

## State of Rhode Island and Providence Plantations

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# Journal of the Senate

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**JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the sixth day of January in the year of Our Lord two thousand and four.**

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Volume 131, No. 3

Thursday, January 8, 2004

Third Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable President Pro Tempore, John C. Revens, Jr., at 4:15 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

**PRESENT** – 36 : The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 2 : Senators Gallo, Irons

### INVOCATION

The Honorable President Pro Tempore, by unanimous consent, presents Senator John J. Tassoni, Jr., to deliver the invocation.

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President Pro Tempore, by unanimous consent, presents Senator John J. Tassoni, Jr., to lead the Senate in the pledge of allegiance to the flag.

### CORRECTION

The Senate Journal of Wednesday, January 7, 2004, is hereby corrected as recording Senate Bill 2004 as being read and referred to the Senate Committee on Commerce, Housing and Municipal Government.

**APPROVAL OF RECORD**

The Senate Journal of Wednesday, January 7, 2004 proceedings is read in part.

Upon suggestion of Senator John J. Tassoni, Jr., and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as corrected.

**FROM THE HOUSE OF REPRESENTATIVES**

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

House Resolution   **No.**   7001  
**BY** Murphy, Fox, Watson  
**ENTITLED, JOINT RESOLUTION OF ADJOURNMENT**

Read and referred to the Committee on Judiciary

House Resolution   **No.**   7003  
**BY** Murphy, Fox, Watson  
**ENTITLED, JOINT RESOLUTION OF ADJOURNMENT**

Ordered to be placed on the Senate Consent Calendar

**NEW BUSINESS**

Senate Bill       **No.** 2016  
(Lt. Governor)  
**BY** Senators Roberts, Paiva-Weed, Perry, Goodwin and Gibbs  
**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
PHARMACEUTICAL ASSISTANCE TO THE ELDERLY ACT**

Read and referred to the Senate Committee on Finance

Senate Bill       **No.** 2017  
**BY** Senators Ciccone, Damiani, DaPonte, Ruggerio and Badeau  
**ENTITLED, AN ACT RELATING TO TAXATION - ADVERTISING**

Read and referred to the Senate Committee on Finance

Senate Bill No. 2018

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

Read and referred to the Senate Committee on Judiciary

Senate Bill No. 2019

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT  
(interstate compact sunshine act)

Read and referred to the Senate Committee on Government Oversight

Senate Bill No. 2020

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES -- CIVIL AIR PATROL

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

Senate Resolution No. 2021

**BY** Senator Blais

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE IMPLEMENTATION OF RECOMMENDATIONS OF THE AUDITOR GENERAL

Read and referred to the Senate Committee on Finance

Senate Bill No. 2022

**BY** Senators Celona, Tassoni, Caprio F and McBurney

**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES REGISTRATION

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

Senate Bill No. 2023

**BY** Senators Celona, Tassoni, Ruggerio and McBurney

**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS

Read and referred to the Senate Committee on Finance

Senate Resolution No. 2024

**BY** Senators Celona, Tassoni and McBurney

**ENTITLED**, SENATE RESOLUTION STRONGLY URGING THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION TO INSTITUTE A POLICY REQUIRING ALL MATTRESSES AND BEDDING TO BE FIRE RETARDANT

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

Senate Bill No. 2025

**BY** Senator Blais

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION

Read and referred to the Senate Committee on Judiciary

Senate Bill No. 2026

**BY** Senator Blais

**ENTITLED,** AN ACT RELATING TO SCHOOL AND MUNICIPAL PLAYGROUND SAFETY

Read and referred to the Senate Committee on Finance

Senate Bill No. 2027

**BY** Senators Parella and Felag

**ENTITLED,** AN ACT CREATING THE PRUDENCE ISLAND WATER DISTRICT

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

Senate Bill No. 2028

**BY** Senator Blais

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS -- THE ELECTRONIC GOVERNMENT SERVICES ACT

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

Senate Bill No. 2029

**BY** Senators Sosnowski, Roberts, Lenihan, Polisena and Sheehan

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND WORKERS' SAFETY ACT OF 2004

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

Senate Bill No. 2030

(Governor)

**BY** Senators Algieri, Gibbs, Breene and Parella

**ENTITLED,** AN ACT RELATING TO VIDEO LOTTERY TERMINALS

Read and referred to the Senate Committee on Finance

Senate Bill No. 2031

**BY** Senators Revens, Paiva-Weed and Gibbs

**ENTITLED,** AN ACT RELATING TO TAXATION - SALES AND USE TAXES - AIRPLANES

Read and referred to the Senate Committee on Finance

Senate Bill No. 2032

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - ABUSED AND NEGLECTED CHILDREN

Read and referred to the Senate Committee on Judiciary

Senate Bill No. 2033

**BY** Senators Blais and Breene

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT -- ELIMINATION OF MTBE AS A GASOLINE ADDITIVE

Read and referred to the Senate Committee on Environment and Agriculture

Senate Bill No. 2034

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO MEDICAL MALPRACTICE

Read and referred to the Senate Committee on Judiciary

Senate Bill No. 2035

**BY** Senators Blais, Breene and Raptakis

**ENTITLED**, AN ACT RELATING TO THE REGULATION OF EARTH REMOVAL AND GRAVEL PROCESSING IN THE TOWN OF COVENTRY

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

Senate Resolution No. 2036

**BY** Senator Celona

**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE NEW ENGLAND PATRIOTS ON WINNING THE AMERICAN FOOTBALL CONFERENCE EASTERN DIVISION

Senator Celona requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Celona moves passage, seconded by Senator Ruggerio and the entire Senate.

The resolution is read and passed, upon a voice vote.

Senate Bill No. 2037

**BY** Polisena, Damiani, Tassoni

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING

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

**BEST WISHES**

Senator Walaska extends congratulations and best wishes to Senator Fogarty on the very special occasion of his birthday.

The entire Senate joins in expressing best wishes to Senator Fogarty.

**TRANSMITTAL**

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

**ANNOUNCEMENTS**

Senator Tassoni announces that the Senate Committee on Commerce, Housing and Municipal Government will meet on Monday, January 12, 2004 at 4:00 o'clock P.M. in Room 313 of the State House.

**ADJOURNMENT**

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the Senate adjourns at 4:21 o'clock P.M.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR JOHN J. TASSONI JR.**

Almighty God, whose servants we are, may our work today and throughout the remainder of this legislative session be guided to truly serve the people we represent, and be ever mindful of the effect our actions and decisions have on those we serve. Amen.

**Appendix**

**CONSENT CALENDAR**

In order for Tuesday January 13, 2004:

**1. (04-H 7003)**

**BY** Murphy

**ENTITLED**, JOINT RESOLUTION OF ADJOURNMENT

Ordered to be placed on the Senate Consent Calendar

RAYMOND T. HOYAS, JR.  
Secretary of the Senate