

# 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. 18

Wednesday, March 3, 2004

Eighteenth Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:13 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 3 Senators absent as follows:

**PRESENT** – 34: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 3: Senator Celona, Perry, Pichardo.

### INVOCATION

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

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### APPROVAL OF RECORD

The Senate Journal of Tuesday, March 2, 2004 proceedings is read in part.

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

**REPORTS OF COMMITTEES****COMMITTEE ON JUDICIARY**

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

**Senate Bill No. 2256** SUB A as amended

**BY** Senators McCaffrey, Issa, Celona

**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- SOLEMNIZATION OF MARRIAGES

Read and ordered to be placed on the Calendar.

**COMMITTEE ON LABOR**

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

**Senate Bill No. 2096**

**BY** Senators Polisena, Damiani

**ENTITLED**, AN ACT RELATING TO CORRECTIONS DEPARTMENT

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2288** (Dept. of Labor and Training)

**BY** Senator Bates

**ENTITLED**, AN ACT RELATING TO MECHANICAL TRADES.

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2803**

**BY** Senator Badeau

**ENTITLED**, AN ACT RELATING TO INSURANCE -- WORKERS' COMPENSATION INSURANCE FUND.

Read and ordered to be placed on the Calendar.

**NEW BUSINESS****Senate Resolution No. 2952**

**BY** Senators Sheehan, Lenihan, Sosnowski, Paiva-Weed

**ENTITLED**, SENATE RESOLUTION COMMENDING SHIRLEY SILVIA AND THE FRIENDS OF PLUM BEACH LIGHTHOUSE FOR THEIR BOUNDLESS REVITALIZATION EFFORTS PRESERVING THE PLUM BEACH LIGHTHOUSE.

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sheehan moves passage, seconded by the entire Senate.

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

Also:

**Senate Bill No. 2953**

**BY** Senator Blais

**ENTITLED**, AN ACT RELATING TO ELECTIONS.

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senator Breene.

The act is read and passed, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McCaffrey, Paiva-Weed, Parella, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**ANNOUNCEMENTS**

Senator Sheehan announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 313 of the State House.

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Raptakis announces that the Committee on Judiciary will meet Thursday, March 4, 2004, at the rise of the Senate, in Room 313 of the State House.

Senator Fogarty announces that the Committee on Commerce will meet on Thursday, March 4, 2004, at 3:00 o'clock P.M., in Room 212 of the State House.

Senator Gallo announces that the Committee on Finance will meet Thursday, March 4, 2004,(at the rise of the Senate, in Room 211 of the State House.

Senator Walaska announces that the Committee on Financial Services, Technology and Regulatory Issues will meet Thursday, March 4, 2004, at the rise of the Senate, in the Senate Lounge of the State House.

### 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.

### GUESTS

Upon suggestion of Senators Bates and Felag and by unanimous consent, the Honorable President welcomes to the Chamber the Barrington High School Football Team, 2003 Division Two Super Bowl Champions, Coaching staff: Bill McCagney, Head Coach, Assistant Coaches: Mike Gesmondi, Steve Lenz, Glen Salgueiro, Jared Vance, Jim Anderson, Patrick Jackson. Team Members: Pat Meehan, Dan Allen, Jeff Wardyga, Chris Toolin, Matt Coffey, Stefan Marszalek, Ben Miga, Matt DeSisto, Nick Rubino, Kyle Kirwin, Brandon Fleet, Matt Froncillo, Chris Belanger, John Terhune, Douglas Coffey, Brian Weinstein, Dan McGonagle, Zach Cohen, Klark Eaton, Brett Azar, Ryan Wirth, Pat Brockway, Nick Palumbo, Bill Orrall, Ian Schachne, Pete Howell, Dan Bernstein, Scott Marszalek, Adrian Narvaez, Zach Place, Ryan Callahan, Kevin Ganley, Mark Cirillo, Matt Capone, Erik Wagoner, Dan O'Connell, Sean Kelly, Keith Lopes, Andrew Brockway, Matt Elliott, Shane Scott, Mark Dolan, Robert Fazioli, John Anderson, Chris Coury, Dan Movsesian, Scott D'Allesandro, Joshua McShane, Chase Pomeranz, Brenden Azar, Chris Allard, Joe Goniprow, Jeb-Stuart Ferria, Andrew Krupski, Alex deGallery, Tom August, Sean Wirth, Andrew Pilling

### ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:36o'clock P.M.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR DANIEL P. CONNORS**

Dear Lord, enable us to share our own good fortune with those of us who are less fortunate. As we lead our state, may we never be too proud to seek help or advice from those more fortunate or more knowledgeable than we. Amen.

**Appendix****CALENDAR****IN ORDER FOR THURSDAY, MARCH 4, 2004:****1 2004-S 2111 SUB A****BY Fogarty P****ENTITLED,** SENATE RESOLUTION AMENDING THE RULES OF THE SENATE  
FOR THE YEARS 2003-2004

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

**CALENDAR****IN ORDER FOR TUESDAY, MARCH 9, 2004:****1 2004-S 2256 SUB A as amended****BY McCaffrey****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS --  
SOLEMNIZATION OF MARRIAGES

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

**2 2004-S 2096****BY Polisena****ENTITLED,** AN ACT RELATING TO CORRECTIONS DEPARTMENT

Committee on Labor recommends passage.

**3 2004-S 2288****BY Bates****ENTITLED,** AN ACT RELATING TO MECHANICAL TRADES

Committee on Labor recommends passage.

**4 2004-S 2803****BY Badeau****ENTITLED,** AN ACT RELATING TO INSURANCE -- WORKERS'  
COMPENSATION INSURANCE FUND

Committee on Labor recommends passage.

**Raymond T. Hoyas, Jr.**  
**Secretary of the Senate**

**Wednesday, March 3, 2004**