

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.16 Wednesday, February 12, 2003 Sixteenth 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 4:09 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT - 35:

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

ABSENT - 3: Senators Felag, Polisena, Roberts. INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, February 11, 2003 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Breene, Blais, Sheehan, Fogarty and Sosnowski, and by unanimous consent, the Honorable President welcomes to the Chamber members of the Future Farmers of America, from the Exeter-West Greenwich chapter: Rebecca Breene, Melissa Breene, Shane Jacques, Chelsea Putura, Mike Wodecki, Allie St. Jean, Kelly Jarvis, Ryan Shoener, Nick Moriarty, and Advisor Wendy Millar; from the Scituate chapter: Robert Gauvin, Doug Etchells,

Henry Albanese, Matt Boyer, Kayla Harrison, and Advisor Dave Lewis; from the Narragansett chapter: Liz Johnson, Shannon Mullen, Tara Essex, Will DiPiero, Joe St. Godard, Maryjean Allard, Dustin Lowman, Rachel Haslet, Holly Brown, Will Clark, Matt Demty, Laura Cullen, Phillipe Gomes, Kerrie Lemoi, and Advisor Greg Breene; and from the Ponagansett Chapter: Ashley McCullough, Nicole Forsythe, Josh Genereaux, Ryan Haxton, Andrew Nadrowski, Zachary Kent, Laura Branch, Maria Procopio, Meghan Linton, Ashley McCarthy, Crystal DiNitto, Jacob Paradise, and Advisor Loren Andrews.

COMMUNICATION

The Honorable President presents the following communication:

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

February 12, 2003

The Honorable William V. Irons
President of the Senate
317 State House
Providence, RI 02903

Dear President Irons:

Please be advised that I will be absent from the Senate session on Wednesday, February 12th and Thursday, February 13th as I will be out of state on business.

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

Thank you.

Sincerely,

ELIZABETH H. ROBERTS
Senator, District 28

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:

(03-H 5334) An Act providing for the construction of additional classrooms, remodeling required by the Americans with Disabilities Act, construction of an administrative office building, and equipping and furnishing thereof, by the Exeter-West Greenwich Regional School District and authorizing the financing thereof, including the issue of not more than \$1,600,000 bonds therefor.

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

Also:

(03-H 5537) An Act to vacate the forfeiture or revocation of the charter of Portsmouth Portuguese American Citizens Club.

Read and ordered to be placed on the Consent Calendar.

REPORTS OF COMMITTEE
COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT

Senator Celona, from the Committee on Commerce, Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

(03-S 22 as amended) An Act relating to motor vehicle insurance - motor vehicle body replacement parts.

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senators Roberts, Paiva Weed, Pichardo and Sheehan present (03-S 365) An Act relating to taxation - personal income tax.

Read and referred to the Committee on Finance.

Senators Roberts and Gibbs present (03-S 366) An Act relating to human services - Family Independence Act.

Read and referred to the Committee on Finance.

Senators Roberts and Parella present (03-S 367) An Act relating to state affairs and government - Department of Human Services.

Read and referred to the Committee on Finance.

Senator Breene presents (by request of the Department of Labor and Training) (03-S 368) An Act appropriating money for use by the Department of Labor and Training for administrative costs.

Read and referred to the Committee on Finance.

Senator Breene presents (by request of the Department of Corrections) (03-S 369) An Act relating to public officers and employees - retirement system - contributions and benefits.

Read and referred to the Committee on Finance.

Senators Breene and Parella present (by request of the State Police) (03-S 370) An Act relating to towns and cities - relief of injured and deceased firefighters and police officers.

Read and referred to the Committee on Finance.

Senators Pichardo, Ciccone, Roberts, Paiva Weed and Perry present (03-S 371) An Act relating to human services - Family Independence Act.

Read and referred to the Committee on Finance.

Senators Celona, Walaska, Tassoni and DaPonte present (03-S 372) An Act relating to state affairs and government - Rhode Island Economic Development Corporation.

Read and referred to the Committee on Finance.

Senators Ciccone, Ruggerio, Badeau, Lanzi and Perry present (03-S 373) An Act relating to public officers and employees.

Read and referred to the Committee on Finance.

Senators Roberts, Paiva Weed, Gibbs, Blais and Fogarty present (by request of the Lieutenant Governor) (03-S 374) An Act relating to state affairs and government - pharmaceutical assistance to the elderly act.

Read and referred to the Committee on Finance.

Senators Celona, Sosnowski, Walaska, Tassoni and Alves present (03-S 375) An Act relating to taxation - business corporation tax.

Read and referred to the Committee on Finance.

Senators Paiva Weed, Roberts, Gibbs, Sheehan and McBurney present (by request of the Lieutenant Governor) (03-S 376) An Act relating to state affairs and government.

Read and referred to the Committee on Finance.

Senators Paiva Weed, Roberts, Pichardo, Gibbs and Goodwin present (03-S 377) An Act relating to tourism.

Read and referred to the Committee on Finance.

Senators Goodwin, Fogarty, Felag, Roberts and Perry present (by request of the Lieutenant Governor) (03-S 378) An Act relating to state affairs and government - pharmaceutical assistance to the elderly act.

Read and referred to the Committee on Finance.

Senators Blais and Parella present (by request of the Department of Corrections) (03-S 379) An Act relating to criminal procedure - arrest.

Read and referred to the Committee on Judiciary.

Senators Blais and Parella present (by request of the State Police) (03-S 380) An Act relating to human services - public assistance act.

Read and referred to the Committee on Judiciary.

Senator Blais presents (by request of the Department of Corrections) (03-S 381) An Act relating to state affairs and government - Corrections Department.

Read and referred to the Committee on Judiciary.

Senators Gibbs and Parella present (by request of the Department of Human Services) (03-S 382) An Act relating to public assistance.

Read and referred to the Committee on Judiciary.

Senators Perry, Pichardo, Roberts, Paiva Weed and DaPonte present (03-S 383) An Act relating to weapons - firearms safety.

Read and referred to the Committee on Judiciary.

Senators Paiva Weed and McCaffrey present (03-S 384) An Act relating to criminal offenses - disorderly conduct.

Read and referred to the Committee on Judiciary.

Senators Perry, Sosnowski, Pichardo, Roberts and Paiva Weed present (03-S 385) An Act relating to motor and other vehicles.

Read and referred to the Committee on Judiciary.

Senators Perry, McCaffrey, Gallo, Sosnowski and Roberts present (03-S 386) An Act relating to delinquent and dependent children - interstate compact on juveniles.

Read and referred to the Committee on Judiciary.

Senator Roberts presents (03-S 387) An Act relating to food and drugs - Uniform Controlled Substances Act.

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

Senators Roberts, Polisena and Ruggerio present (03-S 388) An Act relating to businesses and professions - patient safety act.

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

Senators Gibbs and Parella present (by request of the Department of Human Services) (03-S 389) An Act relating to Family Independence Act.

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

Senators Blais and Parella present (by request of the Department of Human Services) (03-S 390) An Act relating to health and safety.

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

Senators Blais and Parella present (by request of the Department of Mental Health, Retardation and Hospitals) (03-S 391) An Act relating to licensing of facilities and programs for people who are mentally ill and/or developmentally disabled.

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

Senators Alves, Paiva Weed and McCaffrey present (03-S 392) Joint Resolution respectfully requesting the Director of the Department of Health to develop a definition of assisted living resident.

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

Senators Roberts and Perry present (03-S 393) An Act relating to Board of Medical Licensure and Discipline.

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

Senator Blais presents (by request of the Department of Health) (03-S 394) An Act relating to health and safety - magnetic resonance imaging.

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

Senators Lanzi, Connors, Tassoni, Gallo and Caprio present (03-S 395) An Act relating to state affairs and government - Governor's Commission on Disabilities.

Read and referred to the Committee on Government Oversight.

Senators Lanzi, Ciccone, Pichardo, Badeau and Ruggerio present (03-S 396) An Act relating to disability business enterprises.

Read and referred to the Committee on Labor.

Senators Roberts and Perry present (03-S 397) An Act relating to complaints of harassment.

Read and referred to the Committee on Education.

Senators Roberts and Sosnowski present (03-S 398) An Act relating to school committees and superintendents.

Read and referred to the Committee on Education.

Senators Walaska and Bates present (03-S 399) An Act relating to insurance - nonprofit hospital service corporations.

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

Senators Roberts and Connors present (03-S 400) An Act relating to insurance - health maintenance organizations.

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

Senators Perry, Goodwin, Ruggerio, Caprio and Ciccone present (03-S 401) An Act authorizing the city of Providence to convey certain property dedicated for park purposes.

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

Senator Bates presents (by request of the Department of Business Regulation) (03-S 402) An Act relating to regulating oversight.

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

Senator Bates presents (by request of the Department of Business Regulation) (03-S 403) An Act relating to trust powers.

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

Senators Bates, Blais, Breene, Walaska and DaPonte present (03-S 404) An Act relating to insurance - unfair competition and practices.

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

Senators Perry, Gallo, Sosnowski, Pichardo and Goodwin present (03-S 405) An Act relating to motor vehicles - traffic stops.

Read and referred to the Joint Committee on Highway Safety.

Senators Celona, Montalbano, Ruggerio, Goodwin and Ciccone present (03-S 406) Joint Resolution proclaiming 2003 to be the "Year of the Woonasquatucket" in Rhode Island.

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

Senators Connors, Alves, Lanzi, Pichardo and DaPonte present (03-S 407) Joint Resolution creating a special legislative commission to study the disposal of tires.

Read and referred to the Committee on Environment and Agriculture.

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-S363) An Act to vacate the forfeiture or revocation of the charter of Michael John Realty, Inc.

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, the Senate adjourns at 4:20 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR ROGER R. BADEAU

Almighty God, bless those who serve in this Senate. Inspire us with your truth, surround us with your love, and fill us with your grace. Amen.

Appendix

CONSENT CALENDAR

In order for Thursday, February 13, 2003:

- 1. (03-H5537) An Act to vacate the forfeiture or revocation of the charter of Portsmouth Portuguese American Citizens Club.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, February 12, 2003

Appendix

CALENDAR

In order for Thursday, February 13, 2003:

- 1. (03-S41) (Substitute "A") An Act relating to the General Assembly.

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

- 2. (03-S183) An Act relating to cities and towns - exempting from taxation property of the Woonsocket, R.I. Young Men's Christian Association.

Committee on Commerce, Housing and Municipal Government recommends passage. Appendix

CALENDAR

In order for Tuesday, February 25, 2003:

- 1. (03-S22 as amended) An Act relating to motor vehicle insurance - motor vehicle body replacement parts.

Committee on Commerce, Housing and Municipal Government recommends passage as amended.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, February 12, 2003

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



Thank you for stopping by!