

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.31 Thursday, March 27, 2003 Thirty-first 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 4:13 o'clock P.M.

The roll is called and a quorum is declared present with 32 Senators present and 6 Senators absent as follows:

PRESENT - 32:

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

ABSENT - 6: Senators Algiere, Blais, Parella, Raptakis, Roberts, Walaska.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, March 26, 2003 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Pichardo andSenate Majority Leader Montalbano, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Ambassador Hugo Guiliani Cury of the Dominican

Republic along with Lic. Jhomphy R. Ventura, Rafael Blanco, Melba DePena, Josefina Rosario, and Jose Ramon Bello, Executive Director of the Dominican American Round Table in Washington, D.C.

Upon suggestion of Senator DaPonte, and by unanimous consent, the Honorable President welcomes to the Chamber Jim Atkinson and Richard Welch of the MBTA.

Upon suggestion of Senators Sosnowski and Polisena, and by unanimous consent, the Honorable President welcomes to the Chamber James Paglirini of Johnston and Richard Benoit of East Greenwich, representatives of the Rhode Island Nursery and Landscape Association and Rhode Island Farm Bureau.

Upon suggestion of Senator Fogarty, and by unanimous consent, the Honorable President welcomes to the Chamber the Burrillville High School girls basketball team, Division III Champions, Amanda K. Gingell, Lindsay M. Rachlow, and Maribeth Royer, all captains; and Elise Lamarre, Sarah A. Fiske, Abby N. Fournier, Christine M. Fullerton, Stephanie Lacouture, Emily J. Duquette, Kayla E. Morin, Sarah R. Knowlton, Kaitlyn E. Labossier, and Brittany McNally, along with Martin Crowley, Coach and Marc Duquette, Assistant Coach.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 26, 2003

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

Dear Senator Irons:

Please be advised that I will be away on business and absent from the Senate session on Thursday, March 27, 2003. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

DENNIS L. ALGIERE
Senate Minority Leader

Received and ordered to be placed on file.

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

March 27, 2003

The Honorable William V. Irons
President of the Senate

317 State House
Providence, RI 02903

Dear Mr. President:

Please be advised that I will be out of state today, March 27, 2003, and therefore, will be absent from the Senate. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Respectfully yours,

LEO R. BLAIS
Senior Deputy Minority Leader
District 24

Received and ordered to be placed on file.

REPORT OF COMMITTEE
COMMITTEE ON
FINANCIAL SERVICES, TECHNOLOGY AND REGULATORY ISSUES

Senator Walaska, from the Committee on Financial Services, Technology and Regulatory Issues, reports back, with recommendation of passage of the following measures:

(03-S 90) An Act relating to liability insurance - rental vehicle coverage.

Read and ordered to be placed on the Calendar.

(03-S 280) (Substitute "A") An Act relating to unfair competition and practices.

Read and ordered to be placed on the Calendar.

(03-S 404) An Act relating to insurance - unfair competition and practices.

Read and ordered to be placed on the Calendar.

(03-S 839) Senate Resolution memorializing Congress regarding federal pre-emption of predatory lending legislation.

Read and ordered to be placed on the Calendar.

(03-S 840) (Substitute "A") An Act relating to insurance - fire insurance policies and reserves.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senators Polisena and Damiani present (03-S 972) Senate Resolution congratulating Travis P. McVey on attaining the rank of Eagle Scout, Troop 20 - Johnston.

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.

Senator Polisena presents (03-S 973) Senate Resolution congratulating Michael Macchioni on attaining the rank of Eagle Scout, Troop 20 - Johnston.

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.

Senator Pichardo presents (03-S 974) Senate Resolution welcoming Ambassador Hugo Guiliani Cury of the Dominican Republic to the state of Rhode Island.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Pichardo, seconded by the entire Senate, and by unanimous consent, read and passed, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 31:

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

NAYS - 0.

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1. (03-S970) An Act to vacate the forfeiture or revocation of the charter of American Woodworking, Inc.

CALENDAR

In order for the day is taken up as follows:

2. Appointment of Anthony J. Marouchoc of Portsmouth VICE Barbara Caniglia to the Rhode Island Housing and Mortgage Finance Corporation for a term expiring July 1, 2006.

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

Senator Celona, seconded by Senators Ruggerio, Breene, Bates, Badeau and many others, moves that Advice and Consent of the Senate be given this appointment.

The Advice and Consent of the Senate is given this appointment, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 31:

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

NAYS - 0.

GUEST

Upon suggestion of Senator Celona, and by unanimous consent, the Honorable President welcomes to the Chamber Anthony J. Marouchoc of Portsmouth, newly confirmed member of the Rhode Island Housing and Mortgage Finance Corporation

CALENDAR

3. (03-S169) An Act relating to Fair Employment Practices Act.

Committee on Labor recommends passage.

Senator Perry moves passage, seconded by Senators Paiva Weed, Gallo, Badeau, Pichardo and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 31:

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

NAYS - 0.

4. (03-S931) An Act relating to towns and cities - Chopmist Water District.

Committee on Commerce, Housing and Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, April 3, 2003.

5. (03-S32) An Act relating to motor vehicles - special registration place - Coventry - police chief emeritus.

Committee on Constitutional and Gaming Issues recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, April 3, 2003.

6. (03-S286) An Act relating to registration of vehicles - senator emeritus.

Committee on Constitutional and Gaming Issues recommends passage.

Senator McBurney moves passage, seconded by Senators Celona, Ruggerio, Goodwin, Damiani, Gallo, Irons, Caprio, Issa, Tassoni, Alves, Pichardo, Breene, McCaffrey, Revens, Lenihan, Ciccone and many others.

Senators Revens, Goodwin, Celona, Ruggerio and Senate Majority Leader Montalbano discuss the act.

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 31:

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

NAYS - 0.

7. (03-S590) An Act relating to holidays and days of special observance - days of special observance.

Committee on Constitutional and Gaming Issues recommends passage.

Senator Pichardo moves passage, seconded by Senators Paiva Weed, Ruggerio, Perry, McBurney, Goodwin, Celona and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 31:

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

NAYS - 0.

8. (03-S174) An Act relating to elections - registration of voters.

Committee on Judiciary recommends passage.

Upon suggestion of Senator McCaffrey, and without objection, ordered to be placed on the Calendar for Thursday, April 3, 2003.

1. Reappointment of Thomas F. Ahern (Administrator) of East Greenwich as Administrator to the Division of Public Utilities and Carriers for a term expiring March 1, 2009.

Committee on Commerce, Housing and Municipal Government recommends that the Senate give its Advice and

Consent to this reappointment.

Senator Lenihan, seconded by Senators Celona, Revens, Ruggerio, Goodwin, Caprio, Alves, Breene, McBurney, Gibbs, Connors, Badeau, Irons, Perry and many others, moves that Advice and Consent of the Senate be given this reappointment.

The Advice and Consent of the Senate is given this reappointment, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 31:

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

NAYS - 0.

GUEST

Upon suggestion of Senator Lenihan, and by unanimous consent, the Honorable President welcomes to the Chamber Thomas F. Ahern, newly confirmed Administrator to the Division of Public Utilities and Carriers.

FROM THE HOUSE OF REPRESENTATIVES

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

(03-H 6237) 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.

Also:

(03-H 6239) An Act to vacate the forfeiture or revocation of the charter of the Little Compton Game Club.

Read and ordered to be placed on the Consent Calendar.

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 Breene, the Senate adjourns at 4:55 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JUAN M. PICHARDO

Almighty God, may we pursue our tasks with a sense of Your presence. Give us the wisdom not to squander energy on things that do not matter nor put off until tomorrow that which can be done today. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, April 1, 2003:

- 1. (03-H6237) An Act to vacate the forfeiture or revocation of the charter of 1565 Associates, Inc.

Ordered on the Consent Calendar.

- 2. (03-H6239) An Act to vacate the forfeiture or revocation of the charter of the Little Compton Game Club.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, March 27, 2003

Appendix

CALENDAR

In order for Tuesday, April 1, 2003:

- 1. (03-S312) An Act relating to towns and cities.

Committee on Labor recommends passage.

- 2. (03-S598) An Act relating to labor and labor relations - hazardous substances.

Committee on Labor recommends passage.

3. (03-S601) An Act relating to businesses and professions - electricians.

Committee on Labor recommends passage.

4. (03-S603) An Act relating to businesses and professions - electricians.

Committee on Labor recommends passage.

5. (03-S604) An Act relating to industrial registration.

Committee on Labor recommends passage.

6. (03-S605) An Act relating to businesses and professions - electricians.

Committee on Labor recommends passage.

7. (03-S606) An Act relating to mechanical trades.

Committee on Labor recommends passage.

8. (03-S607) An Act relating to electricians.

Committee on Labor recommends passage.

9. (03-S608) An Act relating to occupational safety.

Committee on Labor recommends passage.

Appendix

CALENDAR

In order for Wednesday, April 2, 2003:

1. Appointment of Adelita S. Orefice of Providence VICE Debra A. Capuano as Director of the Department of Elderly Affairs.

Committee on Health and Human Services recommends that the Senate give its Advice and Consent to this appointment.

2. (03-S884) An Act relating to health and safety - laboratories.

Committee on Health and Human Services recommends passage.

3. (03-S90) An Act relating to liability insurance - rental vehicle coverage.

Committee on Financial Services, Technology and Regulatory Issues recommends passage.

4. (03-S280) (Substitute "A") An Act relating to unfair competition and practices.

Committee on Financial Services, Technology and Regulatory Issues recommends indefinite postponement of the original bill and passage of Substitute "A".

5. (03-S404) An Act relating to insurance - unfair competition and practices.

Committee on Financial Services, Technology and Regulatory Issues recommends passage.

6. (03-S839) Senate Resolution memorializing Congress regarding federal pre-emption of predatory lending legislation.

Committee on Financial Services, Technology and Regulatory Issues recommends passage.

7. (03-S840) (Substitute "A") An Act relating to insurance - fire insurance policies and reserves.

Committee on Financial Services, Technology and Regulatory Issues recommends indefinite postponement of the original bill and passage of Substitute "A".

Appendix

CALENDAR

In order for Thursday, April 3, 2003:

1. (03-S931) An Act relating to towns and cities - Chopmist Water District.

Committee on Commerce, Housing and Municipal Government recommends passage.

2. (03-S32) An Act relating to motor vehicles - special registration place - Coventry - police chief emeritus.

Committee on Constitutional and Gaming Issues recommends passage.

3. (03-S174) An Act relating to elections - registration of voters.

Committee on Judiciary recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Thursday, March 27, 2003

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

Thank you for stopping by!

