

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 fourth day of January in the year of Our Lord two thousand.

Volume 127, No. 9	Thursday, January 27, 2000	Ninth Day
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The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:13 o'clock P.M.

The roll is called and a quorum is declared present with 48 Senators present and 2 Senators absent as follows:

PRESENT - 48: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, 1550, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

ABSENT - 2: Senators Bates, Patterson.

INVOCATION

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator Parella, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator Parella, to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of Wednesday, January 26, 2000 proceedings is read in part.

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

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PIANTATIONS
SENATE CHAMBER

January 27, 2000

His Honor, Charles J. Fogarty
Lieutenant Governor
Office of the Lt.
Governor

116 State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be informed that I will be out of state on business, therefore, will not be in attendance at the following Senate Sessions:

Tuesday, February 1, 2000
Wednesday, February 2, 2000
Thursday, February 3, 2000

I would greatly appreciate your placing this on record in the Senate Journal. Sincerely,

DOMINICK J. RUGGERIO

Senator District 4

Received and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

January 26, 2000

His Honor, Charles J. Fogarty
Lieutenant Governor
116 State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be advised that I will be out of town on business on Thursday, January 27, 2000 and, therefore, will be absent from the Senate session. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

DAVID E. BATES
Deputy Minority Leader

Received and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

January 27, 2000 His Honor, Charles J. Fogarty
Lieutenant Governor
116 State House Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be advised that I will be absent from the Senate session on Thursday, January 27, 2000, due to illness. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

JOHN A. PATTERSON
Senator District 23

Received and ordered to be placed on file.

APPOINTMENT BY THE GOVERNOR

His Honor, the Lieutenant Governor, presents the following communication from His Excellency, the Governor, transmitting the following appointment and requesting the advice and consent of the Senate thereto:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVEE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

January 26, 2000 To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 39-1-4 of the Rhode Island General Laws, I have made the following appointment as Chairman of the Public Utilities Commission:

Elia Germani of Warwick
VICE
James Malachowski
(resigned)

for a term expiring March 1, 2001.

To this appointment, I respectfully request your advice and consent.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

FROM THE

HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage: (2000-H 6981) An Act to vacate the forfeiture or revocation of the charter of Profile Jewelry Manufacturing, Inc.

Read and ordered to be placed on the Consent Calendar for Tuesday, February 1, 2000.

Also: (2000-H 6984) An Act to vacate the forfeiture or revocation of the charter of P&E Associates, Inc.

Read and ordered to be placed on the Consent Calendar for Tuesday, February 1, 2000.

Also: (2000-H 6986) An Act to vacate the forfeiture or revocation of the charter of the Burrillville Junior Hockey League and Booster Club.

Read and ordered to be placed on the Consent Calendar for Tuesday, February 1, 2000.

Also: (2000-H 6901) Joint Resolution extending the reporting date of the special legislative commission to investigate the status of health care and HMO liability in the state of Rhode Island.

Senator Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Irons, seconded by the entire Senate, and by unanimous consent, read and passed, in concurrence, under suspension of the rules, upon a voice vote.

Also: (2000-H 6980) Joint Resolution inviting His Honor, the Presiding Officer of the Senate, and the Honorable Senate to join the House of Representatives in Joint Session for the purpose of receiving the State of the State Address of His Excellency the Governor.

Senator Algiere requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Algiere, seconded by the entire Senate, and by unanimous consent, read and passed, in concurrence, under suspension of the rules, upon a voice vote.

Also: (2000-H 6988) An Act relating to solemnization of marriages.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Gibbs, seconded by the entire Senate, and by unanimous consent, read and passed, in concurrence, under suspension of the rules, upon a voice vote.

NEW BUSINESS

Senators Connors, Oster, Badeau and Issa present (00-S 2182) Senate Resolution congratulating Marianne B. Mulholland on her retirement as Cumberland Town Clerk.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Roney, Perry, Graziano, Iglioizzi, Revens and others present (00-S 2183) Senate Resolution expressing condolences on the passing of Cleon E. Harvey.

Senator Roney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Roney, seconded by the entire Senate, and by unanimous consent, read and passed, under suspension of the rules, upon a rising vote.

Senators McDonald, Oster, Tocco, Iglioizzi and Walsh present (00-S 2184) An Act relating to criminal procedure DNA detection of sexual and violent offenders.

Read and referred to the Committee on Judiciary.

Senators Breene, Blais and Flynn present (00-S 2185) An Act relating to the town of Scituate - property tax assessment.

Read and referred to the Committee on Corporations.

Senators Breene, Blais and Flynn present (00-S 2186) An Act relating to taxation.

Read and referred to the Committee on Corporations.

Senators Felag, McCaffrey, Iglioizzi, Paiva Weed and Tocco present (00-S 2187) An Act relating to teachers' retirement.

Read and referred to the Committee on Finance.

Senators McDonald, Coderre and Oster present (00-S 2188) An Act relating to state purchase architects - engineers - consulting and printing services.

Read and referred to the Committee on Finance.

Senators Walsh and Sosnowski present (00-S 2189) An Act establishing the Hopkinton Land Trust.

Read and referred to the Committee on Corporations.

Senators Walsh, Sosnowski and Perry present (00-S 2190) Senate Resolution proposing that the State of Rhode Island officially adopt the striped bass as its state fish.

Read and referred to the Committee on Special Legislation.

Senator Oster presents (00-S 2191) An Act relating to education.

Read and referred to the Committee on Health, Education and Welfare.

Senators Connors, Montalbano, DaPonte and Coderre present (00-S 2192) An Act relating to the protection of beneficiaries of structured settlements.

Read and referred to the Committee on Judiciary.

Senators Kells, Perry, Cicilline, Walton and Fogarty present (00-S 2193) An Act relating to human services - public assistance.

Read and referred to the Committee on Finance.

Senators Cote, Goodwin, Celona, Tocco and Walaska present (00-S 2194) An Act relating to alcoholic beverages regulation of sales.

Read and referred to the Committee on Special Legislation.

Senators Connors, Irons, DaPonte and Coderre present (00-S 2195) An Act relating to insurance compliance self audit.

Read and referred to the Committee on Corporations.

Senators Tocco and Kells present (00-S 2196) An Act relating to criminal offenses - weapons.

Read and referred to the Committee on -Judiciary.

Senators Felag, McCaffrey, Kells, Alves, Graziano and others present (00-S 2197) An Act relating to health and safety - abortions.

Read and referred to the Committee on Health, Education and Welfare.

Senators Felag, Walaska, Fogarty and Igliazzi present (00-S 2198) An Act relating to health and safety - child day care centers.

Read and referred to the Committee on Health, Education and Welfare.

Senator McDonald presents (00-S 2199) An Act relating to criminal offenses - public utilities.

Read and referred to the Committee on Judiciary.

Senators Felag, Tocco, Igliazzi, Ruggerio, Fogarty and others present (00-S 2200) An Act relating to taxation - property tax relief.

Read and referred to the Committee on Finance.

Senator Algiere presents (00-S 2201) An Act relating to labor and labor relations - temporary disability insurance.

Read and referred to the Committee on Labor.

Senators Flynn, Breene, Fogarty, Kells, Walaska and others present (00-S 2202) An Act relating to the use of public funds for abortions.

Read and referred to the Committee on Health, Education and Welfare.

Senators Flynn, Breene, McCaffrey and Walaska present (00-S 2203) An Act relating to health and safety.

Read and referred to the Committee on Health, Education and Welfare.

Senator Parella (by request) presents (00-S 2204) An Act relating to the town of Bristol - alcoholic beverages.

Read and referred to the Committee on Special Legislation.

Senators Connors, Kelly, Damiani, DaPonte, Montalbano and others present (00-S 2205) An Act relating to towns and cities- general powers -mandatory equipment for police officers.

Read and referred to the Committee on Finance.

Senators Perry, Walsh, Walton, Roberts, Roney and others present (00-S 2206) An Act relating to health and safety - reproductive health care.

Read and referred to the Committee on Health, Education and Welfare.

Senators Perry, Walsh, Walton, Roberts, Roney and others present (00-S 2207) An Act relating to the public assistance act - medical assistance and abortions.

Read and referred to the Committee on Health, Education and Welfare.

Senators Cicilline, Perry, Paiva Weed, Parella, Izzo and others present (00-S 2208) Joint Resolution creating a special legislative commission to study services to persons with mental illness in the criminal justice system.

Read and referred to the Committee on Judiciary.

Senators Blais and Kelly present (00-S 2209) An Act relating to elections - registration of voters.

Senator Blais requests unanimous consent for immediate consideration.

Senator Alves objects.

Senator Blais moves for immediate consideration, seconded by Senator Coderre.

Senators Celona, Sasso and Kelly discuss the motion. The motion for immediate consideration is read and passed upon a roll call vote with 37 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS - 37: Senators Algiere, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Irons, Issa, Iz::o, Kells, Kelly, Lenihan, McDonald, Paiva Weed, Parella, Perry, Raptakis, Roberts, Roney, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS - 6: Senators Alves, Graziano, McCaffrey, Montalbano, Oster, Sasso.

Senator Blais moves passage, seconded by Senator Kelly.

Senators Alves and Paiva Weed discuss the act.

The act is read and passed, upon a roll call vote with 40 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS - 40: Senators Algiere, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Raptakis, Roberts, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS - 5: Senators Alves, Graziano, Montalbano, Oster, Sasso.

Senators Cicilline, Walton, Parella and Perry present (00-S 2210) An Act relating to Children, Youth and Families Department.

Read and referred to the Committee on Judiciary.

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.

ADJOURNMENT

Upon motion of Senator Kelly, seconded by Senator Algiere, and upon suggestion of Senator Cote, the Senate adjourns at 4:37 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Mary A. Longtin of Woonsocket, a beloved and devoted community activist and campaign manager whose presence will be greatly missed.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

Appendix

INVOCATION

SENATOR MARY A. PARELLA

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

Appendix

CONSENT CALENDAR

In order for Tuesday, February 1, 2000:

- 1. (2000-H 6981) An Act to vacate the forfeiture or revocation of the charter of Profile Jewelry Manufacturing, Inc. Placed on the Consent Calendar.
- 2. (2000-H 6984) An Act to vacate the forfeiture or revocation of the charter of P&E Associates, Inc. Placed on the Consent Calendar.
- 3. (2000-H 6986) An Act to vacate the forfeiture or revocation of the charter of the Burrillville Junior Hockey League and Booster Club. Placed on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Thursday, January 27, 2000

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

Thank you for stopping by!

