

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.27 Wednesday, March 19, 2003 Twenty-seventh Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, Jr., Senate President Pro Tempore , at 4:30 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: 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, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT - 1: The Honorable President Irons.

INVOCATION

The Honorable President Pro Tempore, by unanimous consent, presents Senator Celona, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, March 18, 2003 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Montalbano, and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber Chellie Pingree, CEO of Common Cause of RI, and Phil West, Executive Director of Common Cause of RI.

Upon suggestion of Senator Perry, and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber John and Mary Wall, parents of Ashbel T. Wall, Director of the Department of Corrections, along with his son, Ashbel Wall, III; and Maria Decavalho of St. John Cathedral in Providence.

Upon suggestion of Senator Blais, and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber Michele M. Burns, MD (Medical Director of Regional Center for Poison Control and Prevention) and Beth Schwartz (Educator).

Upon suggestion of Senator Celona, and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber Councilwoman S. Jean Cerroni and her granddaughter Sabrina Monfils, and guest Paul J. Rinaldi.

COMMUNICATION

The Honorable President Pro Tempore presents the following communication:

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

March 18, 2003

The Honorable William V. IronsSenate President
State House Room 317
Providence, RI 02903

Dear Senator Irons:

I am writing in regards to the Senate Session for Thursday, March 20, 2003.

I will not be in attendance. As part of my responsibilities for the Committee on Health and Human Services, I will be attending a seminar on State Health Policy for new Legislators in Chicago Illinois.

Sincerely,

JUAN M. PICHARDO
Senator, District 2

Received and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT**

Senator Celona, from the Committee on Commerce, Housing and Municipal Government, reports back, with recommendation that the Senate give its Advice and Consent to the following reappointment:

Reappointment of Donald Gagnon of Woonsocket (Representing Minimum Housing Inspectors) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Roberts, from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

(03-S 317) An Act relating to the Department of Health - food establishments.

Read and ordered to be placed on the Calendar.

(03-S 444) (Substitute "A") An Act relating to assisted living residences.

Read and ordered to be placed on the Calendar.

(03-S 874) An Act relating to state affairs and government - home and community care services to the elderly.

Read and ordered to be placed on the Calendar.

(03-S 875) Joint Resolution memorializing Congress to eliminate home care reimbursement reductions.

Read and ordered to be placed on the Calendar.

(03-S 880) Joint Resolution memorializing Congress to take action to stabilize the Medicare program.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

(03-S 249) (Substitute "A") An Act relating to motor vehicle offenses.

Read and ordered to be placed on the Calendar.

(03-S 250) (Substitute "A") An Act relating to motor vehicle offenses - reckless driving.

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:

(03-S 169) An Act relating to Fair Employment Practices Act.

Read and ordered to be placed on the Calendar.

(03-S 453) An Act relating to employment security - taxable wage base.

Read and ordered to be placed on the Calendar.

TRANSFER OF BILL

Senator Walaska, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Financial Services, Technology and Regulatory Issues to the Committee on Finance:

(03-S 432) An Act relating to corporations, associations and partnerships - Rhode Island Certified Capital Companies Act.

Read and referred to the Committee on Finance.

NEW BUSINESS

Senators Irons, Celona, Revens, Parella and Alves present (03-S 938) Senate Resolution expressing condolences to Michael O'Keefe and the entire O'Keefe family on the passing of Edward F. O'Keefe.

Senator Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Montalbano, seconded by Senators Ruggerio and Blais, and by unanimous consent, read and passed, under suspension of the rules, upon a rising vote.

Senators Blais, Issa, Polisena and Damiani present (03-S 939) Senate Resolution proclaiming March 19, 2003 as "Poison Prevention 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 Senators Polisena, Issa, Damiani, Algiere and Roberts, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

Senator Blais presents (03-S 940) Senate Resolution congratulating Casey McLellan on attaining the rank of Eagle Scout, Troop 11 - Coventry, Rhode Island.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Sheehan, Algiere, Montalbano and Celona present (03-S 941) Senate Resolution honoring the brave men and women dedicated to serving in the United States Armed Forces.

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Sheehan, seconded by Senators Montalbano, Algiere, Sosnowski, Gibbs, Raptakis, Pichardo, Connors, Parella, Celona, McCaffrey, Goodwin, Paiva Weed, Fogarty and Gallo, and by unanimous consent, read and

passed, under suspension of the rules, upon a voice vote.

Senators Gallo and Fogarty present (03-S 942) Senate Resolution congratulating the Eleanor Slater Hospital on receiving accreditation with full standards compliance by the Joint Commission on Accreditation of Healthcare Organizations.

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

CALENDAR

In order for the day is taken up as follows:

1. Reappointment of Ashbel T. Wall, II of Providence as Director of the Department of Corrections.

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

Senator McCaffrey, seconded by Senators Perry, Montalbano, Sosnowski, Felag, McBurney and Parella, moves that confirmation of the Senate be given this reappointment.

The confirmation of the Senate is given this reappointment, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 36: Senators Algiere, Alves, 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.

2. (03-S898) An Act relating to taxation - Pawtucket.

Committee on Commerce, Housing and Municipal Government recommends passage.

Senator McBurney moves passage, seconded by Senators Montalbano and Issa.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 36: Senators Algiere, Alves, 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.

3. (03-S914) An Act relating to property subject to taxation.

Committee on Commerce, Housing and Municipal Government recommends passage.

Upon suggestion of Senator Alves, and without objection, ordered to be placed on the Desk.

ANNOUNCEMENTS

Senator Fogarty announces that the Committee on Commerce, Housing and Municipal Government will meet on Thursday, March 20, 2003, at the rise of the Senate.

Also:

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 Sosnowski announces that the Committee on Environment and Agriculture will meet on Thursday, March 20, 2003, at 2:30 o'clock P.M.

Also:

Senator Felag announces that the Committee on Finance will meet on Thursday, March 20, 2003, at the rise of the Senate in Room 211 of the State House.

Also:

Senator DaPonte announces that the Committee on Financial Services, Technology and Regulatory Issues will meet today at the rise of the Senate.

Also:

Senator Sheehan announces that the Committee on Health and Human Services will meet today at the rise of the Senate.

Also:

Senator Raptakis announces that the Committee on Judiciary will meet on Thursday, March 20, 2003, at 3:00 o'clock P.M. in Room 313 of the State House.

Also:

Senator Lenihan announces that the Committee on Oversight will meet on Thursday, March 20, 2003, at 3:00 o'clock P.M. in Room 211 of the State House.

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Montalbano, the Senate adjourns at 5:12 o'clock P.M., in memory of Raymond T. Hoyas, father of Raymond T. Hoyas, Jr., Secretary of the Senate, and in memory of Edward O'Keefe.

GABRIEL ANDRADE REI
Deputy Clerk of the Senate

Appendix

INVOCATION

SAINT JOSEPH'S DAY

SENATOR JOHN A. CELONA

Blessed Saint Joseph, your intercession can make possible the impossible things. Come to help us in these moments of contention and conflict. Take under your protection the difficult tasks and situations we commend to you, so they have a happy solution according to God's will. As our protector, fill us with your internal spirit of peace, silence, honest work and prayer so that we may serve others as you have served us. Amen.

Appendix

CALENDAR

In order for Tuesday, March 25, 2003:

1. Reappointment of Donald Gagnon of Woonsocket (Representing Minimum Housing Inspectors) to the State Building Codes Standards Committee for a term expiring May 1, 2005.

Committee on Commerce, Housing and Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

2. (03-S317) An Act relating to the Department of Health - food establishments.

Committee on Health and Human Services recommends passage.

3. (03-S444) (Substitute "A") An Act relating to assisted living residences.

Committee on Health and Human Services recommends indefinite postponement of the original bill and passage of Substitute "A".

4. (03-S874) An Act relating to state affairs and government - home and community care services to the elderly.

Committee on Health and Human Services recommends passage.

5. (03-S875) Joint Resolution memorializing Congress to eliminate home care reimbursement reductions.

Committee on Health and Human Services recommends passage.

6. (03-S880) Joint Resolution memorializing Congress to take action to stabilize the Medicare program.

Committee on Health and Human Services recommends passage.

7. (03-S249) (Substitute "A") An Act relating to motor vehicle offenses.

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

8. (03-S250) (Substitute "A") An Act relating to motor vehicle offenses - reckless driving.

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

9. (03-S169) An Act relating to Fair Employment Practices Act.

Committee on Labor recommends passage.

10. (03-S453) An Act relating to employment security - taxable wage base.

Committee on Labor recommends passage.

GABRIEL ANDRADE REI
Deputy Clerk of the Senate
Wednesday, March 19, 2003

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

Thank you for stopping by!

