

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.47 Tuesday, May 13, 2003 Forty-seventh Day

The Senate meets pursuant to adjournment and is called to order by the Honorable William V. Irons, President of the Senate, at 4:22 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: The Honorable President Irons and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT - 1: Senator Issa.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, May 8, 2003 proceedings is read in part.

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

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

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

measure:

(03-S 1025) An Act relating to levy and assessment of local taxes.

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 88) (Substitute "A") An Act relating to criminals - correctional institutions - parole.

Read and ordered to be placed on the Calendar.

(03-S 251) (Substitute "A") An Act relating to 911 - Emergency Telephone Number Act.

Read and ordered to be placed on the Calendar.

(03-S 349) (Substitute "A" as amended) An Act relating to criminal procedure - warrants for arrest.

Read and ordered to be placed on the Calendar.

(03-S 385) (Substitute "A") An Act relating to motor and other vehicles - traffic stops statistics.

Read and ordered to be placed on the Calendar.

(03-S 461) (Substitute "A") An Act relating to motor and other vehicles - Rhode Island Uniform Commercial Driver's License Act.

Read and ordered to be placed on the Calendar.

(03-S 462) (Substitute "A") An Act relating to property - mechanics' liens.

Read and ordered to be placed on the Calendar.

(03-S 481) An Act relating to elections.

Read and ordered to be placed on the Calendar.

(03-S 492) (Substitute "A") An Act relating to property - Residential Landlord and Tenant Act.

Read and ordered to be placed on the Calendar.

(03-S 717) (Substitute "A") An Act relating to aeronautics.

Read and ordered to be placed on the Calendar.

(03-S 947) An Act relating to probate - town of Bristol.

Read and ordered to be placed on the Calendar.

(03-H 5452) (Substitute "B") An Act relating to motor vehicle offenses.

Read and ordered to be placed on the Calendar.

**FROM THE
HOUSE OF REPRESENTATIVES**

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

(03-H 5328) (Substitute "A") An Act relating to the Kent County Water District.

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

Also:

(03-H 5481) An Act relating to cities and towns - regulation of newspaper and magazine vending machines - public sidewalks.

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

Also:

(03-H 5472) (Substitute "A") An Act relating to responsibility of owners of rental vehicles.

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

Also:

(03-H 5901) An Act relating to insurance - nonrenewal and premium coverage changes.

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

Also:

(03-H 5089) An Act relating to police officers - commission on standards and training.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5122) (Substitute "A") An Act relating to property - Residential Landlord and Tenant Act.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5291) An Act relating to courts and civil procedure - courts - state and municipal court compact.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5294) An Act relating to motor and other vehicles.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5378) An Act relating to criminal offenses.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5516) (Substitute "A" as amended) An Act relating to criminal offenses - disorderly conduct.

Read and referred to the Committee on Judiciary.

Also:

(03-H 6278 as amended) An Act relating to property - deeds.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5080) (Substitute "A") An Act relating to labor relations board - formal hearing.

Read and referred to the Committee on Labor.

Also:

(03-H 5546) An Act relating to Economic Development Corporation.

Read and referred to the Committee on Finance.

Also:

(03-H 5625) An Act relating to public officers and employees - retirement system - teachers.

Read and referred to the Committee on Finance.

Also:

(03-H 6163) (Substitute "A") An Act relating to alcoholic beverages - retail licenses.

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

Also:

(03-H 6414) An Act to vacate the forfeiture or revocation of the charter of Molchar Chiropractic Center, Ltd.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6415) An Act to vacate the forfeiture or revocation of the charter of Del Core Consultants, Inc.

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS

The following item s are received and referred to committee pending any objection of the body on the next legislative day.

Senator Walaska presents (03-S 1074) An Act relating to adoption - birth certificates.

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

Senator Badeau presents (03-S 1075) An Act relating to corporations - alternative fueled vehicle and filling station credit.

Read and referred to the Committee on Finance.

Senators Issa and Montalbano present (by request) (03-S 1076) An Act relating to alcoholic beverages - retail licenses - administration fees.

Read and referred to the Committee on Finance.

Senators Revens, McCaffrey and Walaska present (03-S 1077) An Act relating to taxation - sales and use taxes - liability and computation.

Read and referred to the Committee on Finance.

Senator DaPonte presents (03-S 1078) An Act relating to public property and works.

Read and referred to the Committee on Judiciary.

Senators Irons and Polisena present (03-S 1079) Senate Resolution proclaiming May, 2003 as "Stroke Awareness Month" in the State of Rhode Island.

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.

GUESTS

The Honorable President welcomes to the Chamber Sue Carcieri, First Lady of the State of Rhode Island.

Upon suggestion of Senator Polisena, and by unanimous consent, the Honorable President welcomes to the Chamber the following volunteers and staff of the American Stroke Association: Miriam Plitt, Chairperson-Elect of the State Board, from Pawtucket; Frank Gallo, Stroke Survivor and Advocate, from North Providence; David Hiltz, Emergency Cardiovascular Care Programs Manager, from Westerly; Glenda Rickabaugh, Health Initiatives Director, from Smithfield; Mary Cate, State Advocacy Association, from Warwick; and Nicholas Oliver, State Advocacy Director, from East Providence.

NEW BUSINESS

Senators Connors and Badeau present (03-S 1080) An Act authorizing the town of Cumberland to finance the renovation and repair of the public library in the town by the issuance of not more than \$400,000 bonds and/or notes therefor.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Connors, seconded by Senator Badeau, and by unanimous consent, read and passed, 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 Algiere, Alves, Badeau, Bates, Blais, Breene, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Senators Connors and Badeau present (03-S 1081) An Act authorizing the town of Cumberland to finance road improvements by the issuance of not more than \$2,000,000 bonds and/or notes therefor.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Connors, seconded by Senator Badeau, and by unanimous consent, read and passed, 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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Senators Connors and Badeau present (03-S 1082) An Act authorizing the town of Cumberland to finance the construction of additions, renovations, improvements, alterations and repairs to the high school in the town and the equipping and furnishing thereof by the issuance of not more than \$5,500,000 bonds and/or notes therefor.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Connors, seconded by Senator Badeau, and by unanimous consent, read and passed, 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Senators Connors and Badeau present (03-S 1083) An Act authorizing the town of Cumberland to finance the construction of additions, renovations, improvements, alterations and repairs to public schools and school facilities in the town by the issuance of not more than \$3,500,000 bonds and/or notes therefor.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Connors, seconded by Senator Badeau, and by unanimous consent, read and passed, 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1.

Appointment of Dennis Nixon of Jamestown (Attorney with Expertise in Environmental Law) to the Commercial Fishing License Review Board for a term expiring March 31, 2008.

2.

Appointment of Ralph Boragine of Charlestown to the Commercial Fishing License Review Board for a term expiring March 31, 2008.

3. (03-H6298) An Act to vacate the forfeiture or revocation of the charter of Patterson Dental Supply, Inc.

CALENDAR

In order for the day is taken up as follows:

1.

Appointment of Robert B. Holbrook of East Greenwich VICE Brenda J. Gaynor to the Public Utilities Commission for a term expiring March 1, 2009.

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

Senator Lenihan, seconded by Senators Revens, Raptakis, Algiere, Breene, Walaska and Sheehan, 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 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 36:

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

NAYS - 0.

GUESTS

Upon suggestion of Senators Lenihan, Walaska and Revens, and by unanimous consent, the Honorable President welcomes to the Chamber Robert B. Holbrook of East Greenwich, newly confirmed member of the Public Utilities Commission, along with his wife Ann Holbrook.

CALENDAR

3. (03-S136) An Act relating to businesses and professions - health clubs.

Committee on Health and Human Services recommends passage.

Senator Polisena moves passage, seconded by Senators Perry, Tassoni, Damiani, Parella, Connors, McCaffrey, Celona, Sheehan and others.

The act is read and passed, upon a roll call vote with 35 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 35:

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

NAYS - 1: Senator Blais.

COMMUNICATION

His Honor, the Lieutenant Governor, presents the following communication:

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

STATEMENT OF POTENTIAL CONFLICT

To the Honorable Senate:

I, Dennis L. Algieri, under oath depose and say:

- 1. I am a duly elected member of the Rhode Island Senate.
- 2. This statement is made in accord with Rhode Island General Law section 36-14-6.
- 3. In my official capacity, I may be expected or required to vote or participate in the deliberations of bill (03-S 472), now pending before the Senate or a committee thereof.
- 4. I request that I be excused from voting, deliberating or taking action on the matter.
- 5. I do not desire to vote or deliberate because I have a conflict of interest as follows.

I am an employee of The Washington Trust Company.

- 6. This statement is true to the best of my knowledge.

DENNIS L. ALGIERE
Senator, District 38

Subscribed and sworn to before me this 13th day of May, 2003.

RAYMOND T. HOYAS, JR.
Notary Public

Ordered to be placed on file.

CALENDAR

- 4. (03-S472) An Act relating to property - mortgage foreclosures.

Committee on Judiciary recommends passage.

Senator Breene moves passage, seconded by Senators McCaffrey and Felag.

Senator McCaffrey, seconded by Senator Breene, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(03-S 472)

Mr. President:

I hereby move to amend (03-S 472) entitled "AN ACT RELATING TO PROPERTY - MORTGAGE FORECLOSURES", as follows:

1. On page 1, line 15, by restoring the stricken language "twenty (20)".
2. On page 1, line 15, by deleting the language "thirty (30)".
3. On page 1, line 15, by inserting after the word "days" the following language: "for mortgagors other than individual consumer mortgagors, and at least thirty (30) days for individual consumer mortgagors,".
4. On page 3, line 19, by restoring the stricken language "twenty (20)".
5. On page 3, line 19, by deleting the language "thirty (30)".
6. On page 3, line 19, by inserting after the word "days" the following language: "for mortgagors other than individual consumer mortgagors, and at least thirty (30) days for individual consumer mortgagors,".

Respectfully submitted,

MICHAEL J. McCAFFREY
Senator, District 29

The motion to amend prevails 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 Alves, Badeau, Bates, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Upon motion of Senator Breene, seconded by Senator McCaffrey, the act is read and passed as amended, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative, 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS - 35:

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

NAYS - 0.

ABSTAINED - 1: Senator Algiere.

5. (03-S374) An Act relating to state affairs and government - pharmaceutical assistance to the elderly act.

Committee on Finance recommends passage.

Senator Roberts moves passage, seconded by Senators Celona, Perry, Tassoni, Gibbs and Gallo.

The act 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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

6. (03-S466) An Act relating to corporations, associations and partnerships - racketeer influenced and corrupt organizations.

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senators Perry and McCaffrey.

The act is read and passed, upon a roll call vote with 29 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS - 29:

The Honorable President Irons and Senators Algiere, Alves, Breene, Caprio, Celona, Ciccone, Connors, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski.

NAYS - 8: Senators Bates, Blais, Breene, Cote, Damiani, Polisena, Tassoni, Walaska.

7. (03-S1033) An Act relating to domestic relations - solemnization of marriages.

Ordered on the Calendar.

Upon suggestion of Senator McCaffrey, and without objection, ordered to be placed on the Calendar for Wednesday, May 21, 2003.

8. (03-S226 as amended) An Act relating to taxation - property subject to taxation.

Committee on Finance recommends passage as amended.

Senator Breene moves passage, seconded by Senators Blais and Polisena.

The act is read and passed, as amended, 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

9. (03-S526) An Act relating to public officers and employees - federal old-age and survivors' insurance.

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senators Connors, Damiani and Paiva Weed.

The act 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

10. (03-S777) (Substitute "A") An Act relating to monuments and memorials.

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

Senator Raptakis moves passage, seconded by Senators Polisena and Damiani.

Senators Blais and Raptakis discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

11. (03-S957) An Act relating to taxation - Operation Stand Down Rhode Island.

Committee on Finance recommends passage.

Senator Polisena moves passage, seconded by Senators Damiani, Connors, Ciccone, Raptakis and Felag.

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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

12. (03-S981) An Act relating to taxation - property subject to taxation.

Committee on Finance recommends passage.

Senator Breene moves passage, seconded by Senators Blais and Algieri.

The act 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

13. (03-S1026) An Act authorizing the town of Cumberland to finance the construction of additions, renovations, improvements, alterations and repairs to the high school in the town and the equipping and furnishing thereof by the issuance of not more than \$5,500,000 bonds and/or notes therefor.

Committee on Finance recommends passage.

Upon suggestion of Senator Connors, and without objection, ordered to be recommitted to the Committee on Finance.

14. (03-S1028) An Act authorizing the town of Cumberland to finance the construction of additions, renovations, improvements, alterations and repairs to public schools and school facilities in the town by the issuance of not more than \$3,500,000 bonds and/or notes therefor.

Committee on Finance recommends passage.

Upon suggestion of Senator Connors, and without objection, ordered to be recommitted to the Committee on Finance.

15. (03-S122) (Substitute "A") An Act relating to courts - judicial selection.

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

Senator Montalbano moves passage, seconded by Senators Perry, McCaffrey, Polisena, Walaska and Damiani.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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 Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

16. (03-S123) (Substitute "A") An Act relating to elections - nomination papers.

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

Upon suggestion of Senator Bates, and without objection, ordered to be placed on the Calendar for Thursday, May 15, 2003.

17. (03-S236) (Substitute "A") An Act relating to state affairs and government - lobbying of state employees.

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

Senator Paiva Weed moves passage, seconded by Senators Roberts, Alves, Perry, Felag, Goodwin, Gallo, Pichardo, Connors and Lenihan.

Senator Paiva Weed, seconded by Senators McCaffrey, Alves and Connors, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(03-S 236) (Substitute "A")

Mr. President:

I hereby move to amend (03-S 236) (Substitute "A") entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - LOBBYING OF STATE EMPLOYEES", as follows:

1. On page 2, line 24, by deleting the word "separate".

Respectfully submitted,

M. TERESA PAIVA WEED
Senator, District 13

Senators Blais and Paiva Weed discuss the amendment.

The motion to amend prevails 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

Upon motion of Senator Paiva Weed, seconded by Senator Roberts, the bill marked Substitute "A" is read and passed as amended, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 34:

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

NAYS - 1: Senator Blais.

18. (03-S240) (Substitute "A") An Act relating to boats - title.

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

Senator McCaffrey moves passage, seconded by Senator Damiani.

Senators Sheehan and McCaffrey discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 32:

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

NAYS - 0.

19. (03-S334) (Substitute "A") An Act relating to selection of jury.

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

Senator McCaffrey moves passage, seconded by Senators Damiani and Polisena.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS - 34:

The Honorable President Irons and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors,

Cote, Damiani, DaPonte, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 2: Senators Felag, Raptakis.

20. (03-S337) (Substitute "A") An Act relating to courts and civil procedure - jury lists.

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

Senator McCaffrey moves passage, seconded by Senator Goodwin.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

21. (03-S469) An Act relating to property - residential landlord tenant act.

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senator Walaska.

The act is read and passed, upon a roll call vote with 29 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS - 29:

The Honorable President Irons and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, McBurney, McCaffrey, Montalbano, Polisena, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS - 5: Senators Lenihan, Parella, Perry, Pichardo, Sheehan.

22. (03-S471) An Act relating to property - residential landlord and tenant act.

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senator Walaska.

The act is read and passed, upon a roll call vote with 26 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS - 26:

The Honorable President Irons and Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Lanzi, McCaffrey, Montalbano, Polisena, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS - 8: Senators Alves, Gibbs, Lenihan, McBurney, Parella, Perry, Pichardo, Sheehan.

23. (03-S476) (Substitute "A") An Act relating to tax sales.

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

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

2. (03-S105) (Substitute "A" as amended) An Act relating to health and safety.

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

Senator Roberts moves passage, seconded by Senator Perry.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, 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 Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk, with the exception of (03-H 6298), 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 Algiere, the Senate adjourns at 5:20 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR V. SUSAN SOSNOWSKI

Eternal Father, open our hearts and minds for Your divine light upon our daily duties. May we proceed with the courage to make righteous decisions.Amen.

Appendix

CONSENT CALENDAR

In order for Wednesday, May 14, 2003:

1. (03-H6414) An Act to vacate the forfeiture or revocation of the charter of Molchar Chiropractic Center. Ltd.

Ordered on the Consent Calendar.

2. (03-H6415) An Act to vacate the forfeiture or revocation of the charter of Del Core Consultants, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Tuesday, May 13, 2003

Appendix

CALENDAR

In order for Wednesday, May 14, 2003:

1. Reappointment of Joseph R. Paolino, Sr. of Providence (Public Member) to the Coastal Resources Management Council for a term expiring January 31, 2004.

Committee on Environment and Agriculture recommends that the Senate give its advice and consent to this reappointment.

2. (03-S810) (Substitute "A") An Act relating to businesses and professions - Board of Medical Licensure and Discipline

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

3. (03-S80) An Act relating to criminal offenses.

Committee on Judiciary recommends passage.

4. (03-S213) (Substitute "A") An Act relating to taxation - property subject to taxation.

Committee on Commerce, Housing and Municipal Government recommends indefinite postponement of the original bill and passage of Substitute "A".

5. (03-S1029) An Act relating to fixing the date and time for holding the annual town meeting in Jamestown.

Committee on Commerce, Housing and Municipal Government recommends passage.

6. (03-S1034) An Act relating to motor and other vehicles - operators' and chauffeurs' licenses.

Committee on Commerce, Housing and Municipal Government recommends passage.

7. (03-S1039) An Act in amendment of an act passed at the January session, 1937, entitled "An Act to incorporate the Shelter Harbor Fire District," approved April 27, 1937, as amended at the January session, 1950, approved April 25, 1950.

Committee on Commerce, Housing and Municipal Government recommends passage.

Appendix

CALENDAR

In order for Thursday, May 15, 2003:

1. (03-S123) (Substitute "A") An Act relating to elections - nomination papers.

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

2. (03-S1025) An Act relating to levy and assessment of local taxes.

Committee on Finance recommends passage.

3. (03-S88) (Substitute "A") An Act relating to criminals - correctional institutions - parole.

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

4. (03-S251) (Substitute "A") An Act relating to 911 - Emergency Telephone Number Act.

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

5. (03-S349) (Substitute "A" as amended) An Act relating to criminal procedure - warrants for arrest.

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

6. (03-S385) (Substitute "A") An Act relating to motor and other vehicles - traffic stops statistics.

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

7. (03-S461) (Substitute "A") An Act relating to motor and other vehicles - Rhode Island Uniform Commercial Driver's License Act.

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

8. (03-S462) (Substitute "A") An Act relating to property - mechanics' liens.

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

9. (03-S481) An Act relating to elections.

Committee on Judiciary recommends passage.

10. (03-S492) (Substitute "A") An Act relating to property - Residential Landlord and Tenant Act.

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

11. (03-S717) (Substitute "A") An Act relating to aeronautics.

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

12. (03-S947) An Act relating to probate - town of Bristol.

Committee on Judiciary recommends passage.

13. (03-H5452) (Substitute "B") An Act relating to motor vehicle offenses.

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

14. (03-S464) An Act relating to criminal offenses - children.

Committee on Judiciary recommends passage.

15. (03-S843) (Substitute "A") An Act relating to public utilities and carriers.

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

16. (03-S677) An Act relating to corporations, associations and partnerships - business corporations.

Committee on Commerce, Housing and Municipal Government recommends passage.

17. (03-S697) An Act relating to taxation - levy and assessment of local taxes.

Committee on Judiciary recommends passage.

Appendix

CALENDAR

In order for Wednesday, May 21, 2003:

1. (03-S1033) An Act relating to domestic relations - solemnization of marriages.

Ordered on the Calendar.

RAYMOND T. HOYAS, JR.
Secretary of the Senate
Tuesday, May 13, 2003

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

Thank you for stopping by!

