

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 seventh day of January in the year of Our Lord two thousand and three.

Volume 130, No.13 Wednesday, February 5, 2003 Thirteenth Day

Our Lord two thousand and three. The Senate meets pursuant to adjournment and is called to order by the Honorable William V. Irons, President of the Senate, at 4:15 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT - 37:

The Honorable President Irons and Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT - 1: Senator Pichardo.

INVOCATION

The Honorable President, by unanimous consent, presents Senator Sosnowski, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senator Sosnowski, to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of Tuesday, February 4, 2003 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Damiani, and by unanimous consent, the Honorable President welcomes to the Chamber

Eric Stevens, a student attending the University of Rhode Island, who will be serving as a Senate intern this year.

Upon suggestion of Senator Blais, and by unanimous consent, the Honorable President welcomes to the Chamber Jeff Estey of Warwick, a student attending the University of Rhode Island, who will be serving as a Senate intern this year.

NEW BUSINESS

The following New Business introductions (03-S 182-03-S 212) were omitted from the Senate Journal of Thursday, January 30, 2003:

Senators Parella, Felag, Bates, Gibbs and Paiva Weed present (03-S 182) An Act relating to waters and navigation - Coastal Resources Management Council.

Read and referred to the Committee on Environment and Agriculture.

Senators Cote and Badeau present (03-S 183) An Act relating to cities and towns - exempting from taxation the property of Woonsocket, R.I. Young Men's Christian Association.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senator McBurney presents (03-S 184) An Act relating to taxation - property subject to taxation.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senator Badeau presents (03-S 185) An Act relating to towns and cities - condominium trash.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senators Blais and Breene present (03-S 186) An Act relating to registration of motor vehicles - civil air patrol.

Read and referred to the Committee on Constitutional and Gaming Issues.

Senators Cote, Lenihan, Sheehan and Raptakis present (03-S 187) Joint Resolution to approve and publish, and submit to the electors a proposition of amendment to the Constitution of the State.

Read and referred to the Committee on Constitutional and Gaming Issues.

Senators Lanzi, Connors, Ciccone and Ruggerio present (by request) (03-S 188) An Act relating to education - school committees and superintendents.

Read and referred to the Committee on Education.

Senators Badeau, Cote, Lanzi, DaPonte and Damiani present (03-S 189) An Act relating to education - qualifications of teacher assistants.

Read and referred to the Committee on Education.

Senators Blais and Raptakis present (03-S 190) An Act relating to the regulation of earth removal and gravel processing in the town of Coventry.

Read and referred to the Committee on Environment and Agriculture.

Senators Alves, Paiva Weed and Walaska present (03-S 191) An Act relating to the Pawtuxet River Walkway.

Read and referred to the Committee on Finance.

Senators Badeau and Cote present (03-S 192) An Act relating to taxation - sales tax.

Read and referred to the Committee on Finance.

Senators Cote, Badeau, Lenihan, McBurney and Perry present (03-S 193) An Act relating to taxation.

Read and referred to the Committee on Finance.

Senators Polisena, Damiani, Felag, Issa and Raptakis present (03-S 194) An Act relating to military affairs and defense - extension of veteran's benefits.

Read and referred to the Committee on Finance.

Senators McCaffrey and Felag present (03-S 195) An Act relating to sales and use taxes - liability and computation.

Read and referred to the Committee on Finance.

Senators McCaffrey, Cote and Felag present (03-S 196) An Act relating to sales and use taxes - liability and computation.

Read and referred to the Committee on Finance.

Senators Badeau and Cote present (03-S 197) An Act relating to taxation - personal income tax.

Read and referred to the Committee on Finance.

Senators Blais, Walaska, Celona, Bates and Breene present (03-S 198) An Act relating to administrative procedures.

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Senators Perry, Pichardo, Ciccone, Gibbs and Roberts present (03-S 199) An Act relating to health and safety - reproductive health care.

Read and referred to the Committee on Health and Human Services.

Senators Blais, Celona, Breene, Montalbano and Alves present (03-S 200) An Act relating to public finance - prohibiting the use of public funds for abortions.

Read and referred to the Committee on Health and Human Services.

Senators Badeau and Cote present (03-S 201) An Act relating to workers' compensation - procedure.

Read and referred to the Committee on Labor.

Senator Badeau presents (03-S 202) An Act relating to labor and labor relations - workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Badeau and Cote present (03-S 203) An Act relating to holidays and days of special observance.

Read and referred to the Committee on Labor.

Senators DaPonte, Connors, Pichardo, Lanzi and Ciccone present (03-S 204) An Act relating to labor and labor relations.

Read and referred to the Committee on Labor.

Senator Connors presents (03-S 205) An Act relating to state affairs and government - establishing an Office of Inspector General.

Read and referred to the Committee on Oversight.

Senator Connors presents (03-S 206) Joint Resolution to approve and publish, and submit to the electors a proposition of amendment to the Constitution of the State (separation of powers).

Read and referred to the Committee on Oversight.

Senator McBurney presents (03-S 207) An Act relating to labor and labor relations - arbitration of labor controversies.

Read and referred to the Committee on Labor.

Senator McBurney presents (03-S 208) An Act relating to labor and labor relations - labor relations act.

Read and referred to the Committee on Labor.

Senator Badeau presents (03-S 209) An Act relating to workers' compensation - procedure.

Read and referred to the Committee on Labor.

Senator McBurney presents (03-S 210) An Act relating to labor and labor relations - labor relations act.

Read and referred to the Committee on Labor.

Senators Paiva Weed, McCaffrey, Montalbano, Perry and Connors present (03-S 211) An Act relating to criminal offenses - law practice.

Read and referred to the Committee on Judiciary.

Senators Gibbs and Bates present (03-S 212) An Act relating to motor and other vehicles - mobile and manufactured homes.

Read and referred to the Committee on Judiciary.

NEW BUSINESS

Senator Irons presents (03-S 243) Senate Resolution adopting the Rules of the Senate.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senate Majority Leader Montalbano and Senators Lenihan, DaPonte, Algiere, Goodwin, Roberts, Perry, Alves, Ruggerio and others.

Senators Ruggerio, Bates, Paiva Weed, Algiere, Sheehan, DaPonte and Senate Majority Leader Montalbano discuss the resolution.

The resolution is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 37:

The Honorable President Irons and Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Senator Blais presents (03-S 244) An Act relating to criminal procedure - sentence and execution.

Read and referred to the Committee on Judiciary.

Senator Blais presents (03-S 245) An Act relating to businesses and professions - Board of Medical Licensure and Discipline.

Read and referred to the Committee on Judiciary.

Senators Damiani, Polisena, Blais, Felag and Breene present (03-S 246) An Act relating to state affairs and government - administration of state departments.

Read and referred to the Committee on Judiciary.

Senator Perry presents (03-S 247) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Senators Polisena and Damiani present (03-S 252) An Act relating to elections - referenda elections.

Read and referred to the Committee on Judiciary.

Senators Breene and Algiere present (03-S 253) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Senators Gibbs, Felag, Algiere, Paiva Weed and Roberts present (03-S 254) An Act relating to the Rhode Island Student Investment Initiative.

Read and referred to the Committee on Finance.

Senator Paiva Weed presents (03-S 255) An Act relating to education.

Read and referred to the Committee on Finance.

Senators Fogarty, Gallo, Connors, Tassoni and Blais present (03-S 256) An Act relating to education.

Read and referred to the Committee on Finance.

Senators Lanzi, Ciccone, Caprio, Gallo and Ruggerio present (03-S 257) An Act relating to retirement.

Read and referred to the Committee on Finance.

Senators Raptakis, Cote, Ginaitt, Walaska and Algiere present (03-S 258) An Act relating to taxation - sales and use taxes - liability and computation.

Read and referred to the Committee on Finance.

Senators Breene, Blais, Fogarty, Raptakis and Cote present (03-S 259) An Act relating to education.

Read and referred to the Committee on Finance.

Senator Blais presents (03-S 260) An Act relating to commercial law - interest and usury.

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Senators Walaska, Alves, McCaffrey and Celona present (03-S 261) An Act relating to businesses and professions - land surveyors.

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Senators Perry, Paiva Weed, Connors, Pichardo and Tassoni present (03-S 262) An Act relating to property - Rhode Island Fair Housing Practices Act.

Read and referred to the Committee on Health and Human Services.

Senators Gibbs, Parella, Roberts, Perry and Bates present (03-S 263) An Act relating to Human Services - Family Independence Act.

Read and referred to the Committee on Health and Human Services.

Senators Perry, Paiva Weed, Roberts, Connors and Sheehan present (03-S 264) Senate Resolution memorializing Congress to pass legislation to require that genetically engineered foods be labeled in the United States.

Read and referred to the Committee on Health and Human Services.

Senators Perry, Roberts, Sosnowski, Gibbs and Pichardo present (03-S 266) An Act relating to health and safety - stem cell research.

Read and referred to the Committee on Health and Human Services.

Senators Perry, Sosnowski, Gibbs, Paiva Weed and Roberts present (03-S 267) An Act relating to human services.

Read and referred to the Committee on Health and Human Services.

Senators Bates, Celona, Sosnowski, Paiva Weed and Lenihan present (03-S 268) An Act relating to public utilities and carriers - renewable energy standard.

Read and referred to the Committee on Environment and Agriculture.

Senators Felag, Bates, Walaska, Breene and Damiani present (03-S 269) An Act relating to energy supply policy.

Read and referred to the Committee on Environment and Agriculture.

Senators Breene, Sosnowski, Blais, Gibbs and Algiere present (03-S 270) An Act relating to food and drugs - fruits and vegetables generally.

Read and referred to the Committee on Environment and Agriculture. Senator Blais presents (03-S 271) An Act relating to health and safety - Rhode Island Resource Recovery Corporation.

Read and referred to the Committee on Environment and Agriculture.

Senators Tassoni, Celona, Cote and Polisena present (03-S 272) An Act relating to education - health and safety of pupils.

Read and referred to the Committee on Education.

Senator Issa presents (by request) (03-S 273) An Act relating to education - the Rhode Island public/private partnership act.

Read and referred to the Committee on Education.

Senators Polisena and Damiani present (03-S 274) An Act relating to education - curriculum.

Read and referred to the Committee on Education.

Senators Tassoni, Celona, Cote and Polisena present (03-S 275) An Act relating to health and safety.

Read and referred to the Committee on Environment and Agriculture.

Senators Cote, Sheehan and Breene present (03-S 276) Joint Resolution providing for bi-partisan preparatory commission to assembly information on constitutional questions in preparation for a vote by the qualified electors on the holding of a constitutional convention in accordance with Article XIV Section 2 of the Rhode Island Constitution.

Read and referred to the Committee on Constitutional and Gaming Issues.

Senators Cote, Sheehan and Breene present (03-S 277) Joint Resolution to submit the following question to the qualified electors of the state at the next general election in 2004: "Shall there be a convention to amend or revise the constitution?".

Read and referred to the Committee on Constitutional and Gaming Issues.

Senator Walaska presents (03-S 278) An Act relating to state affairs and government - video lottery terminal.

Read and referred to the Committee on Constitutional and Gaming Issues.

Senators Badeau and Cote present (03-S 279) An Act relating to banking law - dishonored checks.

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Senators Walaska, Bates, Blais, Breene and Celona present (03-S 280) An Act relating to unfair competition and practices.

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Senators Walaska, Bates, Blais, Breene and Celona present (03-S 281) An Act relating to insurance - federal riot

reinsurance reimbursement fund.

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Senators Gibbs, Bates, Polisena, Parella and Blais present (03-S 282) An Act relating to insurance - health maintenance organizations.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senator Paiva Weed presents (03-S 283) An Act relating to state affairs and government - Economic Development Corporations.

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Senator Celona presents (03-S 284) An Act to vacate the forfeiture or revocation of the charter of 1565 Associates, Inc.

Read and ordered to be placed on the Consent Calendar.

FROM THE DESK

Upon suggestion of Senate Majority Leader Montalbano, seconded by Senators Ruggerio and Algiere, the following act is removed from the Desk and acted on as follows:

(03-H 5306) An Act relating to the State Budget.

Senate Majority Leader Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senate Majority Leader Montalbano, seconded by Senators Ruggerio and Algiere, and by unanimous consent, read and passed, in concurrence, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 37:

The Honorable President Irons and Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

ANNOUNCEMENTS

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet today at the rise of the Senate in Room 211 of the State House.

Also:

Senator Felag announces that the Committee on Finance will meet on Thursday, at 2:30 o'clock P.M. and again at the rise of the Senate in Room 211 of the State House.

Also:

Senator Bates announces that the Committee on Financial Services, Technology and Regulatory Issues will meet today at the rise of the Senate in the Senate Lounge of the State House.

Also:

Senator Sheehan announces that the Committee on Health and Human Services will meet today at the rise of the Senate in Room 212 of the State House.

Also:

Senator McCaffrey announces that the Committee on Judiciary will meet on Thursday, at the rise of the Senate in the Room 313 of the State House.

Also:

Senator Lenihan announces that the Committee on Oversight will meet today at the rise of the Senate in Room 313 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 DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:41 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR V. SUSAN SOSNOWSKI

Dear God, we thank Thee for the gift of this new day with its opportunities for growth in nobility of character and in service to others. Amen.

Appendix

CONSENT CALENDAR

In order for Thursday, February 6, 2003:

- 1. (03-S284) An Act to vacate the forfeiture or revocation of the charter of 1565 Associates, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, February 5, 2003

Appendix

CALENDAR

In order for Thursday, February 6, 2003:

- 1. (03-S108) An Act relating to taxation - special housing exemption - Lincoln.

Committee on Commerce, Housing and Municipal Government recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, February 5, 2003

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

Thank you for stopping by!

