

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.47 Thursday, May 9, 2002 Forty-seventh Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, 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, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 6: Senators Breene, Connors, Damiani, Kells, Roberts, Roney.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, May 8, 2002 proceedings is read in part.

Upon suggestion of Senator Iglioizzi, 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 Graziano, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber, professors of nursing at the Community College of Rhode Island, Kelly Murphy, Sandra Megerdichin and Rosemary Costigan.

Upon suggestion of Senator Walton, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Michael and Cailin McCaffrey, children of Senator McCaffrey.

Upon suggestion of Senators Graziano and Kelly, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber, Patricia Beezer, Faculty URI and President, RISNA; Jeannine Borozny, Operating Room RNFA; Pam McCue, Executive Director, RISNA; Chuck Mills, CRNA, JD-CRNA; Cynthia Buckley, Nurse Practitioner; and Christina Rosa, Psychiatric CNS.

EFFECTIVE WITHOUT THE SIGNATURE OF THE GOVERNOR

His Honor, the Lieutenant Governor, presents an announcement of the receipt by the Secretary of State of the following measures which became effective without the signature of His Excellency, the Governor:

(02-S 2888) An Act to vacate the forfeiture or revocation of the charter of Eastern Vision Group, Inc., effective May 2, 2002.

(02-S 2890) An Act to vacate the forfeiture or revocation of the charter of the Chaminade Club of Providence, Rhode Island, effective May 2, 2002.

(02-S 2898) An Act reinstating and restoring forfeited or revoked corporate charters, effective May 8, 2002.

EDWARD S.INMAN, III
Secretary of State

Received and ordered to be placed on file.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Senator Caprio, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

(02-S 2157) An Act relating to retirement - disability.

Read and ordered to be placed on the Calendar.

(02-S 2231) An Act relating to textbooks.

Read and ordered to be placed on the Calendar.

(02-S 2371) An Act relating to the Rhode Island Veterans' Home.

Read and ordered to be placed on the Calendar.

(02-S 2372) An Act relating to military affairs and defense - Rhode Island Veterans' Home.

Read and ordered to be placed on the Calendar.

(02-S 2552) An Act relating to taxation - situs and ownership of taxable property.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

Appointment of Carrie Zaslow of Providence VICE Anne H. Allen to the Rhode Island State Council on the Arts for a term expiring March 1, 2005.

Read and ordered to be placed on the Consent Calendar.

Appointment of Mary K. Talbot of Barrington VICE Florence Weintraub to the Rhode Island State Council on the Arts for a term expiring March 1, 2005.

Read and ordered to be placed on the Consent Calendar. Reappointment of William C. Kennedy of Coventry to the Rhode Island Public Transit Authority for a term expiring April 1, 2005.

Read and ordered to be placed on the Consent Calendar. Reappointment of Joseph Caffey of Providence (Representative of a Community Development Corporation to the Rhode Island Housing Resources Act for a term expiring January 31, 2005.

Read and ordered to be placed on the Consent Calendar. Reappointment of Stephen Medeiros of Coventry to the Marine Fisheries Council for a term expiring April 1, 2006.

Read and ordered to be placed on the Consent Calendar. Reappointment of Russell Brown of South Kingstown (Representing Building Officials from Municipality of 20,000-60,000) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

Read and ordered to be placed on the Consent Calendar. Reappointment of Thomas J. Lynch of Narragansett (Representing IBEW Local 99) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

Read and ordered to be placed on the Consent Calendar. Reappointment of David F. Palmisciano of Chepachet (Representing Building Trades Council) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

Read and ordered to be placed on the Consent Calendar. Reappointment of Robert E. DeBlois, Jr. of East Greenwich (Representing Rhode Island Builders Association) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

Read and ordered to be placed on the Consent Calendar.

(02-S 2249) (Substitute ``A'') An Act relating to divorce and separation - domestic violence.

Read and ordered to be placed on the Calendar.

(02-S 2721) (Substitute ``A'') An Act relating to courts and civil procedure - particular actions - post conviction remedy.

Read and ordered to be placed on the Calendar.

(02-S 2799) An Act relating to motor and other vehicles - driver's license notification of selective registration requirement.

Read and ordered to be placed on the Calendar.

(02-S 2951) An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

(02-H 7868) An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

(02-H 7879) An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

(02-H 8048) An Act relating to solemnization of marriages.

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 Sosnowski and McDonald present (02-S 3001) An Act authorizing the town of South Kingstown to finance the acquisition of land for open space, recreation and agricultural purposes and to issue not more than \$1,300,000 bonds therefor.

Read and referred to the Committee on Corporations.

Senators Blais, Gibbs, Alves and Caprio present (02-S 3002) An Act relating to state affairs and government - Rhode Island Economic Development Corporation.

Read and referred to the Committee on Corporations.

Senators Blais, Gibbs, Alves and Caprio present (02-S 3003) Senate Resolution requesting the Auditor General to perform a forensic audit on the Economic Policies Council relating to the appropriation and expenditure of funds appropriated by the General Assembly for the Slater Center and the Centers of Excellence.

Read and referred to the Committee on Corporations.

Senators Revens, McCaffrey, Donelan, Walaska, Lenihan and others present (02-S 3004) An Act authorizing the City of Warwick to issue bonds and notes in an amount not to exceed \$3,000,000 for renovations and improvements to the McDermott Pool and the Thayer and Warburton ice arenas.

Read and referred to the Committee on Corporations.

CALENDAR

In order for the day is taken up as follows:

2. (02-S2441) An Act relating to corporations, associations and partnerships - Rhode Island Uniform Securities act.

Committee on Corporations recommends passage.

Senator Blais moves passage, seconded by Senator Celona.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative, 0 Senators voting in the negative, and 5 Senators abstaining as follows:

YEAS - 35: Senators Badeau, Blais, Caprio, Celona, Cicilline, Coderre, Cote, Donelan, Enos, Felag, Fogarty, Gallo, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

ABSTAINED - 5: Senators Algieri, Alves, DaPonte, Kelly, McDonald.

3. (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.

Senator Polisena moves passage, seconded by Senator McDonald.

Senator Perry, seconded by Senators Polisena, Walton and Donelan, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2672) (Substitute ``A" as amended)

Mr. President:

I hereby move to amend (02-S 2672) (Substitute ``A" as amended) entitled ``AN ACT RELATING TO CRIMINAL PROCEDURE - SEARCH WARRANTS", as follows:

1. On page 1, by deleting lines 10-19; and
2. On page 2, by deleting lines 1-13; and
3. On page 2, line 14, by deleting the letter ``(c)", and substituting in place thereof the letter ``(b)"; and
4. On page 2, line 14, by deleting the words ``or administrative subpoena".

Respectfully submitted,

RHODA E. PERRY
Senator, District 3

The motion to amend prevails upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

Upon motion of Senator Polisena, seconded by Senator Perry, 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 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

4. (02-H6735 as amended) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage as amended in concurrence.

Senator Montalbano moves passage, seconded by Senator Celona.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 41 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 41: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

5. (02-H6961) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

Senator Montalbano moves passage, seconded by Senator Blais.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

6. (02-H7565) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

Senator Montalbano moves passage, seconded by Senator Celona.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 40: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

7. (02-H7767) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

Senator Montalbano moves passage, seconded by Senator Celona.

The act is read and passed, in concurrence, upon a roll call vote with 40 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 40: Senators Algieri, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 1: Senator Alves.

8. (02-S2144) An Act relating to commercial law - interest and usury.

Committee on Corporations recommends passage.

Upon suggestion of Senator Blais, and without objection, ordered to be placed on the Calendar for Thursday, May 16, 2002.

9. (02-S2442) An Act relating to employee stock options - biotechnology and medical technology companies.

Committee on Corporations recommends passage.

Senator Blais moves passage, seconded by Senators Celona, DaPonte and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative, 0 Senators voting in the negative, and 1 Senator abstaining as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

ABSTAINED - 1: Senator Kelly.

10. (02-H6607) An Act relating to the town of Westerly - Municipal Court.

Committee on Corporations recommends passage in concurrence.

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

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

11. (02-S2681) An Act relating to public utilities and carriers - regulatory powers of administration.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be recommitted to the Committee on Corporations.

12. (02-S2194) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

Senator Iglioizzi moves passage, seconded by Senators Tassoni, Felag and others.

Senator Iglioizzi, seconded by Senator Graziano, offers the following written motion to amend:

**FLOOR AMENDMENT
TO**

(02-S 2194)

Mr. President:

I hereby move to amend (02-S 2194) entitled ``AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

On page 1, line 14, by deleting the words ``upon passage" and substituting in place thereof the words ``on October 1, 2002".

Respectfully submitted,

DAVID V. IGLIOZZI
Senator, District 7

The motion to amend prevails 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, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igl.iozzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

Upon motion of Senator Igl.iozzi, seconded by Senator Graziano, the act is read and passed, as amended, by unanimous consent, 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, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igl.iozzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

13. (02-S2383) (Substitute ``A") An Act relating to the district court.

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

Senator Igl.iozzi moves passage, seconded by Senators Montalbano, Felag and others.

The bill marked Substitute ``A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 42 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Igl.iozzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 1: Senator Garabedian.

14. (02-S2629) (Substitute ``A") An Act relating to courts - judicial selection.

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

Senator Walsh moves passage, seconded by Senators Lenihan, Parella, Perry, Sheehan and others .

Senator Walsh, seconded by Senator Ruggerio, offers the following written motion to amend:

FLOOR AMENDMENT
TO
(02-S 2629) (Substitute ``A")

Mr. President:

I hereby move to amend (02-S 2629) (Substitute ``A") entitled ``AN ACT RELATING TO COURTS - JUDICIAL SELECTION", as follows:

On page 12, line 33, eliminate the words ``administrative adjudication court"

Respectfully submitted,

DONNA WALSH
Senator, District 24

The motion to amend prevails upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

Senators Montalbano, Polisena, Paiva Weed, Senate Majority Leader Irons, Senators Lenihan and Sheehan discuss the act.

Upon motion of Senator Walsh, 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 41 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 41: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

15. (02-S2638) An Act relating to domestic relations - solemnization of marriages.

Committee on Judiciary recommends passage.

Senator Parella moves passage, seconded by Senator Montalbano.

The act is read and passed, by unanimous consent, upon a roll call vote with 39 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 39: Senators Algieri, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

16. (02-S2885) (Substitute ``A") Senate Resolution relating to ``no tolerance" policies for youth sports organizations.

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

Senator Polisena moves passage, seconded by Senators Montalbano and Tassoni.

The bill marked Substitute ``A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 41 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 41: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

17. (02-S2923) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senator Cicilline.

The act is read and passed, by unanimous consent, upon a roll call vote with 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 40: Senators Algieri, Alves, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

18. (02-S2924) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senator Cicilline.

The act is read and passed, by unanimous consent, upon a roll call vote with 41 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 41: Senators Algieri, Alves, Badeau, Bates, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

19. (02-S2931) An Act relating to elections.

Committee on Judiciary recommends passage.

Senator Polisena moves passage, seconded by Senators Graziano and Igliazzi.

The act is read and passed, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0

Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

20. (02-S2756) An Act relating to motor and other vehicles - registration of vehicles.

Committee on Special Legislation recommends passage.

Senator Goodwin moves passage, seconded by Senators Coderre, Celona and Bates.

Senator Goodwin, seconded by Senator Celona, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(02-S 2756)

Mr. President:

I hereby move to amend (02-S 2756) entitled ``AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES'', as follows:

(1) On page 1, lines 6 and 7, by deleting the words ``and shall bear such letters or combinations of letters and numbers as the administrator shall prescribe,".

(2) On page 1, line 8, by inserting after ``it." the following language: ``The special plate shall display upon the same registration number assigned to the vehicle for which it was issued and shall be used in place of and in the same manner as the registration plates issued to the vehicle for the period January 1, 2003 through December 31, 2004 and no longer. The original registration plates for the vehicle shall be removed from the vehicle and the registration certificate for the plates shall be carried in the vehicle, in accordance with section 31-3-9. The registration certificate shall be in effect for the special plate."

(3) On page 1, line 11, by deleting the words and figure, ``thirty dollars (\$30.00)" and inserting in place thereof the words and figures ``forty dollars (\$40.00)".

(4) On page 1, line 12, by inserting after the word ``applications." the following language: ``Twenty dollars (\$20.00) of said service charge shall be paid to the Rhode Island Community Food Bank and twenty dollars (\$20.00) shall be allocated to the division of motor vehicles for its cost in manufacturing and distributing such special plates."

Respectfully submitted,

WILLIAM V. IRONS

Senate Majority Leader

The motion to amend prevails upon a roll call vote with 41 Senators voting in the affirmative and 0 Senators voting in

the negative as follows:

YEAS - 41: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

Senators Blais and Goodwin discuss the act.

Upon motion of Senator Goodwin, seconded by Senator Celona, the act is read and passed, as amended, by unanimous consent, upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

21. (02-S2145 as amended) An Act relating to alcoholic beverages.

Committee on Special Legislation recommends passage as amended.

Senator Bates moves passage, seconded by Senators Goodwin, Blais, Gibbs, McDonald, Hunter, Algieri and many more.

Senators Bates, Blais, Sosnowski, Senate Majority Leader Irons and Senator Raptakis discuss the act.

Senator Raptakis, seconded by Senator Bates, offers the following written motion to amend:

FLOOR AMENDMENT
TO
(02-S 2145 as amended)

Mr. President:

I hereby move to amend (02-S 2145 as amended) entitled ``AN ACT RELATING TO ALCOHOLIC BEVERAGES'', as follows:

(1) On page 1, lines 13 through 14, by deleting all of the language up to the word ``all'' and by inserting the following language:

``(b)(1) The retailer shall maintain a record of persons purchasing kegs, a keg sales book, which includes: name, address, date, and name brand of beer, and whether or not the keg was returned without the tags or not returned at all.

(b)(2) Every retailer of kegs shall cause to be kept a keg sales book or photographic reproduction equipment which

provides the same information as required by the book. That license and/or the licensee's employee shall require any person who has shown a document as set forth in this section substantiating his or her age to sign that book or to permit the taking of his or her photograph and indicate what document was presented. Use of the photographic reproduction equipment is voluntary for every retailer of kegs.

(b)(3) The sign-in keg sales book and photographic reproduction equipment shall be prescribed, published, and approved the direction and control of the division. The book shall contain at least four hundred (400) pages, shall be uniformed throughout the state, and shall be distributed at a cost not to exceed seven dollars (\$7.00)."

Respectfully submitted,

LEONIDAS P. RAPTAKIS
Senator, District 20

The motion to amend prevails upon a roll call vote with 40 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 40: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Coderre, Cote, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 1: Senator DaPonte.

Upon motion of Senator Bates, seconded by Senator Raptakis, the act is read and passed, as amended, by unanimous consent, upon a roll call vote with 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 40: Senators Algieri, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

1. (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".

Senator McBurney moves passage, seconded by Senators Goodwin, Celona, Algieri, Gibbs, Badeau, Felag and many others.

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

FLOOR AMENDMENT

TO

(02-S 2257) (Substitute ``A")

Mr. President:

I hereby move to amend (02-S 2257) (Substitute ``A") entitled ``AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES", as follows:

- 1. On page 1, line 11, insert the word ``newspapers," after the word ``cigarettes,"
- 2. On page 1, line 13, insert the following language after the word ``peppers,": ``Slim Jims and similar pre-packaged dried meat products, pickled eggs, popcorn, pre-packaged candy, Styrofoam coolers"

Respectfully submitted,

JOHN F. McBURNEY, III
Senator, District 16

The motion to amend prevails upon a roll call vote with 41 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 41: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

Upon motion of Senator McBurney, seconded by Senator Montalbano, 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 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 42: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS - 0.

FROM THE DESK

Upon suggestion of Senator McDonald, and without objection, (02-S 2680) An Act relating to cities and towns, is removed from the Desk and recommitted to the Committee on Corporations.

ANNOUNCEMENTS

Senator DaPonte 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, May 14, 2002, at 2:00 o'clock P.M. and 5:00 o'clock P.M. 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 Coderre, seconded by Senator Algieri, and upon suggestion of Senator Bates, the Senate adjourns at 4:50 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Thomas H. Mello, Jr. of Barrington, an active veteran and prominent New England Patriots supporter.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR DAVID V. IGLIOZZI

Dear God, we beseech you to fit us for today's work and for the work in days ahead. May we profit by this moment by being still and knowing that You alone are sufficient for all our needs. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, May 14, 2002:

1.

Appointment of Carrie Zaslow of Providence VICE Anne H. Allen to the Rhode Island State Council on the Arts for a term expiring March 1, 2005.

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

2.

Appointment of Mary K. Talbot of Barrington VICE Florence Weintraub to the Rhode Island State Council on the Arts for a term expiring March 1, 2005.

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

3. Reappointment of William C. Kennedy of Coventry to the Rhode Island Public Transit Authority for a term expiring April 1, 2005.

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

4. Reappointment of Joseph Caffey of Providence (Representative of a Community Development Corporation to the Rhode Island Housing Resources Act for a term expiring January 31, 2005.

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

5. Reappointment of Stephen Medeiros of Coventry to the Marine Fisheries Council for a term expiring April 1, 2006.

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

6. Reappointment of Russell Brown of South Kingstown (Representing Building Officials from Municipality of 20,000-60,000) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

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

7. Reappointment of Thomas J. Lynch of Narragansett (Representing IBEW Local 99) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

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

8. Reappointment of David F. Palmisciano of Chepachet (Representing Building Trades Council) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

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

9. Reappointment of Robert E. DeBlois, Jr. of East Greenwich (Representing Rhode Island Builders Association) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, May 9, 2002

Appendix

CALENDAR

In order for Wednesday, May 15, 2002:

1. (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".

2. (02-S2157) An Act relating to retirement - disability.

Committee on Finance recommends passage.

3. (02-S2231) An Act relating to textbooks.

Committee on Finance recommends passage.

4. (02-S2371) An Act relating to the Rhode Island Veterans' Home.

Committee on Finance recommends passage.

5. (02-S2372) An Act relating to military affairs and defense - Rhode Island Veterans' Home.

Committee on Finance recommends passage.

6. (02-S2552) An Act relating to taxation - situs and ownership of taxable property.

Committee on Finance recommends passage.

7. (02-S2249) (Substitute ``A") An Act relating to divorce and separation - domestic violence.

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

8. (02-S2721) (Substitute ``A") An Act relating to courts and civil procedure - particular actions - post conviction remedy.

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

9. (02-S2799) An Act relating to motor and other vehicles - driver's license notification of selective registration requirement.

Committee on Judiciary recommends passage.

10. (02-S2951) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage.

11. (02-H7868) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

12. (02-H7879) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

13. (02-H8048) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

Appendix

CALENDAR

In order for Thursday, May 16, 2002:

1. (02-S2144) An Act relating to commercial law - interest and usury.

Committee on Corporations recommends passage.

2. (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.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Thursday, May 9, 2002

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

Thank you for stopping by!

