

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.

Volume129, No.49	Wednesday, May 15, 2002	Forty-ninth Day
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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 48 Senators present and 2 Senators absent as follows:

PRESENT - 48: Senators Algiere, 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, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 2: Senators Connors, McCaffrey.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senators Izzo, Montalbano, Roberts, Issa, Algiere, Blais, Gallo, Cote, Sheehan, Gibbs, McBurney andSenate Majority Leader Irons, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber advocates who attended the rally today for COZs - otherwise known as Child Opportunity Zones.

Child Opportunity Zones bring families, schools, and the community together to support school success for all children. COZs recognize the important role that families and community play in the educational achievement of our kids - and their success points out the truth to the old adage "It takes a village to raise a child".

Upon suggestion of Senator Roney, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Michael Cunningham, Dr. Michael Rice, David Wallace, Dr. W. Michael Sullivan, Dr. Steve Withrow, Dr. Tom Urabel and Hugh Murphy.

Upon suggestion of Senate Majority Leader Irons and Senator Revens, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber from the General Federation of Women's Clubs (GFWC), Jacquelyn Pierce of Chicago, Illinois, GFWC International Second Vice President, who will be the principal speaker at the GFWC of Rhode Island Annual Meeting; and Roberta Bianco of Warwick, Secretary, GFWC of Rhode Island.

Upon suggestion of Senator Enos, and by unanimous consent, His Honor, the Lieutenant Governor, announces to the Chamber that the following students from Wilbur and McMahon School in Little Compton, visited the State House earlier today; Zachary Beaulieu, Kenneth Dansereau, Alexander Hartnett, Brittany Harvey, Nadine Hawes, Alana Julian, Anna Iglesias, Kevin Lafrenier, Daniel Massey, Alysia Medeiros, Melissa Medeiros, Daniel Moniz, Rafe Parente, Caitlin Silvia, Danielle Smith, Amy Wordell, Noah Brennan, Fiona Cooke, Kerri Farrell, Joshua Leary, Meghan Lewis, Steven McBurney, Zachary Medeiros, Fae Messier, Joslyn Oullette, Ami Pelletier, James Perkins, Tyler Poirier, Stephenie Rocha, Kimberly Sardini, Hunter Wells, Adam Yorks, Heather Periera, Lydia Borden and James Powers.

COMMUNICATION

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

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

May 15, 2002

Lt. Governor, Charles J. Fogarty

Lieutenant Governor
116 State House
Providence, RI 02903

Dear Lieutenant Governor Fogarty:

I am requesting to be excused on Thursday, May 16, 2002 from the Senate Session.

I will be out of town on business.

I would appreciate having this letter recorded in the Senate Journal.

Sincerely,

CHARLES D. WALTON
Senator, District 43

Received and ordered to be placed on file.

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 on May 2, 2002:

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

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

His Honor, the Lieutenant Governor, presents an announcement of the receipt by the Secretary of State of the following measure which became effective without the signature of His Excellency, the Governor on May 8, 2002:

(02-S 2898) An Act reinstating and restoring forfeited or revoked corporate charters.

EDWARD S.INMAN, III
Secretary of State

Received and ordered to be placed on file.

**FROM THE
HOUSE OF REPRESENTATIVES**

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

(02-H 6609) An Act relating to public utilities and carriers - duties of utilities and carriers.

Read and referred to the Committee on Corporations.

Also:

(02-H 6915 as amended) An Act relating to insurance.

Read and referred to the Committee on Corporations.

Also:

(02-H 8051) (Substitute "A") An Act relating to taxation - situs and ownership of taxable property.

Read and referred to the Committee on Corporations.

Also:

(02-H 8130) An Act relating to the North Tiverton Fire District.

Read and referred to the Committee on Corporations.

Also:

(02-H 8132) An Act authorizing the city of Pawtucket to provide for the renovation and equipping of public school buildings in the city of Pawtucket and authorizing the financing thereof, including the issue of not more than \$3,000,000 bonds and notes therefor, to fund the Capital Improvement Program for the two fiscal years 2003 and 2004.

Read and referred to the Committee on Corporations.

Also:

(02-H 8133) An Act authorizing the city of Pawtucket to provide for the improvement and replacement of road and traffic control devices in the city of Pawtucket and authorizing the financing thereof, including the issue of not more than \$200,000 bonds and notes therefor, to fund the Capital Improvement Program for the two fiscal years 2003 and 2004.

Read and referred to the Committee on Corporations.

Also:

(02-H 8134) An Act authorizing the city of Pawtucket to provide for the construction and reconstruction of the sewer and sanitation system in the city of Pawtucket and authorizing the financing thereof, including the issue of not more than \$400,000 bonds and notes therefor, to fund the Capital Improvement Program for the two fiscal years 2003 and 2004.

Read and referred to the Committee on Corporations.

Also:

(02-H 8135) An Act authorizing the city of Pawtucket to provide for the renovation and improvement of public buildings in the city of Pawtucket and authorizing the financing thereof, including the issue of not more than \$600,000 bonds and notes therefor, to fund the Capital Improvement Program for the two fiscal years 2003 and 2004.

Read and referred to the Committee on Corporations.

Also:

(02-H 8136) An Act authorizing the city of Pawtucket to provide for the renovation and reconstruction and equipping of public recreation facilities in the city of Pawtucket and authorizing the financing thereof, including the issue of not more than \$500,000 bonds and notes therefor, to fund the Capital Improvement Program for the two fiscal years 2003 and 2004.

Read and referred to the Committee on Corporations.

Also:

(02-H 8137) An Act authorizing the city of Pawtucket to provide for the construction and reconstruction of streets and sidewalks in the city of Pawtucket and authorizing the financing thereof, including the issue of not more than \$1,000,000 bonds and notes therefor, to fund the Capital Improvement Program for the two fiscal years 2003 and 2004.

Read and referred to the Committee on Corporations.

Also:

(02-H 8138) An Act authorizing the city of Pawtucket to provide for the reconstruction of bridges in the city of Pawtucket and authorizing the financing thereof, including the issue of not more than \$300,000 bonds and notes therefor, to fund the Capital Improvement Program for the two fiscal years 2003 and 2004.

Read and referred to the Committee on Corporations.

Also:

(02-H 7676) An Act relating to public property and works - state purchases.

Read and referred to the Committee on Labor.

Also:

(02-H 6875 as amended) An Act relating to education - private schools.

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

Also:

(02-H 8140) Joint Resolution congratulating Brother Edmond Precourt, FSC on his reappointment as Principal of The Prout School.

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

Also:

(02-H 8131) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Also:

(02-H 8139) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

FROM THE DESK

The following act is removed from the Desk and acted upon as follows:

(02-S 2548) (Substitute "A") An Act relating to towns and cities - emergency police power.

Upon suggestion of Senator Celona, and without of objection, ordered to be placed on the Calendar for Thursday, May 23, 2001.

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 2259) (Substitute "A") An Act relating to motor and other vehicles - rental vehicles.

Read and ordered to be placed on the Calendar.

(02-S 2436) (Substitute "A") An Act relating to public officers and employees - salaries and traveling expenses.

Read and ordered to be placed on the Calendar.

(02-S 2533) (Substitute "A") An Act relating to towns and cities - Rhode Island comprehensive planning and land use act.

Read and ordered to be placed on the Calendar.

(02-S 2697) An Act relating to motor and other vehicles - public motor vehicles.

Read and ordered to be placed on the Calendar.

(02-S 2874) An Act relating to animals and animal husbandry - dogs.

Read and ordered to be placed on the Calendar.

(02-S 2942) An Act relating to establishing the Westerly Municipal Land Trust.

Read and ordered to be placed on the Calendar.

(02-S 2953) An Act relating to taxation.

Read and ordered to be placed on the Calendar.

(02-S 2954) An Act relating to state affairs and government - distressed areas economic revitalization act.

Read and ordered to be placed on the Calendar.

(02-H 8001) An Act relating to the small employer health insurance availability act.

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 measures:

(02-S 2379) (Substitute "A" as amended) An Act relating to workers' compensation - general provisions.

Read and ordered to be placed on the Calendar.

(02-S 2782) (Substitute "A" as amended) An Act relating to electricians.

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senators Polisena, Walton, Montalbano, Celona, Graziano and others present (02-S 3008) Senate Resolution congratulating Robert Allen Silvestra on his retirement.

Senator Polisena requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Polisena, 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 Senators Polisena, Walton, Graziano, Gallo, Revens, Coderre, Izzo and Issa, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dr. Robert Silvestre, Vice President, Community College of Rhode Island, Mrs. Dot Silvestre, Patricia DaSilva, Sharon Redinger, Norma and Leroy DeCesare, Carl Tronni, and from the Community College of Rhode Island Joseph DiMaria, Vice President, Student Affairs, Robert Henderson, Vice President, Business Affairs, Maria Tamborelli, Nursing Program, Terrie Celentano, Academic Affairs and Cheila Porter.

NEW BUSINESS

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

Senators Bates, Hunter and Celona present (02-S 3009) An Act relating to insurance - agents, brokers, and solicitors.

Read and referred to the Committee on Corporations.

Senator Caprio presents (02-S 3010) An Act to vacate the forfeiture or revocation of the charter of Park View Associates, Inc.

Senator Caprio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Caprio moves passage, seconded by Senate Majority Leader Irons.

The act is read and passed, by unanimous consent, under suspension of the rules, 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, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

Senators Irons, Garabedian, Graziano, McCaffrey, Paiva Weed and others present (02-S 3011) Senate Resolution respectfully requesting the Justices of the Supreme Court give a written opinion upon a question of law.

Senate Majority Leader Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senator Sosnowski presents (02-S 3012) Senate Resolution honoring Scott A. Sherman for his outstanding contributions to his community through involvement in the Grange - Order of Patrons and Husbandry.

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Izzo, Kelly, Walsh, Walton, Roberts and others present (02-S 3013) Senate Resolution urging the United States to ratify the United Nations' Convention on the rights of the child.

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 Blais, Kells, Cicilline, Polisena, Perry and others present (02-S 3014) Senate Resolution declaring May 15, 2002 "Sturge-Weber Syndrome Awareness Day" in the state of Rhode Island.

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.

GUESTS

Upon suggestion of Senator Blais, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Hailee Rice, Heidi Rice, Bill Rice, Pauline Rice, Jamies Buglio and Ashley Buglio.

**FROM THE
HOUSE OF REPRESENTATIVES**

A message from the House of Representatives transmits with announcement of passage, notwithstanding the disapproval of the Governor:

(02-H 7133) (Substitute "A") An Act relating to public utilities and carriers - duties of utilities and carriers.

His Honor, the Lieutenant Governor, presents disapproval by the Governor on the measure.

The act is accompanied by the following message of disapproval.

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

Lincoln C. Almond
Governor

April 17, 2002

To the Honorable, the House of Representatives:

In accordance with the provisions of Rhode Island General Laws 43-1-4, I am transmitting herewith with my disapproval, 2002 - H 7133 Substitute A, As Amended, "An Act Relating to Public Utilities and Carriers - Duties of Utilities and Carriers."

This bill prohibits gas companies from allowing their employees to terminate, restore or activate gas service, or periodically test meters, unless those employees have: 1) gained relevant experience by working for a gas company for at least two years; and 2) been properly trained in the safe termination, activation or restoration of gas services. The bill also requires the Public Utilities Commission to establish and enforce a certification process for such training.

The safe activation and termination of gas services is a matter of great importance to all the citizens of this State. Gas utilities must use the utmost care in training their workers to ensure that gas services are delivered in a safe and effective manner. I support efforts to increase training for all people who deliver gas services to the public and would sign into law a bill that simply achieved that end. This bill, however, goes much further. As explained below, the bill's two-year gas company employment requirement would effectively prevent New England Gas ("NEG") from hiring utility contractors to terminate, restore or activate gas services, even though these workers already possess a high level of experience and training, simply because they did not acquire that experience by working at a gas company for two years. Moreover, as explained below, in its present form, the bill's two-year gas company employment requirement likely violates the National Labor Relations Act, 29 U.S.C. 151, et seq. (the "NLRA").

The preemption doctrine of the NLRA prohibits states from regulating conduct that Congress intended to remain unregulated and to be left to the free play of economic forces. An employer's hiring of replacement workers during a strike has been expressly recognized as a protected economic right available to management. *Charlesgate Nursing Center v. Rhode Island*, 723 F. Supp. 859 (D.R.I. 1989). In *Charlesgate*, for example, the court struck down a Rhode Island statute that prohibited an employer from using an employee recruiting firm to recruit or hire workers to replace striking union employees. The court held that the statute restricted an employer's right to hire replacement workers during a strike. The United States Supreme Court has also made clear that a company has the federal right to hire qualified replacement workers during a lockout. *Golden State Transit Corp. v. City of Los Angeles*, 475 U.S. 608, 614-15 (1986).

A state statute, such as the one before me, is preempted when "it involve[s] attempts by a local, state, or federal governmental agency to regulate labor policy by putting a finger on the scales in favor of either labor or management." *Van-Go Transport Co., Inc. v. New York City Board of Ed.*, 53 F. Supp. 2d 278, 290 (E.D.N.Y. 1999). A statute may not restrict a company's ability to hire replacement workers. A statute does so "when it infringes on such rights in more than a collateral way." *Charlesgate*, 723 F. Supp. at 865-66. A limited exception to this rule, and the one suggested to the legislature, is that of public safety. To avail itself of this narrow exception, the government must demonstrate "a substantial public health, safety or welfare concern sufficient to outweigh a party's interest in a federally protected right." *Van-Go Transport Co.*, 53 F. Supp. 2d at 292. "To determine the validity of an asserted local interest, one must closely examine the articulated rationale behind the local interest." *Id.*

The public safety rationale here is severely undercut because the bill outlaws the use of even experienced plumbers, pipefitters and utility contractors trained in the provision of gas services simply because they do not have two years of experience with a gas company. Since plumbers and pipefitters regularly install gas services inside the home, they have

experience activating and terminating such services as well as experience with the care and evaluation of gas-powered appliances. Moreover, the bill calls for a separate certification process by the PUC that would establish appropriate training criteria. The PUC should not be prohibited from certifying otherwise trained and qualified workers simply because they have not worked for a gas company for two years. No legitimate public safety concern is advanced by prohibiting these skilled tradespeople from activating, restoring or terminating gas services to consumers. Since the practical effect of this bill would be to restrict management's ability to replace locked out workers and since there is no countervailing safety rationale to support the two-year gas company employment requirement, this bill would likely violate the preemption doctrine of the NLRA.

In addition, this bill may also prevent NEG from performing critical functions long after its current labor dispute has been resolved. Even before the lockout, NEG (with the consent of its union) augmented its workforce with temporary workers to turn gas off during busy times of year. The bill would prevent NEG from using trained temporary workers to perform this function in the future, regardless of whether union workers were on strike. This would likely cause delays in terminating gas service as well as an increase in the price for such service.

This veto should not be construed as my approval of the existing lockout of gas company workers or the position of NEG in the pending contract negotiations. Those negotiations must conclude as soon as possible without interference by the government. Any bill addressing safety must do so without penalizing workers who are well trained and experienced, but do not meet an arbitrary two-year gas company employment requirement, and I urge amendment of this bill to do just that. For all these reasons, I disapprove of this legislation as drafted and respectfully urge your support of this veto.

Sincerely,

LINCOLN ALMOND
Governor

The message of disapproval is read and ordered to be placed on file.

Senate Majority Leader Irons moves passage of the act, notwithstanding the veto of the Governor, seconded by Senator Coderre and many, many other Senators.

Senate Majority Leader Irons and Senators Garabedian and Fogarty discuss the act.

The act is read and passed, in concurrence, by unanimous consent, notwithstanding the veto of the Governor, 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, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

CALENDAR

In order for the day is taken up as follows:

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".

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

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

Committee on Finance recommends passage.

Senator Tassoni moves passage, seconded by Senators Ruggerio, Damiani and others.

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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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

Committee on Finance recommends passage.

Senator Walaska moves passage, seconded by Senators Fogarty, Issa, Hunter, Felag, McBurney, Cote and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS - 0.

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

Committee on Finance recommends passage.

Senator Felag moves passage, seconded by Senators Parella, Enos, Damiani, Issa, Celona and many 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 Algiere, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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

Committee on Finance recommends passage.

Senator Felag moves passage, seconded by Senators Cicilline, Enos, Issa, Parella and others.

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

NAYS - 0.

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

Committee on Finance recommends passage.

Upon suggestion of Senator Caprio, and without objection, ordered to be placed on the Calendar for Tuesday, May 21, 2002.

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".

Senator Gallo moves passage, seconded by Senators Goodwin, Celona and others.

Senators Paiva Weed, Montalbano and Walsh discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS - 0.

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".

Upon suggestion of Senator Montalbano, and without objection, ordered to be placed on the Calendar for Tuesday, May 21, 2002.

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

Committee on Judiciary recommends passage.

Upon suggestion of Senator DaPonte, and without objection, ordered to be placed on the Calendar for Tuesday, May 21, 2002.

10. (02-S2951) An Act relating to 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 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS - 0.

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

Committee on Judiciary recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senator Montalbano.

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, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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

Committee on Judiciary recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senator Coderre.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

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

Committee on Judiciary recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Celona and Polisena.

The act is read and passed, 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, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, McBurney, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

ANNOUNCEMENTS

Senator Montalbano announces that the Committee on Judiciary will meet on Tuesday, May 21, 2002, at the rise of the Senate in Room 313 of the State House.

Also:

Senator Graziano announces that the Committee on Health, Education and Welfare will meet today at the rise of the Senate in the Senate Lounge 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, the Senate adjourns at 5:25 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JOSEPH M. POLISENA

Heavenly Father, we ask you to teach us to give and not count the cost, and to labor and not ask for rewards. Above all, teach us that it is only what we give in love and service to others which endures forever. Amen.

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.

- 3. (02-S2461) (Substitute "A" as amended) An Act relating to towns and cities - low and moderate income housing.

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

- 4. (02-S2867) An Act relating to the General Assembly - organization of the Senate.

Committee on Judiciary recommends passage.

- 5. (02-S2332) An Act relating to waters and navigation - Water Resources Board.

Joint Committee on Water Resources recommends passage.

Appendix

CALENDAR

In order for Tuesday, May 21, 2002:

- 1. (02-S2552) An Act relating to taxation - situs and ownership of taxable property.

Committee on Finance recommends passage.

- 2. (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".

3. (02-S2799) An Act relating to motor and other vehicles - driver's license notification of selective registration requirement.

Committee on Judiciary recommends passage.

4. (02-S2259) (Substitute "A") An Act relating to motor and other vehicles - rental vehicles.

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

5. (02-S2436) (Substitute "A") An Act relating to public officers and employees - salaries and traveling expenses.

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

6. (02-S2533) (Substitute "A") An Act relating to towns and cities - Rhode Island comprehensive planning and land use act.

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

7. (02-S2697) An Act relating to motor and other vehicles - public motor vehicles.

Committee on Corporations recommends passage.

8. (02-S2874) An Act relating to animals and animal husbandry - dogs.

Committee on Corporations recommends passage.

9. (02-S2942) An Act relating to establishing the Westerly Municipal Land Trust.

Committee on Corporations recommends passage.

10. (02-S2953) An Act relating to taxation.

Committee on Corporations recommends passage.

11. (02-S2954) An Act relating to state affairs and government - distressed areas economic revitalization act.

Committee on Corporations recommends passage.

12. (02-H8001) An Act relating to the small employer health insurance availability act.

Committee on Corporations recommends passage in concurrence.

13. (02-S2379) (Substitute "A" as amended) An Act relating to workers' compensation - general provisions.

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

14. (02-S2782) (Substitute "A" as amended) An Act relating to electricians.

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

15. (02-H6909) (Substitute "A") An Act relating to whistleblowers' protection.

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

16. (02-H7048 as amended) An Act relating to labor and labor relations - inspection of personnel files.

Committee on Labor recommends passage in concurrence.

17. (02-H7149) (Substitute "A" as amended) An Act relating to labor and labor relations - genetic testing as a condition of employment.

Committee on Labor recommends passage in concurrence.

Appendix

CALENDAR

In order for Thursday, May 23, 2002:

1. (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".

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, May 15, 2002

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

Thank you for stopping by!

