

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.33 Wednesday, April 2, 2003 Thirty-third Day

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 Honorable President appoints Senators McBurney, Cote, Blais, Alves, Parella, Sheehan and DaPonte, a committee comprised of University of Rhode Island graduates, to escort Jim Baron, Head Basketball Coach for the University of Rhode Island, to the rostrum.

The Senate attends.

NEW BUSINESS

Senators Irons, McBurney, Cote, Blais and Alves present (03-S 995) Senate Resolution expressing gratitude on the decision by Jim Baron to remain as the Head Men's Basketball Coach at URI for at least 10 years.

Senator McBurney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McBurney moves passage, seconded by Senators Cote, Blais, Alves, Parella, Sheehan and DaPonte.

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 Algieri, Alves, Badeau, 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.

The Honorable President introduces Jim Baron for an address to the Senate.

Mr. Baron addresses the members and their guests.

The Honorable President presents several gifts to Mr. Baron.

GUESTS

Upon suggestion of Senators Issa, Perry and Sosnowski, and by unanimous consent, the Honorable President welcomes to the Chamber Dr. Robert Carothers, President of the University of Rhode Island, and Harvey Jassem from the University of Hartford.

Upon suggestion of Senator McBurney, and by unanimous consent, the Honorable President welcomes to the Chamber Ron Petro, URI's Director of Athletics, along with his wife Sally.

Upon suggestion of Senator DaPonte, and by unanimous consent, the Honorable President welcomes to the Chamber Paul Sepe.

Upon suggestion of Senator Sosnowski, and by unanimous consent, the Honorable President welcomes to the Chamber Andrea Hopkins.

ROLL CALL

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, 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 - 1: Senator Bates.

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.

CORRECTION

The following transfer of bills were incorrectly recorded in the Senate Journal of Tuesday, April 1, 2003, and are corrected as follows:

TRANSFER OF BILLS

Senator Celona, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Commerce, Housing and Municipal Government to the Committee on Health and Human Services:

(03-S 810) An Act relating to businesses and professions - Board of Medical Licensure and Discipline.

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

Senator Celona, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Commerce, Housing and Municipal Government to the Committee on Constitutional and Gaming Issues:

(03-S 928) Senate Resolution proclaiming April 3, 2003, as "Rhode Island Pay Equity Day".

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, April 1, 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 corrected.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

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

(03-S 448) An Act relating to medical parole.

Read and ordered to be placed on the Calendar.

(03-S 664) An Act relating to criminal procedure - Domestic Violence Prevention Act.

Read and ordered to be placed on the Calendar.

COMMITTEE ON CONSTITUTIONAL AND GAMING ISSUES

Senator Goodwin, from the Committee on Constitutional and Gaming Issues, reports back, with recommendation of passage of the following measures:

(03-S 33) An Act relating to boxing and wrestling.

Read and ordered to be placed on the Calendar.

(03-S 34) An Act relating to the General Assembly Permanent Joint Committee on Naming All New Buildings, Bridges, Edifices and Other State Constructions.

Read and ordered to be placed on the Calendar.

(03-S 106) Joint Resolution creating a special legislative commission to study services to persons with mental illness in the criminal justice system.

Read and ordered to be placed on the Calendar.

(03-S 406) Joint Resolution proclaiming 2003 to be the "Year of the Woonasquatucket" in Rhode Island.

Read and ordered to be placed on the Calendar.

(03-S 591) Joint Resolution declaring June as "Rivers Month" in the State of Rhode Island.

Read and ordered to be placed on the Calendar.

(03-S 685) Senate Resolution proclaiming a Sister State Alliance with the Province of Taiwan, Republic of China.

Read and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

Senator Alves, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

(03-S 390) An Act relating to health and safety.

Read and ordered to be placed on the Calendar.

(03-S 779) An Act relating to Human Services - burials.

Read and ordered to be placed on the Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

- 1. (03-S994) An Act to vacate the forfeiture or revocation of the charter of R.A. Bernard Enterprises, Inc.
- 2. (03-S990) An Act to vacate the forfeiture or revocation of the charter of Best Monte Vista Motor Inn, Inc.
- 3. (03-S991) An Act to vacate the forfeiture or revocation of the charter of Pt. Judith Medical Laboratories, Inc.

CALENDAR

In order for the day is taken up as follows:

- 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.

Senator Perry, seconded by Senators Roberts, Paiva Weed, Sosnowski, Sheehan, Gallo, Alves, Celona, Goodwin, Caprio, Breene, Gibbs, Parella, Pichardo, Algieri, Badeau and many more, moves that the Advice and Consent of the Senate be given this appointment.

Senators Gibbs and Gallo discuss the appointment.

The Advice and Consent of the Senate is given this appointment, 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:

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

NAYS - 0.

GUESTS

Upon suggestion of Senator Perry, and by unanimous consent, the Honorable President welcomes to the Chamber Adelita S. Orefice, newly confirmed Director of the Department of Elderly Affairs, along with her husband Jack Fracasso, son Dominic Fracasso, her in-laws Mary and John Fracasso, Grace Fracasso and Bob Coan.

CALENDAR

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

Committee on Health and Human Services recommends passage.

Senator Roberts moves passage, seconded by Senators Goodwin, Sosnowski, Sheehan, Felag and Ruggerio.

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:

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

NAYS - 0.

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

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

Senator Walaska moves passage, seconded by Senators Gallo, Algieri and Paiva Weed.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 33: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

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".

Senator Walaska moves passage, seconded by Senators Ruggerio and DaPonte.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 35:

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

NAYS - 0.

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

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

Senator Walaska moves passage, seconded by Senators Damiani, Gallo, DaPonte and others.

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 - 35:

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

NAYS - 0.

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.

Senator Pichardo moves passage, seconded by Senators Roberts, Ruggerio, Issa, Gallo, Goodwin, Ciccone, McBurney, Perry and others.

The resolution is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative

and 0 Senators voting in the negative as follows:

YEAS - 35:

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

NAYS - 0.

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".

Senator Walaska moves passage, seconded by Senators Issa, Sosnowski, Blais and Breene.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 35:

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

NAYS - 0.

NEW BUSINESS

Senator Blais presents (03-S 996) An Act relating to taxation - town of Scituate.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Blais, seconded by Senator Breene, and by unanimous consent, read and passed, upon a roll call vote with 23 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 23:

The Honorable President Irons and Senators Algieri, Blais, Breene, Celona, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Issa, Lanzi, Parella, Perry, Pichardo, Polisena, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Senator Gibbs presents (03-S 997) Senate Resolution proclaiming April 6, 2003 as "Anne M. Sylvia Day".

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Gibbs, seconded by Senators Roberts and Breene, and by unanimous consent, read and passed,

under suspension of the rules, upon a voice vote.

Senators Felag and Parella present (03-S 998) Senate Resolution commemorating the centennial anniversary of the Rough & Ready Fire Company Engine #5 - Warren.

Senator Felag requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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 Sosnowski announces that the Committee on Environment and Agriculture will meet on Thursday, April 3, 2003, at 2:30 o'clock P.M. in the Senate Lounge 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 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 Raptakis announces that the Committee on Judiciary will meet on Thursday, April 3, 2003, at the rise of the Senate in Room 212 of the State House.

GUESTS

Upon suggestion of Senator Badeau, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Suzanne Menard, Mayor of the City of Woonsocket, along with Administrative Aide Michael Annarumo.

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 5:07 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR MARC A. COTE

Heavenly Father, we thank you for your blessings of health and strength. We seek your encouragement in using these qualities to their fullest potential. Amen.

Appendix

CALENDAR

In order for Thursday, April 3, 2003:

1.Appointment of Hugo L. Ricci, Jr. of North Providence VICE Associate Judge Andrew E. McConnell as Associate Judge of the Rhode Island Workers' Compensation Court.

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

2. (03-S931) An Act relating to towns and cities - Chopmist Water District.

Committee on Commerce, Housing and Municipal Government recommends passage.

3. (03-S32) An Act relating to motor vehicles - special registration place - Coventry - police chief emeritus.

Committee on Constitutional and Gaming Issues recommends passage.

4. (03-S174) An Act relating to elections - registration of voters.

Committee on Judiciary recommends passage.

5. (03-S423) An Act relating to personal income tax.

Committee on Finance recommends passage.

Appendix

CALENDAR

In order for Tuesday, April 8, 2003:

1. (03-S33) An Act relating to boxing and wrestling.

Committee on Constitutional and Gaming Issues recommends passage.

2. (03-S34) An Act relating to the General Assembly Permanent Joint Committee on Naming All New Buildings, Bridges, Edifices and Other State Constructions.

Committee on Constitutional and Gaming Issues recommends passage.

3. (03-S106) Joint Resolution creating a special legislative commission to study services to persons with mental illness in the criminal justice system.

Committee on Constitutional and Gaming Issues recommends passage.

4. (03-S406) Joint Resolution proclaiming 2003 to be the "Year of the Woonasquatucket" in Rhode Island.

Committee on Constitutional and Gaming Issues recommends passage.

5. (03-S591) Joint Resolution declaring June as "Rivers Month" in the State of Rhode Island.

Committee on Constitutional and Gaming Issues recommends passage.

6. (03-S685) Senate Resolution proclaiming a Sister State Alliance with the Province of Taiwan, Republic of China.

Committee on Constitutional and Gaming Issues recommends passage.

7. (03-S390) An Act relating to health and safety.

Committee on Finance recommends passage.

8. (03-S779) An Act relating to Human Services - burials.

Committee on Finance recommends passage.

9. (03-S448) An Act relating to medical parole.

Committee on Judiciary recommends passage.

10. (03-S664) An Act relating to criminal procedure - Domestic Violence Prevention Act.

Committee on Judiciary recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Wednesday, April 2, 2003

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



Thank you for stopping by!