

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.49	Thursday, May 15, 2003	Forty-ninth Day
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The Senate meets pursuant to adjournment and is called to order by the Honorable William V. Irons, President of the Senate, at 4:14 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT - 38: The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT - 0.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, May 14, 2003 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Pichardo, and by unanimous consent, the Honorable President welcomes to the Chamber members of the Daycare Justice Co-Op, 280 Broadway, Providence: Luisa Roca, Teofila Maldonado, Chas Walker, and Shelly Mike from the Capital City Community Center on Smith Street, Providence.

NEW BUSINESS

Senator Blais presents (03-S 1084) Senate Resolution congratulating W. Michael Sullivan on the occasion of his 50th birthday.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Celona, Connors and Montalbano present (03-S 1085) Senate Resolution honoring Thomas A. Tanury for his wholehearted dedication to the William M. Davies, Jr. Career and Technical High School.

Senator Celona requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

REPORTS OF COMMITTEES

COMMITTEE ON LABOR

Senator Badeau, from the Committee on Labor, reports back, with recommendation of passage of the following measures:

(03-S 623) An Act relating to public property and works - labor and payment of debts by contractors.

Read and ordered to be placed on the Calendar.

(03-S 860) An Act relating to labor and labor relations - Temporary Disability Insurance - benefits.

Read and ordered to be placed on the Calendar.

(03-H 6099) Joint Resolution creating a special legislative commission to study the tax and benefit provisions of the Temporary Disability Insurance (TDI) 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 332) An Act relating to criminal procedure - preliminary proceedings in district courts.

Read and ordered to be placed on the Calendar.

(03-S 728) An Act relating to elections - ballot security and storage.

Read and ordered to be placed on the Calendar.

(03-S 739) An Act relating to criminal procedure - DNA detection of felony offenders.

Read and ordered to be placed on the Calendar.

(03-S 959) An Act relating to the town of Scituate - Juvenile Hearing Board.

Read and ordered to be placed on the Calendar.

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 288) An Act relating to commercial law - credit card lending.

Read and ordered to be placed on the Calendar.

(03-S 669) An Act relating to businesses and professions - telephone sales solicitation act.

Read and ordered to be placed on the Calendar.

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 measure:

(03-S 670) (Substitute "A") An Act exempting from taxation the property of the Pawtucket, RI Young Men's Christian Association.

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 5215 as amended) An Act relating to businesses and professions.

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

Also:

(03-H 5361) An Act relating to insurance - health maintenance organizations.

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

Also:

(03-H 5370) An Act relating to state affairs and government - Economic Development Corporation.

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

Also:

(03-H 5474) An Act relating to unfair sales practices.

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

Also:

(03-H 5478) (Substitute "A") An Act relating to businesses and professions - pharmacies.

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

Also:

(03-H 5707) An Act relating to insurance.

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

Also:

(03-H 5744) (Substitute "A") An Act relating to taxation - veterans' exemption - total disability.

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

Also:

(03-H 5765) An Act relating to health insurance coverage - dentists.

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

Also:

(03-H 5828) (Substitute "A" as amended) An Act relating to businesses and professions.

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

Also:

(03-H 5909) (Substitute "A") An Act relating to insurance - small employer health insurance availability act.

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

Also:

(03-H 5951) (Substitute "A") An Act relating to businesses and professions - physical therapists.

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

Also:

(03-H 6005) An Act relating to health and safety - health care accessibility and quality assurance act.

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

Also:

(03-H 6066) An Act relating to motor vehicle insurance - motor vehicle body replacement parts.

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

Also:

(03-H 6123) An Act relating to taxation.

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

Also:

(03-H 6181) (Substitute "A") An Act relating to insurance - small employer health insurance.

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

Also:

(03-H 6354) 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.

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

Also:

(03-H 6356) An Act relating to taxation - town of Westerly.

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

Also:

(03-H 5504) (Substitute "A") An Act relating to licensing and monitoring of child care providers.

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

Also:

(03-H 5840) (Substitute "A") An Act relating to health care - home and community care services to the elderly.

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

Also:

(03-H 5841) (Substitute "A") An Act relating to long-term care - ombudsperson.

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

Also:

(03-H 5924) (Substitute "A") An Act relating to health and safety - licensing of health care facilities.

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

Also:

(03-H 5949) An Act relating to food and drugs.

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

Also:

(03-H 6048 as amended) An Act relating to the family independence act.

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

Also:

(03-H 6142) An Act relating to motor and other vehicles - nontransparent windshields and windows.

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

Also:

(03-H 5017) (Substitute "A") An Act relating to alcoholic beverages - regulation of sales.

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

Also:

(03-H 5220) (Substitute "A" as amended) An Act relating to alcoholic beverages - regulation of sales.

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

Also:

(03-H 6043) Joint Resolution declaring June as "Rivers Month" in the state of Rhode Island.

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

Also:

(03-H 5280) An Act relating to commercial - general regulating provisions - deceptive trade practices.

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

Also:

(03-H 5368) (Substitute "A") An Act relating to unfair competition and practices.

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

Also:

(03-H 5896) (Substitute "A") An Act relating to businesses and professions - unsolicited telephone sales calls.

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

Also:

(03-H 5897) (Substitute "A") An Act relating to securities.

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

Also:

(03-H 6002) An Act relating to trust powers.

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

Also:

(03-H 6004) (Substitute "A") An Act relating to financial institutions - licensed activities and regulating oversight.

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

Also:

(03-H 5350 as amended) An Act relating to education - school committees and superintendents.

Read and referred to the Committee on Education.

Also:

(03-H 5435) An Act relating to complaints of harassment.

Read and referred to the Committee on Education.

Also:

(03-H 5458 as amended) An Act relating to education - cooperative service among school districts.

Read and referred to the Committee on Education.

Also:

(03-H 5824 as amended) An Act relating to education - compulsory attendance.

Read and referred to the Committee on Education.

Also:

(03-H 5834 as amended) An Act relating to school committees and superintendents - middle schools.

Read and referred to the Committee on Education.

Also:

(03-H 5919 as amended) An Act relating to education - health and safety of pupils.

Read and referred to the Committee on Education.

Also:

(03-H 5956) An Act relating to education - alternative education programs.

Read and referred to the Committee on Education.

Also:

(03-H 5187) (Substitute "A") An Act relating to motor and other vehicles - mobile and manufactured homes.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5349 as amended) An Act relating to domestic relations - adoption of children.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5461 as amended) An Act relating to businesses and professions - confidentiality of health care communications and information act.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5479) (Substitute "A") An Act relating to property - mortgage foreclosures.

Read and referred to the Committee on Judiciary.

Also:

(03-H 5895) (Substitute "A") An Act relating to businesses and professions - confidentiality of health care communications and information act.

Read and referred to the Committee on Judiciary.

Also:

(03-H 6031) An Act relating to criminal offenses - assaults.

Read and referred to the Committee on Judiciary.

Also:

(03-H 6137) (Substitute "A") An Act relating to motor and other vehicles - Rhode Island Uniform Commercial Driver's License Act.

Read and referred to the Committee on Judiciary.

Also:

(03-H 6067 as amended) An Act relating to creating the Urban Infrastructure Commission.

Read and referred to the Committee on Government Oversight.

Also:

(03-H 6037) An Act relating to Rhode Island Veterans' Home.

Read and referred to the Committee on Finance.

Also:

(03-H 6416) 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.

Read and referred to the Committee on Finance.

Also:

(03-H 6405) An Act to vacate the forfeiture or revocation of the charter of Bayrose, LLC.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6406) An Act to vacate the forfeiture or revocation of the charter of Block Island Anchor House Inn, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6411) An Act to vacate the forfeiture or revocation of the charter of Precision Woodworking Co., Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6434) An Act to vacate the forfeiture or revocation of the charter of the Trailer Connection, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6435) An Act to vacate the forfeiture or revocation of the charter of F&F Realty, Inc.

Read and ordered to be placed on the Consent Calendar.

Also:

(03-H 6436) An Act to vacate the forfeiture or revocation of the charter of Batista Bakery and Pastry, Inc.

Read and ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Montalbano, seconded by Senator Algieri, the following appointments on today's Consent Calendar, by unanimous consent, are given the Advice and Consent of the Senate, upon a voice vote:

- 1.** Reappointment of Michael A. Watson of Cranston to the Rhode Island State Council on the Arts for a term expiring March 1, 2005.
- 2.** Appointment of Barbara Jackson of North Kingstown VICE Leo Charpentier to the Rhode Island Economic Development Corporation for a term expiring February 1, 2007.
- 3.** Appointment of Ann Clanton of Warwick VICE Martha J. Sheridan to the Rhode Island State Council on the Arts for a term expiring March 1, 2006.
- 4.** Reappointment of Azim Mazagonwalla of Providence to the Rhode Island State Council on the Arts for a term expiring March 1, 2006.
- 5.** Reappointment of Kenneth J. Carpenter of Providence to the Rhode Island State Council on the Arts for a term expiring March 1, 2006.

CALENDAR

In order for the day is taken up as follows:

- 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".

Senator Bates moves passage, seconded by Senators Celona, Blais, McCaffrey, DaPonte and Ciccone.

Senator McCaffrey, seconded by Senators Ruggerio, Bates and Celona, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(03-S 123) (Substitute "A")

Mr. President:

I hereby move to amend (03-S 123) (Substitute "A") entitled "AN ACT RELATING TO ELECTIONS - NOMINATION PAPERS", as follows:

On page 1, lines 3 through 6, by deleting all language starting with "A person shall" on line 3, up to and including the word "office" on line 6.

Respectfully submitted,

MICHAEL J. McCAFFREY
Senator, District 29

Senator McCaffrey discusses the amendment.

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 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, Polisena, Raptakis, Revens, Ruggerio, Tassoni, Walaska.

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 32 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS - 32:

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

NAYS - 6: Senators Caprio, Cote, Lenihan, Paiva Weed, Roberts, Sheehan.

3. (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".

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

4. (03-S677) An Act relating to corporations, associations and partnerships - business corporations.

Committee on Commerce, Housing and Municipal Government recommends passage.

Upon suggestion of Senator Celona, and without objection, ordered to be recommitted to the Committee on Commerce, Housing and Municipal Government.

5. (03-S697) An Act relating to taxation - levy and assessment of local taxes.

Committee on Judiciary recommends passage.

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

6. (03-S1025) An Act relating to levy and assessment of local taxes.

Committee on Finance recommends passage.

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

7. (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".

Senator McCaffrey moves passage, seconded by Senator Ciccone.

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

FLOOR AMENDMENT

TO

(03-S 88) (Substitute "A")

Mr. President:

I hereby move to amend (03-S 88) (Substitute "A") entitled " AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE", as follows:

On page 4, by deleting lines 3 through 12.

Respectfully submitted,

DANIEL P. CONNORS
Senator, District 19

The motion to amend prevails upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

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 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

8. (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".

Senator Polisena moves passage, seconded by Senators Damiani, Celona, Felag and Ruggerio.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

9. (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.

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

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 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

10. (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".

Upon suggestion of Senator Perry, and without objection, ordered to be placed on the Calendar for Tuesday, May 20, 2003.

11. (03-S462) (Substitute "A" as amended) An Act relating to property - mechanics' liens.

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

Upon suggestion of Senator McCaffrey, and without objection, ordered to be placed on the Calendar for Tuesday, May 20, 2003.

12. (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".

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

13. (03-S481) An Act relating to elections.

Committee on Judiciary recommends passage.

Senator DaPonte moves passage, seconded by Senator Roberts.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

15. (03-S717) (Substitute "A") An Act relating to aeronautics.

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

Senator Revens moves passage, seconded by Senator McCaffrey.

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, 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.

16. (03-S947) An Act relating to probate - town of Bristol.

Committee on Judiciary recommends passage.

Senator Felag moves passage, seconded by Senators Issa, Bates and Parella.

The act is read and passed, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator 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, Issa, Lanzi, Lenihan, McCaffrey, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 1: Senator McBurney.

17. (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".

Senator Polisena moves passage, seconded by Senators Sosnowski, Tassoni, Roberts, McCaffrey, Montalbano, Algieri and Damiani.

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A" indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

14. (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".

Senator Sheehan moves passage, seconded by Senators Gallo, Walaska and Lenihan.

Senator Paiva Weed discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 30 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS - 30:

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

NAYS - 6: Senators Bates, Blais, Breene, Felag, Paiva Weed, Perry.

2. (03-S464) An Act relating to criminal offenses - children.

Committee on Judiciary recommends passage.

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

Senator McCaffrey, seconded by Senators Polisena and Roberts, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(03-S 464)

Mr. President:

I hereby move to amend (03-S 464) entitled "AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN", as follows:

On page 2, by deleting lines 7 through 18 and inserting in place thereof the following:

"(1) A fine of up to two hundred fifty dollars (\$250) for the first violation within any thirty-six (36) month period;

(2) A fine of up to five hundred dollars (\$500) for the second violation within any thirty-six (36) month period;

(3) A fine of up to one thousand dollars (\$1,000) and a fourteen (14) day suspension of the license to sell tobacco products for the third violation within any thirty-six (36) month period;

(4) A fine of up to one thousand five hundred dollars (\$1,500) and a ninety (90) day suspension of the license to sell tobacco products for each violation in excess of three (3)."

Respectfully submitted,

MICHAEL J. McCAFFREY
Senator, District 29

The motion to amend prevails upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in

the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 38:

The Honorable President Irons and 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

ANNOUNCEMENT

Senator Felag announces that the Committee on Finance will meet today at the rise of the Senate.

ADJOURNMENT

Upon motion of Senator Raptakis, the Senate adjourns at 4:48 o'clock P.M., in memory of Representative Stephen J. Anderson of Coventry and West Greenwich.

GABRIEL ANDRADE REI
Deputy Clerk of the Senate

Appendix

INVOCATION

SENATOR KEVIN A. BREENE

Lord, to Your servants in this chamber grant a sense of Your presence, not only during this hurried moment of prayer, but throughout the entire day, especially as we deliberate and vote on behalf of our constituents. Enable us to make our judgments Your judgments.Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, May 20, 2003:

- 1. (03-H6405) An Act to vacate the forfeiture or revocation of the charter of Bayrose, LLC.

Ordered on the Consent Calendar.

- 2. (03-H6406) An Act to vacate the forfeiture or revocation of the charter of Block Island Anchor House Inn, Inc.

Ordered on the Consent Calendar.

- 3. (03-H6411) An Act to vacate the forfeiture or revocation of the charter of Precision Woodworking Co., Inc.

Ordered on the Consent Calendar.

- 4. (03-H6434) An Act to vacate the forfeiture or revocation of the charter of the Trailer Connection, Inc.

Ordered on the Consent Calendar.

- 5. (03-H6435) An Act to vacate the forfeiture or revocation of the charter of F&F Realty, Inc.

Ordered on the Consent Calendar.

- 6. (03-H6436) An Act to vacate the forfeiture or revocation of the charter of Batista Bakery and Pastry, Inc.

Ordered on the Consent Calendar.

GABRIEL ANDRADE REI Deputy Clerk of the Senate
Thursday, May 15, 2003

Appendix

CALENDAR

In order for Tuesday, May 20, 2003:

- 1. (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".

- 2. (03-S462) (Substitute "A" as amended) An Act relating to property - mechanics' liens.

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

3. (03-S301) An Act relating to education.

Committee on Finance recommends passage.

4. (03-S956) An Act relating to taxation - property subject to taxation.

Committee on Finance recommends passage.

5. (03-S1043 as amended) An Act exempting from taxation the real, mixed and personal property of Welcome House of South County.

Committee on Finance recommends passage as amended.

6. (03-S786) An Act relating to taxation of new real estate.

Committee on Commerce, Housing and Municipal Government recommends passage.

Appendix

CALENDAR

In order for Wednesday, May 21, 2003:

1. (03-S1025) An Act relating to levy and assessment of local taxes.

Committee on Finance recommends passage.

2. (03-S1033) An Act relating to domestic relations - solemnization of marriages.

Ordered on the Calendar.

3. (03-S670) (Substitute "A") An Act exempting from taxation the property of the Pawtucket, RI Young Men's Christian Association.

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

4. (03-S332) An Act relating to criminal procedure - preliminary proceedings in district courts.

Committee on Judiciary recommends passage.

5. (03-S728) An Act relating to elections - ballot security and storage.

Committee on Judiciary recommends passage.

6. (03-S739) An Act relating to criminal procedure - DNA detection of felony offenders.

Committee on Judiciary recommends passage.

7. (03-S959) An Act relating to the town of Scituate - Juvenile Hearing Board.

Committee on Judiciary recommends passage.

8. (03-S623) An Act relating to public property and works - labor and payment of debts by contractors.

Committee on Labor recommends passage.

9. (03-S860) An Act relating to labor and labor relations - Temporary Disability Insurance - benefits.

Committee on Labor recommends passage.

10. (03-H6099) Joint Resolution creating a special legislative commission to study the tax and benefit provisions of the Temporary Disability Insurance (TDI) program.

Committee on Labor recommends passage in concurrence.

11. (03-S288) An Act relating to commercial law - credit card lending.

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

12. (03-S669) An Act relating to businesses and professions - telephone sales solicitation act.

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

GABRIEL ANDRADE REI

Deputy Clerk of the Senate

Thursday, May 15, 2003

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

Thank you for stopping by!

