

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.14 Thursday, February 6, 2003 Fourteenth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable William V. Irons, President of the Senate, at 4:17 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT - 38:

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, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT - 0.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, February 5, 2003 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Fogarty and Felag, and by unanimous consent, the Honorable President welcomes to the

Chamber Rhode Island Girl Scout Troop 805 from Glocester: Elizabeth Thacker, Samantha Fiore, Amber Bigwood, Kristina Seitler, Christina Richards, Lauren Kelley, Erica King, Hillary Layden, Victoria Agnone, Alicia Harris and Emily Rouette, along with many of their parents.

Upon suggestion of Senator Lanzi, and by unanimous consent, the Honorable President welcomes to the Chamber Rhode Island School Counselors who are here as members of the American School Counselors Association.

**FROM THE
HOUSE OF REPRESENTATIVES**

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

(03-H 5357) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5358) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5396) An Act to vacate the forfeiture or revocation of the charter of A.R. Bucci Insurance Agency, Inc.

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS

The following New Business introductions (03-S 248) through (03-S 251), and (03-S 265) were omitted from the Senate Journal of Wednesday, February 5, 2003, and are entered into the record:

Senators Polisena and Damiani present (03-S 248) An Act relating to businesses and professions - physician assistants.

Read and referred to the Committee on Judiciary.

Senators Polisena, Algieri, Sosnowski, Damiani and Breene present (03-S 249) An Act relating to motor vehicle offenses.

Read and referred to the Committee on Judiciary.

Senators Polisena, Damiani and Raptakis present (03-S 250) An Act relating to motor vehicle offenses - reckless driving.

Read and referred to the Committee on Judiciary.

Senators Polisena and Damiani present (03-S 251) An Act relating to 911 - Emergency Telephone Number Act.

Read and referred to the Committee on Judiciary.

Senators Issa, Caprio, Alves, Tassoni and Roberts present (03-S 265) An Act relating to businesses and professions - patient protection act.

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

Senators Sheehan, Cote, Irons, Montalbano and Algiere present (03-S 285) 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.

Senators McBurney, Irons, Badeau, Ruggerio and Montalbano present (03-S 286) An Act relating to registration of vehicles - Senator Emeritus.

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

Senators Damiani, Polisena and McBurney present (03-S 287) An Act relating to insurance - identification of parties.

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

Senators Cote, Bates, Celona and Blais present (by request) (03-S 288) An Act relating to commercial law - credit card lending.

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

Senators Damiani, Polisena and McBurney present (03-S 289) An Act relating to arbitration of municipal employee disputes.

Read and referred to the Committee on Labor.

Senator Badeau presents (03-S 290) An Act relating to workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senator Badeau presents (03-S 291) An Act relating to labor and labor relations - workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senator Badeau presents (03-S 292) An Act relating to labor and labor relations - workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Celona, Tassoni, McCaffrey, Ruggerio and Goodwin present (03-S 293) An Act relating to criminal offenses - sexual offender registration and community notification.

Read and referred to the Committee on Judiciary.

Senators Perry, Tassoni, Paiva Weed, Gallo and Alves present (03-S 294) An Act relating to criminal offenses - weapons.

Read and referred to the Committee on Judiciary.

Senators Ciccone, Badeau, Connors, Ruggerio and McCaffrey present (03-S 295) An Act relating to elections - registration of voters.

Read and referred to the Committee on Judiciary.

Senator Paiva Weed presents (03-S 296) An Act relating to solemnization of marriage.

Read and referred to the Committee on Judiciary.

Senators Cote and Walaska present (by request) (03-S 297) An Act relating to courts and civil procedure.

Read and referred to the Committee on Judiciary.

Senators Gibbs, Tassoni, Blais, Sosnowski and Parella present (03-S 298) An Act relating to towns and cities - zoning ordinances.

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

Senators Perry, Paiva Weed, Sosnowski, Sheehan and Roberts present (03-S 299) An Act relating to businesses and professions - pharmacies.

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

Senators Celona, Connors and Montalbano present (03-S 300) An Act relating to towns and cities - low and moderate income housing.

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

Senators Connors, Alves, Badeau and DaPonte present (03-S 301) An Act relating to education.

Read and referred to the Committee on Finance.

Senators Lanzi, Ruggerio and Ciccone present (by request) (03-S 302) An Act relating to public officers and employees - retirement system - contributions and benefits.

Read and referred to the Committee on Finance.

Senators Raptakis, Cote, Alves, Blais and Lenihan present (03-S 303) An Act relating to education - mandates.

Read and referred to the Committee on Finance.

Senator DaPonte presents (03-S 304) An Act relating to public officers and employees - retirement system - administration.

Read and referred to the Committee on Finance.

Senators Gibbs, Tassoni and Sosnowski present (03-S 305) An Act relating to motor and other vehicles.

Read and referred to the Committee on Finance.

Senators Perry, Sosnowski, Roberts, Gibbs and Tassoni present (03-S 306) An Act relating to health and safety - safety of access to facilities - endangered.

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

Senators Gibbs, Parella, Alves, Bates and Breene present (03-S 307) An Act relating to pharmacies.

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

Senator Issa presents (03-S 308) An Act to vacate the forfeiture or revocation of the charter of Tony's Donuts, Inc.

Read and ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion ofSenate Majority Leader Montalbano, seconded by Senator Algieri, the following measure on today's Consent Calendar, by unanimous consent, is read and passed, upon a voice vote:

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

CALENDAR

In order for the day is taken up as follows:

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

Committee on Commerce, Housing and Municipal Government recommends passage.

Upon suggestion ofSenate Majority Leader Montalbano, and without objection, ordered to be placed on the Calendar for Tuesday, February 11, 2003.

ELECTION OF MAJORITY PRESIDENT PRO TEMPORE

The Honorable President declares that nominations for the office of President Pro Tempore of the Senate are now in order.

Senate Majority Leader Montalbano nominates Senator Rhode E. Perry, as Majority President Pro Tempore of the Senate for the 2003 and 2004 Sessions. The nomination is seconded by Senators Paiva Weed, Ruggerio, Tassoni, Goodwin, Roberts, Celona, Walaska, Gallo, Fogarty, Felag, Sosnowski, Caprio, Sheehan and many others.

The motion to elect Senator Perry, as Majority President Pro Tempore of the Senate is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and Senators Algieri, 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, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

ELECTION OF MINORITY PRESIDENT PRO TEMPORE

The Honorable President declares that nominations for the office of President Pro Tempore of the Senate are now in order.

Senator Bates nominates Senator Leo R. Blais, as Minority President Pro Tempore of the Senate for the 2003 and 2004 Sessions. The nomination is seconded by Senators Algieri, Breene, Gibbs, Parella, Damiani, Polisena, Ruggerio, Alves, Goodwin, Roberts, Walaska, Gallo, Perry, Sosnowski, Senate Majority Leader Montalbano and many others.

The motion to elect Senator Blais, as Minority President Pro Tempore of the Senate is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and Senators Algieri, 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, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

ANNOUNCEMENTS

Senator Fogarty announces that the Committee on Commerce, Housing and Municipal Government will meet on Tuesday at the rise of the Senate in Room 212 of the State House.

Also:

Senator Issa announces that the Committee on Education 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 today at the rise of the Senate in Room 211 of the State House.

Also:

Senator Perry announces that the Committee on Judiciary will meet today at the rise of the Senate in Room 313 of the State House.

Also:

Senate Majority Leader Montalbano announces that Senate staff member Trent Hastings has been activated as a member of the 115th Military Police Unit of the Army National Guard and we wish him well as he travels overseas in the pursuit of peace.

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 Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Blais, the Senate adjourns at 4:40 o'clock P.M., in memory of Leslie J. Marcotte of Coventry, a longtime civic activist.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR MARC A. COTE

Dear Lord, bestow your special blessings on all assembled in this chamber. Help us to always bear in mind that the people who elected us to serve them have placed their trust in us. May we serve them well in the ways in which You have taught us. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, February 11, 2003:

- 1. (03-S308) An Act to vacate the forfeiture or revocation of the charter of Tony's Donuts, Inc.

Ordered on the Consent Calendar.

- 2. (03-H5396) An Act to vacate the forfeiture or revocation of the charter of A.R. Bucci Insurance Agency, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, February 6, 2003

Appendix

CALENDAR

In order for Tuesday, February 11, 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
Thursday, February 11, 2003

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

Thank you for stopping by!

