

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.1

Tuesday, January 7, 2003

First Day

In accordance with Chapter 22-3-2 of the General Laws of the State of Rhode Island, the Honorable Senate is called to order at 3:00 o'clock P.M., by the Honorable M. Teresa Paiva Weed, being the senior member, in continuous service from the City of Newport, on the first Tuesday in January, A.D. 2003 (being the first Tuesday of the Month).

The Honorable Senator appoints Senators Connors, Felag and Tassoni and Senators-elect Ciccone, Lanzi and Pichardo to escort Secretary of State Matthew Brown to the rostrum.

The members attend.

The Honorable
Senator, presents the Honorable Matthew A. Brown, Secretary of State.

As provided in Article III of the Constitution, the roll of the Senate, pursuant to Law, is read by the Honorable Secretary of State as follows:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE SECRETARY OF STATE
ROOM 220, STATE HOUSE
PROVIDENCE, RHODE ISLAND 02903-1105**

MATTHEW BROWN
Secretary of State

January 7, 2003

To the Honorable, the Senate:

I, Matthew A. Brown, Secretary of State, hereby certify the following list of members elected to the Senate in the General Assembly, in accordance with the certificate of election filed in this office by the Board of Elections on the twenty-second day of November, AD 2002, as provided by Section 22-3-13 of the General Laws of 1956:

Senators District

Rhoda E. Perry 1
Juan M. Pichardo 2
Frank A. Ciccone, III 3
Maryellen Goodwin 4
Frank T. Caprio 5
Dominick J. Ruggerio 6

John A. Celona 7
William V. Irons 8
David E. Bates 9
Walter S. Felag, Jr. 10
Mary A. Parella 11
June N. Gibbs 12
M. Teresa Paiva Weed 13
Daniel DaPonte 14
John F. McBurney, III 15
Daniel J. Issa 16
Joseph A. Montalbano 17
Michael J. Damiani 18
Daniel P. Connors 19
Roger R. Badeau 20
Marc A. Cote 21
John J. Tassoni, Jr. 22
Paul W. Fogarty 23
Leo R. Blais 24
Joseph M. Polisena 25
Beatrice A. Lanzi 26
Hanna M. Gallo 27
Elizabeth H. Roberts 28
Michael J. McCaffrey 29
William A. Walaska 30
John C. Revens, Jr. 31
Stephen D. Alves 32
Leonidas P. Raptakis 33
Kevin A. Breene 34
J. Michael Lenihan 35
James C. Sheehan 36
V. Susan Sosnowski 37
Dennis L. Algieri 38

In testimony whereof, I have hereunto set my hand and affixed the Seal of the State of Rhode Island on this seventh day of January, AD 2003.

Respectfully yours,

MATTHEW BROWN
Secretary of State

Received and ordered to be placed on file.

OATH

The Oath of Office is administered to the foregoing Senators-elect by the Honorable Matthew A. Brown, Secretary of State.

ROLL

The Honorable

Senator, directs the Reading Clerk, John S. Baxter, Jr., to call the roll of the body.

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

PRESENT - 38: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Irons, 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 Senator, by unanimous consent, presents the Most Reverend John E. Holt, Executive Minister of the Rhode Island State Council of Churches, to deliver the invocation.

PRESENTATION OF COLORS

The Presentation of Colors is performed by members of the historic Kentish Guards.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

NATIONAL ANTHEM

The National Anthem is performed by the Tolman High School Show Choir of the City of Pawtucket.

RETIREMENT OF COLORS

The Kentish Guards retire the colors.

ELECTION OF THE PRESIDENT OF THE SENATE

The Honorable Senator declares that nominations for the office of President of the Senate are now in order.

Senator Majority Leader-elect Montalbano, nominates Senate Majority Leader William V. Irons, to be the first President of the Rhode Island Senate. The nomination is seconded by Senator Goodwin.

Senator Ruggerio, seconded by Senators Sosnowski and Blais, moves that nominations be closed.

The motion to close nominations prevails, on a voice vote.

The Honorable Senator, directs the Reading Clerk, John S. Baxter, Jr., to call the roll of the body.

The motion to elect Senator Majority Leader Irons as President of the Senate 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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Irons, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

The Honorable Senator announces that Senate Majority Leader William V. Irons has been elected President of the Rhode Island Senate for the years 2003 and 2004.

The Honorable Senator appoints Senators Bates, Gibbs, DaPonte, Raptakis and Roberts to escort the President of the Senate, Mrs. William V. Irons and the Irons Family to the rostrum.

The members attend.

The Honorable Senator, appoints Senators Cote, Caprio, Breene, Parella and Polisen to escort the Honorable Frank Williams, Chief Justice of the Rhode Island Supreme Court to the rostrum.

The members attend.

OATH OF OFFICE

The Honorable Senator introduces the Honorable Chief Justice to administer the oath of Office to the Senate President.

PASSING OF THE GAVEL

The Honorable Senator appoints Senators Goodwin and Fogarty to escort the Honorable Lieutenant Governor Charles J. Fogarty to the rostrum.

The members attend.

His Honor, the Lieutenant Governor, passes the gavel to the Honorable President.

HONORED GUEST

The Honorable President appoints Senate Majority Leader Montalbano and Senate Minority Leader Algieri to escort His Excellency, the Honorable Donald L. Carcieri, Governor, to the rostrum.

The members attend.

PRESENTATION

The Honorable Senator calls on Majority Leader Montalbano and Minority Leader Algieri to make a presentation to the Honorable President.

NOW PRESIDING

The Honorable Senator, yields the rostrum to the Honorable President at 3:44 o'clock P.M.

PRESIDENTIAL REMARKS

The Honorable President, William V. Irons, addresses the members of the Senate and their special guests.

(See Appendix for Presidential Remarks)

HONORED GUEST

The Honorable President introduces His Excellency, the Honorable Donald L. Carcieri, Governor, to the body.

His Excellency, the Governor, addresses the members of the Senate and their guests.

HONORED GUEST

The Honorable President introduces the Honorable David N. Cicilline, Mayor of the City of Providence.

GUEST SPEAKER

The Honorable President introduces Dr. Patrick T. Conley, distinguished Historian, renowned Professor and respected Attorney from the city of Providence, to address the body.

Dr. Conley, addresses the members of the Senate and their guests.

(See Appendix for remarks)

ELECTION OF PRESIDENT PRO TEMPORE

The Honorable President declares that nominations for the office of President Pro Tempore of the Senate are now in order.

Senator Perry nominates Senator John C. Revens, Jr., as President Pro Tempore of the Senate for the 2003 and 2004 Sessions. The nomination is seconded by Senator Issa.

The motion to elect Senator Revens as President Pro Tempore 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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Irons, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

ELECTION OF THE SECRETARY OF THE SENATE

The Honorable President declares that nominations for the office of Secretary of the Senate are now in order.

Senator Gallo nominates Raymond T. Hoyas, Jr. of Pawtucket, as Secretary of the Senate for the 2003 and 2004 Sessions. The nomination is seconded by Senators Damiani, Alves, Blais and Senate Majority Leader Montalbano.

The motion to elect Raymond T. Hoyas, Jr. of Pawtucket, as Secretary of the Senate for the 2003 and 2004 Sessions 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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Irons, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Montalbano, Paiva Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS - 0.

OATH

The Honorable Matthew A. Brown, Secretary of State, administers the Oath of Office to the Secretary of the Senate -elect, Raymond T. Hoyas, Jr.

The Honorable Secretary of State, addresses the members and their guests.

COMMUNICATION

The Honorable President presents the following communications:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE SECRETARY OF STATE
ROOM 217, STATE HOUSE
PROVIDENCE, RHODE ISLAND 02903-1105**

EDWARD S. INMAN, III
Secretary of State

January 7, 2003

To the Honorable, the Senate:

I have the honor to inform you that I administered this day the oath of engagement as Governor for the State of Rhode Island to His Excellency, Donald L. Carcieri, of the town of East Greenwich.

Respectfully,

EDWARD S.INMAN, III
Secretary of State

Received and ordered to be placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE
SECRETARY OF STATE
ROOM 217, STATE HOUSE
PROVIDENCE, RHODE ISLAND 02903-1105**

EDWARD S.INMAN, III
Secretary of State

January 7, 2003

To the Honorable, the Senate:

I have the honor to inform you that I administered this day the oath of engagement as Lieutenant Governor for the State of Rhode Island to

Lt. Governor, Charles J. Fogarty

of the Town of Glocester.

Respectfully,

EDWARD S.INMAN, III
Secretary of State

Received and ordered to be placed on file.

SUPREME COURT OF RHODE ISLAND
FRANK LICHT JUDICIAL COMPLEX
250 BENEFIT STREET
PROVIDENCE, RI 02903

FRANK J. WILLIAMS
Chief Justice

January 7, 2003

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

To the Honorable, the Senate:

I have the honor to inform you that I administered this day the oath of engagement as Secretary of State for the State of Rhode Island to the Honorable Matthew A. Brown.

Yours sincerely,

FRANK J. WILLIAMS
Chief Justice

Received and ordered to be placed on file.

SUPREME COURT OF RHODE ISLAND
FRANK LICHT JUDICIAL COMPLEX
250 BENEFIT STREET
PROVIDENCE, RI 02903

FRANK J. WILLIAMS
Chief Justice

January 7, 2003

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

To the Honorable, the Senate:

I have the honor to inform you that I administered this day the oath of engagement as Attorney General for the State of Rhode Island to the Honorable Patrick C. Lynch.

Yours sincerely,

FRANK J. WILLIAMS
Chief Justice

Received and ordered to be placed on file.

SUPREME COURT OF RHODE ISLAND
FRANK LICHT JUDICIAL COMPLEX
250 BENEFIT STREET
PROVIDENCE, RI 02903

FRANK J. WILLIAMS
Chief Justice

January 7, 2003

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

To the Honorable, the Senate:

I have the honor to inform you that I administered this day the oath of engagement as General Treasurer for the State of Rhode Island to the Honorable Paul J. Tavares.

Yours sincerely,

FRANK J. WILLIAMS
Chief Justice

Received and ordered to be placed on file.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

SENATE CHAMBER

January 7, 2003

Honorable William V. Irons
President of the Senate
Room 318, State House
Providence, RI 02903

Dear President Irons:

This is to inform you that the Democratic Senators elected on November 5, 2002, have organized the Democratic Caucus for the Senate's 2003-2004 term.

As part of the organizational meeting, held in Room 313 at the State House on November 12, 2002, the thirty-two members of the caucus elected Honorable Joseph A. Montalbano, of the 17th Senatorial District, as the Senate Majority Leader for the 2003-2004 term.

Sincerely,

ELIZABETH H. ROBERTS
Senator-elect, District 28
Secretary, Democratic Caucus

STATE OF RHODE ISLAND COUNTY OF PROVIDENCE

In Providence, on the 7th day of January, 2003, before me personally appeared Elizabeth H. Roberts, to me known and known by me to be the party executing the foregoing document, and she acknowledged said document to be true to the best of her knowledge and belief.

PATRICIA E. REKRUT
Notary Public

My Commission Expires: 11/17/05

Received and ordered to be placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE SENATE MINORITY LEADER
ROOM 120 STATE HOUSE
PROVIDENCE 02903**

DENNIS L. ALGIERE
Minority Leader
401-222-2708

January 7, 2003

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

Dear Mr. President:

I have the honor to inform you that the Senate Republican Caucus met on the 6th day of November, 2002, at 4:00 p.m. in Room 120 of the State House and elected the Senate Minority Leader, the Senate Minority Whip, the Senate Minority Senior Deputy Leader, and the Senate Minority Deputy Leaders. They are as follows: Dennis L. Algieri,
Senate Minority Leader

Kevin A. Breene,
Senate Minority Whip

Leo R. Blais,
Senate Minority Senior Deputy Leader

June N. Gibbs,
Senate Minority Deputy Leader

David E. Bates,
Senate Minority Deputy Leader

Mary A. Parella,
Senate Minority Deputy Leader

Respectfully yours,

DENNIS L. ALGIERE
Senate Minority Leader

Received and ordered to be placed on file.

SUPREME COURT OF RHODE ISLAND
FRANK LICHT JUDICIAL COMPLEX
250 BENEFIT STREET
PROVIDENCE, RI 02903

FRANK J. WILLIAMS
Chief Justice

January 7, 2003

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

To the Honorable, the Senate:

I have the honor to inform you that I administered this day the oath of engagement as President of the Senate for the State of Rhode Island to you, the Honorable William V. Irons.

Yours sincerely,

FRANK J. WILLIAMS
Chief Justice

Received and ordered to be placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE SECRETARY OF STATE**

MATTHEW A. BROWN
Secretary of State

January 7, 2003

To the Honorable, the Senate:

I have the honor to inform you that I administered this day the oath of engagement as Secretary of the Senate for the years 2003 and 2004 to Raymond T. Hoyas, Jr., of Pawtucket.

Respectfully yours,
MATTHEW BROWN
Secretary of State

Received and ordered to be placed on file.

SENATE ADDRESS

The Honorable President, introduces Senate Majority Leader, Joseph A. Montalbano, to address the body.

Senate Majority Leader Montalbano, addresses the members and their guests.

The Honorable President, introduces Senate Minority Leader Dennis L. Algieri, to address the body.

Senate Minority Leader Algieri, addresses the members and their guests.

INTRODUCTION OF GUESTS

Upon suggestion of Senate Majority Leader Montalbano, and by unanimous consent, the Honorable President welcomes

to the Chamber Honorable and Mrs. Daniel A. Procaccini, the Honorable Stephen J. Capineri, the Honorable Joseph F. Rodgers, Jr., the Honorable Jeremiah S. Jeremiah, Jr., the Honorable Susan E. McGuirl, Ms. Karen Torti, Mr. Solomon A. Solomon, Family Court Magistrate Patty Asquith, the Honorable Maureen Goldberg and Sheriff Joanne Macari.

Upon suggestion of Senator Ruggerio, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Ciccone, Frank A. Ciccone, his father, Carla Ciccone, his daughter, Robert J. DiMaio, Campaign Coordinator, the Honorable Ronald Allen, Providence Councilman Ward 8, and Vincent J. Iglizzo, 7th Ward Democratic Chairman.

Upon suggestion of Senator Alves, and by unanimous consent, the Honorable President welcomes to the Chamber members of Senator McCaffrey's family, his wife Deirdre, children Michael, Cailin and Brenna, his mother and father, former Senator and former Mayor of Warwick, Eugene McCaffrey and Ann McCaffrey.

Upon suggestion of Senator Alves, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Paiva Weed, Mark S. Weed, her husband, Arthur J. Paiva, her father, Marie E. Paiva, her mother, the Honorable Jeanne Marie Napolitano, Newport Councilwoman, the Honorable Robert J. McKenna, former State Senator, the Honorable John Roney, former State Senator, and Robert Silva.

Upon suggestion of Senator Alves, and by unanimous consent, the Honorable President welcomes to the Chamber Patricia Serpa, Connie Patarca, Jeanne DiMasi and James Capaldi.

Upon suggestion of Senator Alves, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Helen Mathieu, and the Honorable Edward Morrone, former State Senators.

Upon suggestion of Senator Paiva Weed, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Jeanne-Marie Napolitano, the Honorable Robert McKenna, the Honorable John Roney, and Robert Silva.

The Honorable President welcomes to the Chamber the Honorable Richard A. Licht, former Lieutenant Governor, and his wife, Roanne Licht, and the Honorable David Cruise, former State Senator.

Upon suggestion of Senator Perry, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Richard A. Licht, the Honorable Sean Coffey, former State Senator, and the Honorable John Roney.

Upon suggestion of Senator Perry, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Roberts, her husband Thomas Roberts, her daughters Kathleen and Nora, her brother-in-law, the former Attorney General, Dennis J. Roberts, and her sister-in-law, Sherry Roberts.

Upon suggestion of Senator Tassoni, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Issa, his mother Loorese Issa, sons Jonathan and Adam, daughter Amy and her fiance Rob Lembor.

Upon suggestion of Senator Celona, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Goodwin, her father and former Senator Thomas Goodwin, her mother, Patricia Goodwin, sister Sheila Goodwin, and brother-in-law Jeffrey Larougue.

Upon suggestion of Senator Celona, and by unanimous consent, the Honorable President welcomes to the Chamber Reverend Edward S. Cardente, Pastor of St. Anthony Church in North Providence and St. Edward Church in Providence.

Upon suggestion of Senator Goodwin, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of Senator Perry, Alexander Perry, her son, Lucas Perry, her grandson, Pamela Emerson Bailey,

her sister, Fran Clark, her cousin, and McKean Tompkins, her cousin.

Upon suggestion of Senator Goodwin, and by unanimous consent, the Honorable President welcomes to the Chamber her close friends Bryan Whitford, Kathy McDonahugh, Margie Hurley, Colleen McCarthy, Susan Massel, and Councilman Patrick Butler.

Upon suggestion of Senator Goodwin, and by unanimous consent, the Honorable President welcomes to the Chamber Fr. Bernard Healy.

Upon suggestion of Senator Issa, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Tassoni, Councilwoman S. Jean Cerroni of Smithfield, his mom and dad John and Janet Tassoni, his daughter Jennifer L. Tassoni, his aunt Ann Reo, and Brendon Oates.

Upon suggestion of Senator Felag, and by unanimous consent, the Honorable President welcomes to the Chamber Michael Sosnowski, husband of Senator Sosnowski.

Upon suggestion of Senator Felag, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Helen Mathieu, former State Senator.

Upon suggestion of Senator Sosnowski, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Martha Ball, First Warden of New Shoreham.

Upon suggestion of Senator Sosnowski, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Felag, his son Zeke Felag, his brother Mark Felag, his sisters Nancy Threadgil, Mary Johns and Jayne Balasco, and friend Caryn Cummings.

Upon suggestion of Senator Fogarty, and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Gallo, her husband Russell Gallo and daughters Julie and Laura Gallo.

Upon suggestion of Senator Gallo, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Fogarty, his mother Martha Fogarty, his wife Nancy Fogarty, and Kim and Rosemond Kehoe, his cousins from Houston, Texas.

Upon suggestion of Senator Caprio, and by unanimous consent, the Honorable President welcomes to the Chamber family and friends of Senator Walaska, his wife Marsha, his daughter Anne Marie DeMello and her husband Dan, his granddaughter Grace DeMello, sister Anne Riccitelli and brother-in-law Michael Riccitelli.

Upon suggestion of Senator Fogarty, and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Caprio, his wife Gabriella Caprio, his son Frank Caprio II, and his uncle, Charles Tibaldi.

Upon suggestion of Senator Algieri, and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Blais, his wife Beverly A. Blais, son Jeremy L. Blais, daughter Leanne G. Blais and mother Cecile L. Blais.

Upon suggestion of Senator Breene, and by unanimous consent, the Honorable President welcomes to the Chamber Heather Fish and Dr. Clyde Fish, his campaign treasurer, from West Greenwich, Marge Gartelmen, Chair of West Greenwich Republican Party, Kathy Hoppe from Exeter, Rodney Bailey from East Greenwich, and the Honorable Scott Bill Hirst, Hopkinton Town Council.

Upon suggestion of Senator Blais, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable John Roney.

Upon suggestion of Senator McBurney, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable John J. Barry, III, Council President from the City of Pawtucket, and the Honorable Mary E. Bray,

Council President Pro Tempore, from the City of Pawtucket.

Upon suggestion of Senator McBurney, and by unanimous consent, the Honorable President welcomes to the Chamber Jeremy Licht.

Upon suggestion of Senator Damiani, and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Polisena, his mother and father, Julie and Joe Polisena, his wife Lucile Polisena and his son Joseph Polisena.

Upon suggestion of Senator Polisena, and by unanimous consent, the Honorable President welcomes to the Chamber Senator Damiani's daughters Jennifer Damiani and Christine Damiani, and his wife who is at home watching, Sharlene Damiani.

Upon suggestion of Senator Polisena, and by unanimous consent, the Honorable President welcomes to the Chamber Karen Torti.

Upon suggestion of Senator Gibbs, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of Senator Parella, her parents, Sal and Bernice Parella, her brother, Bristol Town Administrator, Joe Parella, her aunt, Jennie Parella, her niece, Alyssa Parella, and her nephew, Gregory Batteson.

Upon suggestion of Senator Gibbs, and by unanimous consent, the Honorable President welcomes to the Chamber Suzi Nance, Middletown Councilwoman, and M. Theresa Santos, Middletown Councilwoman.

Upon suggestion of Senator DaPonte, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of Senator Pichardo, his wife Janet, children Cristian and Tiffanie, mother Evangelista, sister Helen, niece Jayda, brother Roberto, aunt Addiz Cruz, and grandmother Maria Martinez, who could not be present. Special recognition to Ron Crusson, Jr., Aida Crosson, Tomas Avila, Julius Kolowale, Victor Capellan, Rafael Blanco, Laura Rodriguez, Carol Rodriguez, Juan and Harriet Troncoso, Carlos Manuel Pichardo, Jim Taylor, Councilman, Ward 8, Ronald Allen, Councilman, Ward 9, Miguel Luna, Mathew Taylor, David Langstein, Rafael Martinez, Marilyn Cepeda, Melba Depena, Jose and Beatrice, Michael Egan, Harold Omisore, Gregorio Pichardo, Nelson Garcia, Cid Wilson, Jose Bello, Ingrid Tavares, Alexandra Rodriguez, and Amy, and many more.

Upon suggestion of Senator DaPonte, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable William Castro, former State Senator.

Upon suggestion of Senator Pichardo, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of Senator DaPonte, his grandmother Lee DeMelo, father Manuel DaPonte, brother Jason DaPonte, former Senator William Castro, Mark Mancinho, and very dear friend Rebecca Pazienza.

Upon suggestion of Senator Connors, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of Senator Lanzi, her mother Rosemarie, her daughter Sofia Rose, Councilwoman Paula McFarland from Cranston, and Joseph Morris, campaign worker.

Upon suggestion of Senator Lanzi, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of Senator Connors, Charlene Connors, his mother, Michael P. Connors, his brother, Barbara Kiernan, his aunt and Doris and Gerry Janvier, his aunt and uncle.

Upon suggestion of Senator Ciccone, and by unanimous consent, the Honorable President welcomes to the Chamber a very special friend of Senator Ruggerio, Barbara Santilli.

Upon suggestion of Senator Lenihan, and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Cote, his wife Suzanne, his son Justin, and his daughter Monique.

Upon suggestion of Senator Cote, and by unanimous consent, the Honorable President welcomes to the Chamber the

family and friends of Senator Raptakis, his wife Donna Marie Raptakis, his children Alexandra and Nicholas Raptakis, and Despina Metakos.

Upon suggestion of Senate Majority Leader Montalbano, and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senator Celona, his wife Karleen Celona, children John Celona, Jr. and Christopher Celona, and Mr. and Mrs. John Murphy, his in-laws.

Upon suggestion of Senate Majority Leader Montalbano, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of President Irons, his wife Mary D. Irons, his daughter Joan Cronin and her husband Patrick and their daughters Caroline and Meredith, his daughter Sarah and her partner Carolyn Nobrega, his daughter Katherine Sudal and her husband Brad, his sister Evelyn Bain and niece Christina Bain, sister-in-law Barbara Traverse and brother-in-law Stan Traverse, brother-in-law Col. Michael Durand, brother-in-law Joseph Durand, his wife Beth and their daughter Kelsey, his Aunt Florence and Uncle Johnny Corte, and John and Nancy Amore, and Peter and Sandra Barilla.

Upon suggestion of Senator Celona, and by unanimous consent, the Honorable President welcomes to the Chamber the family of Senate Majority Leader Montalbano, his wife Linda Montalbano and son Stephen, Mrs. Antonia Robert, his mother-in-law, Mr. Anthony J. Montalbano, his father, and the Honorable Mark Montalbano, his brother.

Upon suggestion of Senator Cote, and by unanimous consent, the Honorable President welcomes to the Chamber Patricia Lenihan, wife of Senator Lenihan.

Upon suggestion of Senator Lenihan, and by unanimous consent, the Honorable President welcomes to the Chamber the family and friends of Senator Sheehan, his mom Sandra Behar, Sandra Spina, brother David Sheehan, step-mom Ann Marie Sheehan, nephew Billy Sheehan, brother Bill Sheehan, sister-in-law Lisa Sheehan, niece Caitlin Sheehan, uncle Jim Sheehan, aunt Linda Sheehan, grandmother Eva Milazzo, friend and former colleague Gerald Cousineau, friend David LeDoux, friend Arthur Simonini, and friend Ron Wheaton.

NEW BUSINESS

Senators Connors, Montalbano and Ruggerio present (03-S 0001) Senate Resolution adopting the Interim Rules of the Senate.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senators Ruggerio, Blais and Senate Majority Leader Montalbano.

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

NAYS - 0.

AMERICA THE BEAUTIFUL

The Honorable President introduces the East Providence Community Chorus to perform America the Beautiful.

BENEDICTION

The Honorable President, by unanimous consent, presents the Most Reverend Robert E. Mulvee, Bishop of Providence, to deliver the Benediction.

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Perry, the Senate adjourns at 5:35 o'clock P.M. in memory and tribute to the Honorable Victoria Lederberg, Justice of the Rhode Island Supreme Court, and former State Senator, who will be greatly missed.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

PRESIDENTIAL REMARKS

PRESIDENT OF THE SENATE WILLIAM V. IRONS

Bishop Mulvee, Reverend Holt, Governor Carcieri, Chief Justice Williams, Dr. Conley, Lieutenant Governor Fogarty, Secretary of State Brown, Governor Garrahy, Governor Noel, distinguished guests, families and friends of the Senate, and my colleagues in the Senate, especially our three new members, Senator Ciccone, Lanzi and our first Latino member, Senator Pichardo. Welcome to our very unique day of reorganization.

Rhode Islanders have signaled across the spectrum of government that their emphatic desire is for a radical change. We have a new energetic governor, Don Carcieri, a bold and visionary new mayor, David Cicilline of Providence, across the rotunda we will have a new Speaker of the House, William Murphy and here in this outstanding institution of the Rhode Island Senate we have initiated a significant new structure of operation. The voters of Rhode Island have told us very clearly they want their elected officials to change the way they do business.

Today is not just the beginning of another session of the Rhode Island Senate. With the election of the first President in its history, it is the beginning of a radically new chapter in the citizens' 340 year old legislature. This chapter was created by a vote of our citizens in 1994.

I wish to thank you, my fellow Senators, for affording me the high honor of election as the first President of the Rhode Island Senate.

I am humbled and honored by this election and I will do everything within my power to be deserving of your trust and to effectively carry out the great responsibilities involved with the office.

Two years ago when my Democrat colleagues elected me Majority Leader, the prior top leadership position, I pledged

with your help - 35 of you served in that session - to bring together a divided body and lead us through the unique challenge of downsizing our institution.

With the erstwhile support of all my Democratic colleagues in the last Senate, our minority caucus led by Senator Dennis Algiere, our dedicated Senate staff and the support of our families, we accomplished these goals and achieved many other significant results as well.

We were connected to our citizens and carried out their wishes, earning their trust. The results of the last election cycle provides ample testimony to that reality.

The Senate has a proud tradition of doing just that - listening to those who elect us, carrying out their wishes, and earning their trust.

Major reforms of our state government have been accomplished as a result of our commitment to reform. To name several of the more significant accomplishments - campaign finance reform and the revolving door act of the early 90's and just last year, the passage of the separation of powers referendum.

This election of the first President of the Senate is another example of the Senate carrying out the directions of the Rhode Island voters. The historic constitutional referendum of 1994 forever altered the structure of this legislative arena. The voters intended a balance of leadership between the Senate and the House. Henceforth both chambers will be led by constitutional officers elected by the entire body - Democrat, Republican and whatever additional parties may inhabit these chambers in the years to come.

Obviously the voters intended that the management structure of the legislature include the three leaders of both the Senate and the House of Representatives. For those who may not understand this basic equation - given to us by those who truly own this legislature - the people of the State of Rhode Island - let them know that the Senate will not rest until the peoples will has been done. Equality and balance of power these are the hallmark ingredients of the fabric of our wonderfully enduring state Government created 340 years ago.

We in the Senate will keep faith with the intentions of our founding fathers intent and will pursue the implementation of the 1994 directions of our citizenry. We will continue to earn the trust of the voters of this state.

The next two years will present exciting challenges and opportunities in the areas of economic and job growth for our state and we will also be faced with some difficult decisions concerning the lives of all Rhode Islanders. We look forward to working with Governor Carcieri and the House of Representatives in carrying out the important activities of state government. Rhode Islanders expect us to work together in building Rhode Island's future and the Senate will not disappoint them.

Let no one fail to recognize that our great state in spite of several difficult chapters is in outstanding shape on many fronts and ahead of our neighboring states fiscally and with regard to employment. While these are and have been challenging times, over the last decade Rhode Island has been transformed very positively on many fronts and in no small measure as a result of the hard work and dedication of the men and women who serve in the Senate and House.

In closing I would restate my appreciation for this high and historic honor. I know you, my colleagues in the Senate, share my enthusiasm for getting to the job ahead, serving our citizens and once again as we have in the past earning their trust.

Appendix

REMARKS

DR. PATRICK T. CONLEY

President Irons, Members of the Reorganized Senate, and Distinguished Guests:

I am grateful for the generous introduction, mindful, however, of a perceptive observation made by the Spanish philosopher George Santayana who, by the way, shares and ethnocultural ancestry with Juan Pichardo, Rhode Island's first Hispanic-American senator. Vanity, Santayana said, is measured by length, whereas greatness is measured in height. My resume is indeed long, but I have not risen very high - not as high in public life as the distinguished thirty-eight senators who begin their work today, some of whom were my students.

In the mercifully brief time allotted to me, I will describe the most bizarre episode in this chamber's 340 year history - the stinkbomb session of 1924 - to see what lessons or what interest it holds for present-day Rhode Islanders.

Oliver Wendell Holmes and Senator Bill Irons have both advised me that "a page of history is worth a volume of logic." Senator Irons also emphasized brevity, a quality incompatible with historical addresses, but in deference to Senator Irons, I can say to my listeners what King Henry VIII said to his six wives: "I won't be keeping any of you very long."

By way of background consider these historical facts: (1) the Rhode Island Constitution of 1843 (as you can note in your program) gave each Rhode Island municipality one senator only, regardless of its population, thus allowing the agricultural interest in the small rural towns a veto power over state legislation; (2) the Republican Party from its inception in 1854 dominated Rhode Island's rural towns; and (3) when the Senate first occupied this chamber in 1901, the Republican senators outnumbered Democrats 34 to 3.

As if constitutional malapportionment was not sufficient to safeguard Republican power, the legendary GOP chairman, Charles "Boss" Brayton engineered the enactment of a statute designed to weaken the power of any Democrat who might back into the governor's chair by virtue of a split in Republican ranks. With a few limited exceptions, this "Brayton Act" of 1901 placed the ultimate appointive power of state government in the hands of the Senate. In the aftermath of its passage, a governor could effectively appoint only his private secretary and a handful of insignificant state officials.

By 1920 the Senate - the possessor of state appointive and budgetary power - was more malapportioned than ever. For example, West Greenwich, population 367, had the same voice as Providence, population 237,595! And the twenty smallest towns, with an aggregate population of 41,660, outvoted Providence 20 to 1, although the capital city had over 39 percent of Rhode Island's total population. As congressman George F. O'Shaunessy observed, the Senate was as "strong power exercised by the abandoned farms of Rhode Island."

For two decades after the Brayton Act was passed, the Democratic minority had no hope of repealing it. In 1921-22, however, a post-war recession and several Republican political miscalculations gave Democrats a fighting chance. At this juncture, the Republican party alienated its major voting block - the Franco-Americans - by calling out the militia to quell a textile strike, by opposing a bill to reduce the standard workweek from 54 hours to 48, and by sponsoring an education act to require instruction in English, even in the French parish schools.

The backlash against these policies paved the way for the 1922 election of Governor William S. Flynn of South Providence and Lieutenant Governor Felix Toupin of Woonsocket, both of whom were Democrats. The House lineup was 50 Republicans, 48 Democrats and two Independent-Democrats. The Senate, with Toupin presiding, remained in Republican hands, but by a vastly reduced margin of 20 to 16, with three independents.

The goal of the energized Democrats was to reapportion and weaken the Senate and shift the power to the governor via a constitutional convention. Sound familiar?

In the 1923 legislative session the Democratic reformers were stymied, and by June, 1924, with the legislative session ending, they became recklessly desperate. The House had narrowly passed the convention bill and Governor Flynn waited for the Senate to concur.

At 2:00 p.m. on June 17, the Democrats launched a filibuster led by Robert Emmet Quinn of West Warwick. This tactic was designed to wear down some of the elderly Republican senators. When enough of them snoozed or left the chamber, presiding officer Toupin would take the vote.

In the forty-second hour of the filibuster, while the vigilant Democrats awaited the success of these scheme, Republican party managers authorized some thugs imported from Boston to detonate a foul-smelling bromine gas bomb under Toupin's rostrum. As the fiery Woonsocket politician keeled over unconscious, senators scrambled for the doors. Within hours, most of the Republican majority was transported across the state line to a retreat in Rutland, Massachusetts where Toupin's summons could not reach them. There they stayed (Sundays excepted) until a new Republican administration assumed the office in January of 1925.

Ironically, the defeat of the Democrats in the 1924 state elections was due in part to the fact that the Providence Journal, then a champion of legislative supremacy, wrongly accused them of the bombing. In that year the newspaper had its own reasons for discrediting the Democrats, inasmuch as Jesse H. Metcalf, brother of the Journal's president, was the GOP candidate for U.S. Senate in the fall election against Governor Flynn.

The Democratic setback in 1924 was only a temporary reversal. By the start of the General Assembly session of January 1935, Democratic leaders were on the verge of achieving political ascendancy via a governmental reorganization now known as "the Bloodless Revolution". This Senate was again the setting. This bizarre coup was made possible by a controversial scheme that gave the Democrats narrow control of the State in defiance of election-day returns. Among several bold changes, the Democrats repealed the Brayton Act and conferred substantial power upon the governor by statute.

During the next three decades, the Senate occasionally reverted to Republican control, but the reapportionment mandated by the Supreme Court in 1965, under the one-man one-vote rule, left both houses of the General Assembly overwhelming Democratic, and they remain so to this day.

Like the Democrats of the early 20th century, the modern day Republicans have had success in electing governors. And like those Democrats of old, they urge the same reforms - adopt strict separation of powers by constitutional amendment, diminish the power of the legislature, enhance the power of the governor. The more things change; the more things they remain the same.

Strict separation of powers is not a matter of morality, or ethics, or principle, or efficiency, or even good government. It is simply a matter of power and who will wield it.

The ultimate source of all governmental power is the people, and they have been convinced, especially by the incessancy of the media, that it is wise to review, and perhaps revise, the grant of power given to our General Assembly 340 years ago. The voters will (and should) determine where that power will reside - hopefully with History rather than hysterics as their guide.

So as you begin this historic and probably momentous session, take heart from the words of the great British poet and satirist Alexander Pope: "For forms of government, let fools contest, that which is best administered is best."

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

Thank you for stopping by!

