safety.

Read and referred to the Committee on Corporations.

Also:

(02-H 8088) An Act to vacate the forfeiture or revocation of the charter of the Smithfield Youth Soccer Association.

Read and referred to the Committee on Corporations.

Also:

(02-H 6719) (Substitute ``A" as amended) An Act relating to health and safety - unlicensed health care practices.

Read and referred to the Committee on Corporations.

Also:

(02-H 7002) (Substitute ``A" as amended) An Act relating to businesses and professions - unsolicited telephone sales calls.

Read and referred to the Committee on Corporations.

Also:

(02-H 7236) An Act relating to property - recording of instruments.

Read and referred to the Committee on Corporations.

Also:

(02-H 7264) (Substitute ``A") An Act relating to insurance - small group health insurance continuous coverage.

Read and referred to the Committee on Corporations.

Also:

(02-H 7265) (Substitute ``A") An Act relating to responsibility of owners of rental vehicles.

Read and referred to the Committee on Corporations.

Also:

(02-H 7323) An Act relating to state affairs and government - mill building and economic revitalization act.

Read and referred to the Committee on Corporations.

Also:

(02-H 7808) An Act relating to taxation - property subject to taxation.

Read and referred to the Committee on Corporations.

Also:

(02-H 7414) (Substitute ``A") An Act relating to military affairs - continuation of employment.

Read and referred to the Committee on Corporations.

Also:

(02-H 7338) An Act relating to taxation - tax incentives for capital investment in small businesses.

Read and referred to the Committee on Corporations.

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 2955) An Act relating to taxes - levy and assessment of local taxes.

Senator Connor requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Connor, seconded by Senators Coderre, and by unanimous consent, read and passed, upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Perry, Polisena, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

(02-S 2342) An Act relating to towns and cities - zoning ordinances.

Read and ordered to be placed on the Calendar.

(02-S 2348) (Substitute ``A'') An Act relating to commercial law - general regulatory provisions - deceptive trade practices.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

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

Senators Roberts and Gibbs present (02-S 2979) Senate Resolution respectfully requesting the Departments of Human Services and Elderly Affairs to implement additional approved assisted living waiver services.

Read and referred to the Committee on Health, Education and Welfare.

Senators Izzo, Revens, Walaska, Polisena, Issa and others present (02-S 2980) An Act relating to the General Assembly.

Read and referred to the Committee on Corporations.

Senators Sosnowski, McDonald and Walsh present (02-S 2981) An Act relating to waters and navigation - personal watercraft safety act.

Read and referred to the Committee on Corporations.

Senators Izzo and Walaska present (02-S 2982) Senate Resolution congratulating John J. Saleses upon his retirement as Vice President for Academic Affairs at Rhode Island College.

Senator Izzo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Graziano, Polisena, McDonald, Gallo, Sosnowski and others present (02-S 2983) Senate Resolution calling attention to overweight and obesity issues in Rhode Islanders.

Senator Graziano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

GUESTS

Upon suggestion of Senator Graziano, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dr. Patricia Markham Risica, Professor of Community Health at Brown University and incoming President-elect of the Rhode Island Public Health Association, Nicholas Oliver, Director of Advocacy, American Heart Association, New England Affiliate, and incoming President of the Rhode Island Public Health Association.

NEW BUSINESS

Senate Majority Leader Irons and Senators Coderre, Celona and Caprio present (02-S 2984) Senate Resolution proclaiming May 4, 2002, as ``Childhood Stroke Awareness Day".

Senate Majority Leader Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Izzo, Felag, Roberts, Blais and Sosnowski present (02-S 2985) Senate Resolution proclaiming May 7, 2002 as ``World Asthma Day" in the State of Rhode Island.

Senator Izzo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

GUESTS

Upon suggestion of Senator Izzo, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Jody Cowdin and Hugh Cowdin of Cranston who are here in celebration of May 7 as World Asthma Day.

NEW BUSINESS

Senators Graziano, Sosnowski, Paiva Weed, Roberts, Perry and others present (02-S 2986) Senate Resolution honoring Senator June N. Gibbs for her distinguished professional achievements and community service.

Senator Graziano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Algiere, Blais, Bates, Irons, Cicilline and others present (02-S 2987) Senate Resolution congratulating Senator June N. Gibbs on her selection as "2002 Woman of the Year".

Senator Algiere requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

CALENDAR

From the Calendar are taken:

5. (02-S2375) An Act relating to financial institutions - licensed activities.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Tuesday, May 7, 2002.

6. (02-S2386) An Act relating to the Rhode Island Uniform Securities Act.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Tuesday, May 7, 2002.

7. (02-S2441) An Act relating to corporations, associations and partnerships - Rhode Island Uniform Securities act.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Thursday, May 9, 2002.

8. (02-S2548) (Substitute ``A") An Act relating to towns and cities - emergency police power.

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

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Desk.

9. (02-S2680) An Act relating to cities and towns.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Desk.

13. (02-S2328) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Desk.

20. (02-S2672) (Substitute ``A" as amended) An Act relating to criminal procedure - search warrants.

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

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Thursday, May 9, 2002.

1. Reappointment of The Honorable Frank Caprio of Providence to the Board of Governors for Higher Education for a term expiring January 31, 2005.

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

Upon motion of Senate Majority Leader Irons, seconded by Senators Coderre, Montalbano, Celona, Connors, Hunter, Parella, Bates, Goodwin, Graziano, Ruggerio and many others, the confirmation of the Senate is given this reappointment, 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 Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

2.

Appointment of Daniel J. Ryan of Barrington VICE Frederick C. Lohrum to the Board of Governors for Higher Education for a term expiring January 31, 2005.

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

Upon motion of Senator Izzo, seconded by Senators Coderre, Caprio, Montalbano, Felag and others, the confirmation of the Senate is given this appointment, 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, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

3. (02-S2465) (Substitute ``A" as amended) An Act relating to health and safety.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute ``A" as amended.

Senator Perry moves passage, seconded by Senators Paiva Weed, Walsh, Roney and others.

Senator Perry, seconded by Senator Cicilline, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2465) (Substitute ``A" as amended)

Mr. President:

I hereby move to amend (02-S 2465) (Substitute ``A" as amended) entitled ``AN ACT RELATING TO HEALTH AND SAFETY", as follows:

(1) On page 3, line 7, strike all underlined language beginning with the letter ``a", and all language on lines 8 through 19, and substitute therefore the following: ``refers to a method of pest control that uses a systems approach to reduce pest damage to tolerable levels through a variety of techniques, including natural predators and parasites, genetically resistant hosts, environmental modifications and, when necessary and appropriate, chemical pesticides. IPM strategies rely upon nonchemical defenses first and chemical pesticides second";

(2) On page 6, line 2, strike the words ``and the precautionary principle in these settings";

(3) On page 6, line 2, following the words ``management (IPM)" and add the words ``as defined in section 23-25.2.2";

(4) On page 7, line 2, change the figure ``2002" to ``2003";

(5) On page 7, line 34, change the figure ``2002" to ``2003".

Respectfully submitted,

RHODA E. PERRY
Senator, District 3

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

NAYS - 0.

Senator Blais, seconded by Senator Breene, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2465) (Substitute ``A" as amended)

Mr. President:

I hereby move to amend (02-S 2465) (Substitute ``A" as amended) entitled ``AN ACT RELATING TO HEALTH AND SAFETY", as follows:

On page 5 at line 34, by deleting the word ``hazardous" and inserting in place thereof the words ``highly toxic"; and

On page 6 at line 3, after the word ``of" inserting the words ``a highly toxic"; and

On page 6 at line 15, after the word ``on" insert the words ``highly toxic" and on the same line after the word ``any" insert the word ``such"; and

On page 6 at line 19, after the word ``of" insert the words ``any highly toxic"; and

On page 6 at line 21 after the word ``the" insert the words ``highly toxic"; and

On page 6 at line 24, after the word ``of" insert the words ``a highly toxic"; and

On page 7 at line 2, after the word ``of" insert the words ``a highly toxic"; and

On page 7 at line 14 after the word ``of" insert the words ``a highly toxic"; and

On page 7 at line 18 after the word ``any" insert the words ``highly toxic"; and

On page 7 at line 25 after the word ``each" insert the words ``highly toxic"; and

On page 7 at line 34 after the word ``of" insert the words ``a highly toxic"; and

On page 8 at line 7 after the word ``where" insert the words ``highly toxic"; and

On page 8 at line 15 after the word ``any" insert the words ``highly toxic"; and

Respectfully submitted,

LEO R. BLAIS
Senator, District 21

Senators Perry and Blais discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 11 Senators voting in the affirmative and 31 Senators voting in the negative as follows:

YEAS - 11: Senators Algieri, Bates, Blais, Breene, Cote, Gibbs, Kells, Raptakis, Roney, Sheehan, Walaska.

NAYS - 31: Senators Badeau, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Igliozi, Irons, Kelly, McCaffrey, Montalbano, Paiva Weed, Perry, Polisena, Revens, Ruggerio, Sosnowski, Tassoni, Walsh, Walton.

Senator Blais, seconded by Senator Breene, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2465) (Substitute ``A" as amended)

Mr. President:

I hereby move to amend (02-S 2465) (Substitute ``A" as amended) entitled ``AN ACT RELATING TO HEALTH AND SAFETY", as follows:

1. On page 6, at lines 13 and 14, by deleting the language ``and the parents or guardians of each child enrolled in each school";
2. On page 6, at line 16, by adding the following language after the period: ``The school authority shall post such notice in a conspicuous place in the school and notify the parents or guardians of each child that the statement may be reviewed during regular school hours. Further, the school authority shall mail the statement to any parent or guardian upon request."

Respectfully submitted,

LEO R. BLAIS
Senator, District 21

Senators Perry and Roberts discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 9 Senators voting in the affirmative and 38 Senators voting in the negative as follows:

YEAS - 9: Senators Algieri, Bates, Blais, Breene, Cote, Gallo, Lenihan, Raptakis, Walaska.

NAYS - 38: Senators Alves, Badeau, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

Upon motion of Senator Perry, seconded by Senator Cicilline, the bill marked Substitute ``A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 44 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Badeau, Bates, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 3: Senators Blais, Breene, Cote.

4. (02-S2496) An Act relating to miscellaneous rules.

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senator Roberts and others.

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

NAYS - 0.

10. (02-S2691) (Substitute ``A") An Act relating to insurance - mandatory prelicensing education requirements.

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

Senator Bates moves passage, seconded by Senators Hunter, Blais, Celona 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 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

11. (02-S2884) An Act relating to taxation - property tax exemption for persons over 65 - East Greenwich.

Committee on Corporations recommends passage.

Upon suggestion of Senator Lenihan, and without objection, ordered to be recommitted to the Committee on

Corporations.

12. (02-S2527) An Act relating to taxation.

Committee on Finance recommends passage.

Senator Celona moves passage, seconded by Senators Polisena, Damiani, Enos, Parella, Sosnowski and others.

The act is read and passed, 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 Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

14. (02-S2382) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

Senator Bates moves passage, seconded by Senators Hunter and Blais.

The act is read and passed, by unanimous consent, upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

15. (02-S2396) An Act relating to criminal offenses - children.

Committee on Judiciary recommends passage.

Senator Alves moves passage, seconded by Senator Gallo.

The act is read and passed, upon a roll call vote with 45 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, McCaffrey, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Roney.

16. (02-S2402) (Substitute ``A" as amended) An Act relating to criminal procedure - sentence and execution.

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

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

The bill marked Substitute ``A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 47 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS - 1: Senator Connors.

17. (02-S2545) An Act relating to the Department of the Attorney General.

Committee on Judiciary recommends passage.

Senator Polisena moves passage, seconded by Senator Damiani.

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, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

18. (02-S2619) An Act relating to criminal procedure - indictments, informations and complaints.

Committee on Judiciary recommends passage.

Senator Cicilline moves passage, seconded by Senator Roney.

Senator Cicilline, seconded by Senator Roney, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2619)

Mr. President:

I hereby move to amend (02-S 2619) entitled ``AN ACT RELATING TO CRIMINAL PROCEDURE - INDICTMENTS, INFORMATIONS AND COMPLAINTS", as follows:

(1) On page 1, line 1, by deleting the figure ``22" and inserting in place thereof the figure ``2".

Respectfully submitted,

J. CLEMENT CICILLINE
Senator, District 50

The motion to amend prevails upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS - 0.

Upon motion of Senator Cicilline, seconded by Senators Roney, the act is read and passed, as amended, upon a roll call vote with 45 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 2: Senators Damiani, Garabedian.

19. (02-S2630) (Substitute ``A" as amended) An Act relating to delinquent and dependent children - proceedings in Family Court.

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

Upon suggestion of Senator Walsh, and without objection, ordered to be placed on the Calendar for Wednesday, May 8, 2002.

21. (02-S2715) (Substitute ``A") An Act relating to enforcement and collection of estate taxes.

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

Senator Montalbano moves passage, seconded by Senators Polisena, Roney 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 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

22. (02-S2718) (Substitute ``A") An Act relating to state affairs and government - quasi-public corporations.

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

Senator Lenihan moves passage, seconded by Senators Kelly, Cote, Ruggerio, Walsh, Coderre, Connors and others.

Senator Lenihan, seconded by Senator Coderre, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2718) (Substitute ``A'')

Mr. President:

I hereby move to amend (02-S 2718) (Substitute ``A'') entitled ``AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - QUASI-PUBLIC CORPORATIONS", as follows:

(1) On page 6, by deleting all language appearing on lines 20 and 21, and substituting thereof the following language: ``(15) Adhere to the provisions of the Access to Public Records Act as set forth in chapter 2 of title 38; and";

(2) On page 15, line 14, by inserting after the word ``records" a comma ``," and the following new language: ``and other records of the commission shall be subject to the provisions of chapter 2 of title 38".

Respectfully submitted,

J. MICHAEL LENIHAN
Senator, District 22

The motion to amend prevails upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Upon motion of Senator Lenihan, seconded by Senator Ruggerio, the bill marked Substitute ``A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

23. (02-S2783) (Substitute ``A'') An Act relating to property - mechanics' liens.

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

Senator Connors moves passage, seconded by Senators DaPonte and Roney.

The bill marked Substitute ``A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

24. (02-S2857) An Act relating to domestic relations - solemnization of marriages.

Committee on Judiciary recommends passage.

Senator Montalbano moves passage, seconded by Senator Coderre.

The act is read and passed, 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 Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

25. (02-S2861) (Substitute ``A" as amended) An Act relating to adjudication of traffic offenses.

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

Senator McCaffrey moves passage, seconded by Senators Montalbano, Damiani and Walaska.

The bill marked Substitute ``A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 40 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS - 40: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McCaffrey, Montalbano, Parella, Perry, Polisena, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 7: Senators Cicilline, Connors, Cote, Kells, Paiva Weed, Raptakis, Roney.

26. (02-S2897) An Act relating to property.

Committee on Judiciary recommends passage.

Senator Montalbano moves passage, seconded by Senators Celona, Polisena and others.

The act is read and passed, 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 Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote,

Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

27. (02-S2901) An Act relating to the town of Exeter - juvenile hearing board.

Committee on Judiciary recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 48: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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 Algieri, and upon suggestion of Senator Blais, the Senate adjourns at 5:10 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Maureen Sebastianelli.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR DANIEL DaPONTE

Lord of truth, establish in us the knowledge of Your will. Make known to us any truths and insights which will enable us to serve You, and therefore, our constituents, wisely and well. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, May 7, 2002:

1. (02-H7922) An Act to vacate the forfeiture or revocation of the charter of A. Ricci, Inc.

Ordered to be placed on the Consent Calendar.

2. (02-H7932) An Act to vacate the forfeiture or revocation of the charter of Hmong Evangelical Church of the Christian and Missionary Alliance.

Ordered to be placed on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, May 2, 2002

Appendix

CALENDAR

In order for Tuesday, May 7, 2002:

1. (02-S2375) An Act relating to financial institutions - licensed activities.

Committee on Corporations recommends passage.

2. (02-S2386) An Act relating to the Rhode Island Uniform Securities Act.

Committee on Corporations recommends passage.

3. (02-S2257) (Substitute ``A") An Act relating to alcoholic beverages - retail licenses.

Committee on Special Legislation recommends indefinite postponement of the original bill and passage of Substitute ``A".

Appendix

CALENDAR

In order for Wednesday, May 8, 2002:

1. (02-S2630) (Substitute ``A" as amended) An Act relating to delinquent and dependent children - proceedings in Family Court.

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

2. (02-S2348) (Substitute ``A") An Act relating to commercial law - general regulatory provisions - deceptive trade practices.

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

3. (02-S2342) An Act relating to towns and cities - zoning ordinances.

Committee on Corporations recommends passage.

Appendix

CALENDAR

In order for Thursday, May 9, 2002:

1. (02-S2441) An Act relating to corporations, associations and partnerships - Rhode Island Uniform Securities act.

Committee on Corporations recommends passage.

2. (02-S2672) (Substitute ``A" as amended) An Act relating to criminal procedure - search warrants.

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

3. (02-H6735 as amended) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage as amended in concurrence.

4. (02-H6961) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

5. (02-H7565) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

6. (02-H7767) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

7. (02-S2144) An Act relating to commercial law - interest and usury.

Committee on Corporations recommends passage.

8. (02-S2442) An Act relating to employee stock options - biotechnology and medical technology companies.

Committee on Corporations recommends passage.

9. (02-H6607) An Act relating to the town of Westerly - Municipal Court.

Committee on Corporations recommends passage in concurrence.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Thursday, May 2, 2002

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

Thank you for stopping by!

