

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. 13	Wednesday, February 9, 2000	Thirteenth 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 4:09 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, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh.

ABSENT - 2; Senators Izzo, Walton.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, February 8, 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.

GUESTS

Upon suggestion of Senator Goodwin, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the

Chamber Gregg Willer.

Upon suggestion of Senators DaPonte and Irons, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable William A. Castro, former State Senator from East Providence.

NEW BUSINESS

Senators Ruggerio, Walton, Iglioizzi, Goodwin, Gallo and others present (00-S 2438) An Act relating to labor and labor relations- workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Walton, Roney, Goodwin, Coderre and others present (00-S 2439) An Act relating to labor and labor relations- workers' compensation benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Walton, Roney, Goodwin, DaPonte and others present (00-S 2440) An Act relating to labor and labor relations- workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Walton, Roney, Perry, Goodwin and others present (00-S 2441) An Act relating to workers' compensation.

Read and referred to the Committee on Labor.

Senators Ruggerio, Goodwin, Iglioizzi, Kells, Walton and others present (00-S 2442) An Act relating to labor and labor relations- workers' compensation benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Goodwin, Coderre, Celona, McDonald and others present (00-S 2443) An Act relating to labor and labor relations - workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Goodwin, DaPonte, Coderre, Gallo and others present (00-S 2444) An Act relating to labor and labor relations- workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Goodwin, Tocco, Walton, Gallo and others present (00-S 2445) An Act relating to workers' compensation- benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Walton, Roney, Goodwin, McDonald and others present (00-S 2446) An Act relating to labor and labor relations- workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Walton, Roney, Goodwin, Igliozi and others present (00-S 2447) An Act relating to labor and labor relations- workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, Goodwin, DaPonte, Connors, McCaffrey and others present (00-S 2448) An Act relating to workers' compensation- procedure.

Read and referred to the Committee on Labor.

Senators Ruggerio, Goodwin, Igliozi, Tocco, Celona and others present (00-S 2449) An Act relating to labor and labor relations- workers' compensation - procedure.

Read and referred to the Committee on Labor.

Senators Ruggerio, Fogarty, Damiani, Igliozi, Tocco and others present (00-S 2450) An Act relating to labor and labor relations workers' compensation - benefits.

Read and referred to the Committee on Labor.

Senators Ruggerio, DaPonte, Perry, Gallo, Igliozi and others present (00-S 2451) An Act relating to labor and labor relations- workers' compensation - general provisions.

Read and referred to the Committee on Labor.

Senators Ruggerio, Igliozi, Goodwin, Perry, Gallo and others present (00-S 2452) An Act relating to insurance - unfair competition and practices.

Read and referred to the Committee on Labor.

Senator Kelly presents (00-S 2453) An Act relating to health and safety. Read and referred to the Committee on Corporations.

Senators Kelly and Irons present (00-S 2454) An Act relating to the Valley Gas Company.

Read and referred to the Committee on Corporations.

Senators Kelly and Irons present (00-S 2455) An Act relating to the Bristol and Warren Gas Company.

Read and referred to the Committee on Corporations.

Senator Kelly presents (00-S 2456) An Act relating to motor and other vehicles - registration of vehicles.

Read and referred to the Committee on Corporations.

Senator Badeau presents (00-S 2457) An Act relating to businesses and professions - unused property sellers.

Read and referred to the Committee on Corporations.

Senators Felag, Enos and Parella present (00-S 2458) Ax Act relating to historic residences -tax credit.

Read and referred to the Committee on Finance.

Senators Graziano, Montalbano and Celona present (00-S 2459) An Act relating to health and safety - abortion - breast

cancer.

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

Senator Kelly presents (00-S 2460) An Act relating to motor and other vehicles.

Read and referred to the Committee on Judiciary.

Senators Graziano, Alves, McCaffrey, Flynn, Montalbano and others present (00-S 2461) An Act relating to criminal offenses- assaults.

Read and referred to the Committee on Judiciary.

Senator Kelly presents (00-S 2462) An Act relating to motor and other vehicles - registration of vehicles.

Read and referred to the Committee on Special Legislation.

Senator Tocco presents (00-S 2463) An Act relating to motor and other vehicles - size, weight and load limits.

Read and referred to the Committee on Corporations.

Senators Sosnowski, Felag and Walsh present (00-S 2464) Joint Resolution making an appropriation of \$200,000 for the farmers who were excluded from the USDA Assistance Funds.

Read and referred to the Committee on Finance.

Senator Badeau presents (00-S 2465) An Act relating to commercial law - general regulatory provisions unit pricing.

Read and referred to the Committee on Corporations.

Senators Sosnowski, Felag, Paiva Weed, Roney and Walsh present (00-S 2466) An Act relating to state affairs and government- Department of Administration.

Read and referred to the Committee on Judiciary.

Senators Sosnowski and Roney present (00-S 2467) An Act relating to motor vehicle emissions inspections - New Shoreham.

Read and referred to the Committee on Finance.

Senators Sosnowski, Walsh and Roberts present (00-S 2468) An Act authorizing the issuance of bonds and notes of the State for the purpose of financing the Rhode Island Clean Water Finance Agency Safe Drinking Water Projects.

Read and referred to the Committee on Finance.

Senators Sosnowski, Paiva Weed, Roney, Tocco, Roberts and others present (by request of the Attorney General) (00-S 2469) An Act relating to motor vehicle offenses.

Read and referred to the Committee on Judiciary.

Senators Sosnowski, Roney, Paiva Weed, Patterson, Tocco and others present (00-S 2470) An Act relating to motor vehicle offenses.

Read and referred to the Committee on Judiciary.

Senators Graziano, Alves, Montalbano, Issa, Flynn and others present (00-S 2471) An Act relating to health and safety - women's right to know.

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

Senator McBurney presents (00-S 2472) An Act relating to domestic relations - solemnization of marriages.

Read and referred to the Committee on Judiciary.

Senator McBurney presents (00-S 2473) An Act relating to health insurance.

Read and referred to the Committee on Corporations.

Senators Bates, Irons and Blais present (00-S 2474) An Act relating to insurance - agents, brokers and solicitors.

Read and referred to the Committee on Corporations.

Senators Damiani, Kells, Felag, Breene, Patterson and others present (00-S 2475) An Act relating to weapons.

Read and referred to the committee on Judiciary.

Senators Irons, Bates, Damiani, DaPonte and Tocco present (00-S 2476) An Act relating to Rhode island Resource Recovery Corporation.

Read and referred to the Committee on Corporations.

Senators Irons, Cote, Bates and Badeau present (00-S 2477) An Act relating to cities and towns - subdivision of land.

Read and referred to the Committee on judiciary.

Senators Oster, McDonald, Irons and Graziano present (00-S 2478) An Act relating to health and safety - diabetes needle exchange program.

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

Senators Roberts, Izzo, Sosnowski and Fogarty present (by request of the Lieutenant Governor) (00-S 2479) An Act relating to pharmaceutical assistance to the elderly.

Read and referred to the Committee on Finance.

Senators McDonald, Sosnowski and Tocco present (00-S 2480) An Act relating to certification of child care and youth workers.

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

Senators McDonald, Oster and Tocco present (00-S 2481) An Act relating to judicial selection.

Read and referred to the Committee on Judiciary.

Senator McDonald presents (by request) (00-S 2482) An Act relating to the General Assembly.

Read and referred to the Joint Committee on Naming State Constructions.

Senators Irons, Roberts and DaPonte present (by request) (00-S 2483) An Act relating to the Hospital Conversions Act.

Read and referred to the Committee on Corporations.

Senator Iglioizzi, Tocco, Badeau, Ruggerio and Walsh present (00-S 2484) An Act relating to licensing of health care facilities hospital staffing standards commission.

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

Senators Iglioizzi, Felag, and McDonald present (00-S 2485) An Act relating to health and safety - emergency medical transportation services.

Read and referred to the Committee on Judiciary. senators Walsh, McDonald, Ruggerio and Izzo present (00-S 2486) An Act relating to professional service corporations.

Read and referred to the Committee on Corporations

Senators Cicilline, Izzo and Roberts present (00-S 2487) An Act relating to health and safety.

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

Senators Cicilline, Enos, Coderre and Kelly present (by request of the General Treasurer) (00-S 2488) An Act relating to education- Higher Education Assistance Authority.

Read and referred to the Committee on Finance.

Senators Cicilline and Perry present (00-S 2489) Act relating to health insurance - copayments.

Read and referred to the Committee on Corporations.

Senators Ruggerio, Celona, Tocco, Fogarty, DaPonte and others present (00-S 2490) An Act relating to insurance - unfair claims settlement practices act.

Read and referred to the Committee on Corporations.

Senators Ruggerio, Iglioizzi, Kells, Goodwin, Walton and others present (00-S 2491) An Act relating to state aid - towns and cities.

Read and referred to the Committee on Finance.

Senators Ruggerio, DaPonte, Iglioizzi, Connors, McCaffrey and others present (00-S 2492) An Act relating to property subject to taxation.

Read and referred to the Committee on Finance.

Senators Ruggerio, Iglioizzi, Goodwin, Roney, Walton and others present (00-S 2493) An Act relating to towns and cities - state aid.

Read and referred to the Committee on Finance.

Senators Ruggerio, Goodwin, Walton, Graziano, Caprio and others present (00-S 2494) An Act relating to state aid.

Read and referred to the Committee on Finance.

Senators Ruggerio, Celona, Walton, Felag, Kells and others present (00-S 2495) An Act relating to taxation.

Read and referred to the Committee on Finance.

Senators Ruggerio, Enos, Celona, Gallo, Coderre and others present (00-S 2496) An Act relating to sales and use taxes- exemption for diabetic monitoring kits.

Read and referred to the Committee on Finance.

Senators Ruggerio, Irons, Coderre, McBurney, Goodwin and others present (00-S 2497) An Act relating to sales and use taxes- liability and computation.

Read and referred to the Committee on Finance.

Senators Ruggerio, Kells, Goodwin, Walton and Graziano present (00-S 2498) An Act relating to towns and cities - general powers - city of Providence.

Read and referred to the Committee on Judiciary.

Senators Ruggerio, Goodwin, Iglioizzi, Gallo, Tocco and others present (00-S 2499) An Act relating to motor and other vehicles- responsibility of owners of rental vehicles.

Read and referred to the Committee on Corporations.

Senators Ruggerio, Goodwin, Perry, Iglioizzi, Gallo and others present (00-S 2500) An Act relating to businesses and professions- board of medical licensure. fad and referred to the Committee on Health, Education and Welfare.

Senators Irons, Perry, Cicilline, Gallo, Parella and others present (00-S 2501) An Act relating to the Corrections Department.

Read and referred to the Committee on Finance.

Senators Celona, Tocco, Cote, Iglioizzi, Graziano and others present (00-S 2502) An Act relating to taxation sales and use tax.

Read and referred to the Committee on Finance.

Senators Celona, Tocco, Cote, Iglioizzi, Graziano and others present (00-S 2503) An Act relating to taxation - sales and use taxes.

Read and referred to the Committee on Finance.

Senators Parella, Perry, Graziano, Cicilline and Walsh present (00-S 2504) An Act relating to health insurance - dieticians and nutritionists.

Read and referred to the Committee on Corporations.

Senators McCaffrey, Walaska and McBurney present (00-S 2505) An Act relating to sales and use taxes - liability and computation.

Read and referred to the Committee on Finance.

Senators Raptakis, Graziano, Walsh, Issa, Caprio and others present (00-S 2506) An Act relating to insurance - prescription drug coverage.

Read and referred to the Committee on Corporations.

Senators McCaffrey, Walaska and McBurney present (00-S 2507) An Act relating to sales and use taxes - liability and computation.

Read and referred to the Committee on Finance.

Senators Perry, Roberts, Cicilline, Coderre and Connors present (by request of the State Police) (00-S 2508) An Act relating to criminal offenses.

Read and referred to the Committee on Judiciary.

Senator McDonald presents (00-S 2509) An Act relating to waters and navigation - Coastal Resources Management Council.

Read and referred to the Committee on Finance.

Senators McDonald and Oster present (00-S 2510) An Act relating to insurance.

Read and referred to the Committee on Corporations.

Senators Sosnowski, Enos, Felag, Paiva Weed, Walsh and others present (00-S 2511) An Act relating to fish and wildlife - lobsters and other crustaceans.

Read and referred to the Committee on Judiciary.

Senators Sosnowski, Enos, Felag, Paiva Weed, Walsh and others present (00-S 2512) An Act relating to fish and wildlife - licensing.

Read and referred to the Committee on Judiciary.

Senators Roberts, Sosnowski and Coderre present (00-S 2513) An Act relating to health care for families.

Read and referred to the Committee on Finance.

Senators Roberts and Roney present (00-S 2514) An Act relating to the Rhode Island Whistleblowers' Protective Act.

Read and referred to the Committee on Judiciary.

Senators Graziano, Montalbano, Celona and Alves present (00-S 2515) An Act relating to retirement system - contributions and benefits.

Read and referred to the Committee on Finance.

Senators Roberts and Gallo present (00-S 2516) An AM relating to the William H. Hall Library.

Read and referred to the Committee on Finance.

Senators Parella, Perry, Cicilline, Blais and Roney present (00-S 2517) An Act relating to mental health - incompetency to stand trial.

Read and referred to the Committee on Judiciary.

Senators Roberts and Gallo present (00-S 2518) An Act relating to state affairs and government - open meetings.

Read and referred to the Committee on Judiciary.

Senators Roberts and Roney present (00-S 2519) An Act relating to licensing of health care facilities.

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

Senators Kells and Roney present (by request of the State Police) (00-S 2520) An Act relating to criminal offenses - weapons - safe storage.

Read and referred to the Committee on Judiciary.

Senators Gallo, Paiva Weed, Fogarty, Goodwin and Sosnowski present (00-S 2521) An Act relating to domestic abuse prevention.

Read and referred to the Committee on Judiciary.

Senators Perry, Cicilline, Roberts, Sosnowski, Gibbs and others present (00-S 2522) An Act relating to state affairs and government- Rhode Island Health Care Insurance Act.

Read and referred to the Committee on Corporations.

Senators Felag, Enos, Sosnowski and Damiani present (00-S 2523) An Act relating to shellfish.

Read and referred to the Committee on Judiciary.

Senators Felag, McCaffrey, Iglioizzi, Tocco and Damiani -sent (00-S 2524) An Act relating to health maintenance organizations.

Read and referred to the Committee on Corporations.

Senator Bates presents (by request of the Department of Transportation) (00-S 2525) An Act relating to health and safety.

Read and referred to the Committee on Corporations.

Senators Roberts and Cicilline present (by request) (00-S 2526) An Act relating to insurance.

Read and referred to the Committee on Corporations.

Senators Roberts, Perry and Gallo present (00-S 2527) An Act relating to health care.

Read and referred to the Committee on Corporations.

Senators Roberts, Coderre, Paiva Weed and Felag present (00-S 2528) An Act relating to human services.

Read and referred to the Committee on Finance.

Senators Roberts, DaPonte, Coderre, Paiva Weed and Goodwin present (00-S 2529) An Act relating to human services - health care for elderly and disabled residents.

Read and referred to the Committee on Finance.

Senator Bates presents (by request of the Department of Health) (00-S 2530) An Act relating to businesses and professions- athletic trainers.

Read and referred to the Committee on Corporations.

Senator Breene presents (by request of the Department of Transportation) (00-S 2531) An Act relating to public property and works - acquisition of land.

Read and referred to the Committee on Judiciary.

Senator Blais presents (by request of the Department of Health) (00-S 2532) An Act relating to health and safety - vital records.

Read and referred to the Committee on Corporations.

Senators Blais, Parella and Gibbs present (by request of the Department of Health) (00-S 2533) An Act relating to health and safety - respiratory care act.

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

Senators Gibbs, Blais and Parella present (by request of the Department of Health) (00-S 2534) An Act relating to education- health and safety of pupils.

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

Senators Felag, Igliozi, Tocco and McCaffrey present (00-S 2535) An Act relating to insurance - genetic testing.

Read and referred to the Committee on Corporations.

Senators Felag, Sosnowski, Damiani and Walsh present (00-S 2536) Joint Resolution making an appropriation of \$200,000 for the farmers who were excluded from the USDA assistance funds.

Read and referred to the Committee on Finance.

Senators Felag, McCaffrey, Paiva Weed, Igliozi, Tocco and others present (00-S 2537) An Act relating to state affairs and government -highways.

Read and referred to the Committee on Finance.

Senator Blais presents (by request of the Department of Health) (00-S 2538) An Act relating to health and safety.

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

Senators Roberts, Walsh and Irons present (00-S 2539) An Act relating to businesses and professions - medical answering services.

Read and referred to the Committee on Corporations.

Senators Roberts and Gibbs present (by request of the Lieutenant Governor) (00-S 2540) An Act relating to long-term care coordinating council.

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

Senators Cicilline, Roberts, Izzo, Perry and Kells present (00-S 2541) An Act relating to human services - medical

assistance.

Read and referred to the Committee on Finance.

Senators Cicilline, Gallo and Walton present (00-S 2542) An Act relating to education - curriculum.

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

Senators Gibbs, Parella, Perry, Cicilline and Roberts present (00-S 2543) An Act relating to human services - the Family Independence Act.

Read and referred to the Committee on Finance.

Senators Cicilline, Paiva Weed, Lenihan and Gallo present (00-S 2544) An Act relating to education - residence of children. Real and referred to the Committee on Finance.

Senators Parella and Gibbs present (by request of the Department of Health) (00-S 2545) An Act relating to businesses and professions electrolysis. Read and referred to the Committee on Corporations.

Senators Parella, Cicilline, Perry, Coderre, Gibbs and others present (by request of the Human Rights Commission) (00-S 2546) An Act relating to the Rhode Island Fair Housing Practices Act.

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

Senators Cicilline, Izzo, Roney and Paiva Weed present (00-S 2547) An Act relating to businesses and professions - health care communications.

Read and referred to the Committee on Judiciary.

Senators Roney, Walsh, Igliazzi and Perry present (00-S 2548) An Act relating to child custody.

Read and referred to the Committee on Judiciary.

Senators Perry, Gallo, Cicilline, Irons and Parella present (00-S 2549) An Act relating to animals and animal husbandry-cruelty to animals.

Read and referred to the Committee on Special Legislation."

Senators Roney and Roberts present (00-S 2550) An Act relating to duties of utilities and carriers.

Read and referred to the Committee on Corporations.

Senators Roney and Caprio present (00-S 2551) An Act relating to the uniform commercial code - bulk transfers.

Read and referred to the Committee on Judiciary.

Senators Roney and Tocco present (00-S 2552) An t relating to motor and other vehicles -miscellaneous rules.

Read and referred to the Committee on Judiciary.

Senators Graziano, Goodwin, Montalbano, Oster, Sasso and others present (00-S 2553) An Act relating to victims rights - domestic violence.

Read and referred to the Committee on Judiciary.

Senators Graziano, Montalbano, Walsh, Sasso, Parella and others present (00-S 2554) An Act relating to health and safety - licensing of health care facilities.'

Read and referred to the Committee on Corporations.

Senators Parella and Bates present (00-S 2555) An Act relating to health and safety - amusement ride safety act.

Read and referred to the Committee on Corporations.

Senators Parella, Perry, Cicilline, Oster, Paiva Weed and others present (by request of the Department of Corrections) (00-S 2556) An Act relating to criminal procedure - sentence and execution.

Read and referred to the Committee on Judiciary.

Senators Parella, Cicilline, Paiva Weed, Kells and Walsh present (by request of the Department of Corrections) (00-S 2557) An Act relating to criminal offenses - jails and prisons.

Read and referred to the Committee on Judiciary.

Senators Parella and Bates present (00-S 2558) An Act relating to health and safety - Rhode Island Uniform Safety Act.

Read and referred to the Committee on Corporations.

Senators Patterson and Roney present (by request of the Governor, the State Police and the Department of Transportation) (00-S 2559) An Act relating to motor and other vehicles - motor vehicle offenses.

Read and referred to the Committee on Judiciary.

Senators Paiva Weed, Gallo, Goodwin, Roberts, Parella and others present (00-S 2560) An Act relating to courts and civil procedure - courts - domestic assault.

Read and referred to the Committee on Judiciary.

Senators Cicilline and Paiva Weed present (00-S 2561) An Act relating to retirement of municipal employees.

Read and referred to the Committee on Finance.

Senators ' Roney and Sosnowski present (00-S 2562) An Act relating to health and safety -abortion - insurance.

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

Senators Roney and Roberts present (00-S 2563) An relating to commercial law - general regulatory provisions - deceptive trade practices.

Read and referred to the Committee on

Senators Roney and Roberts present (00-S 2564) An Act relating to public officers and employees - division of Personnel Administration.

Read and referred to the Committee on Labor.

Senator Roney presents (00-S 2565) An Act relating to state affairs and government.

Read and referred to the Committee on Judiciary.

Senator Enos presents (00-S 2566) An Act relating to Joint Committee on Naming New Buildings.

Read and referred to the Joint Committee on Naming State Constructions.

Senators Enos, Coderre, Kelly, Cicilline, Connors and others present (00-S 2567) An Act relating to home and community services to the elderly.

Read and referred to the Committee on Finance.

Senator Roney presents (00-S 2568) An Act relating to business corporations.

Read and referred to the Committee on Cord-rations.

Senators Irons, Bates, Roney, Cote and DaPonte present (00-S 2569) An Act relating to state affairs and government electronic signatures and records act.

Read and referred to the Committee on Corporations.

Senators Walsh, Perry, Cicilline and Paiva Weed present (00-S 2570) An Act relating to establish the Rhode Island Tobacco Control Program. Read and referred to the Committee on Finance.

CALENDAR

In order for the day is taken up as follows:

1. (00-S 2111) An Act relating to business corporations continuing corporate powers.

Committee on Corporations recommends passage.

Senator Roney moves passage, seconded by Senators Oster, Walsh, Celona, Ruggerio, Connors and others.

Senator Montalbano, seconded by Senators Roney and Ruggerio, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(00-S 2111)

Mr. President:

I hereby move to amend (00-S 2111) entitled "AN ACT RELATING TO BUSINESS CORPORATIONS CONTINUING CORPORATE POWERS", as follows:

On page 2, between lines 17 and 18 insert:

"SECTION 2. Sections 7-6-58 and 7-6-69 of the General Laws in Chapter 7-6 entitled "Rhode Island Nonprofit Corporation Act" are hereby amended to read as follows:

7-6-58. WITHDRAWAL OF CERTIFICATE OF REVOCATION. - (a) Within five (5) years after issuing a certificate of revocation as provided in section 7-6-57, the secretary of state may withdraw the certificate of revocation and reinstate the corporation in good standing:

(1) Upon filing by the corporation of the documents it had previously failed to file as set forth in subsections (a)(3)- (a)(6), inclusive, of section 7-6-56; and

(2)(i) Upon the payment by the corporation of a penalty in the amount of twenty-five dollars (\$25.00) for each year or part of a year that has elapsed since the issuance of the certificate of revocation.

(ii)(b) If as permitted by section 7-6-11(2) another corporation, whether business or nonprofit, or domestic or foreign qualified to transact business in this state, bears or has filed a fictitious business name statement with respect to or reserved or registered in a name which is the same as, or deceptively similar to, the name of a corporation regarding which the certificate of revocation is proposed to be withdrawn, the secretary of state shall condition the withdrawal of the certificate of revocation upon the reinstated corporation's amending its articles of incorporation 0 as to designate a name which is not the same as, or deceptively similar to, its former name.

(c) **Upon the withdrawal of the certificate of revocation and reinstatement of the corporation in good standing as provided in section (a), title to any real estate, or any interest In real estate, held by the corporation at the time of the issuance of the certificate of revocation and not conveyed subsequent to the revocation of its certificate of incorporation shall be deemed to be revested in the corporation without further act deed.**

CONTINUATION OF CERTAIN CORPORATE POWERS. - Any corporation dissolved in any manner under this chapter **or any corporation whose certificate of incorporation is revoked by the secretary of state under section 7-6-56** nevertheless continues for ~~two~~ (2) **five (5)** years after the date of the dissolution **or revocation** for the purpose of enabling it to settle and close out its affairs, to dispose of and convey its property, to discharge its liabilities, and to distribute its assets, but not for the purpose of continuing the activities for which it was organized. The members, directors, and officers have power to take any corporate or other action that is appropriate to carry out the purposes of this section." On page 2, line 8, change "2 to 3 -

Respectfully submitted,

JOSEPH A. MONTALBANO
Senator, District 37

Senators Sasso, Roney and Flynn discuss the amendment.

The motion to amend prevails upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 47: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh.

NAYS -0.

Senators Issa, Roney and Paiva Weed discuss the act.

Upon motion of Senator Roney, seconded by Senators Montalbano and Irons, read and passed as amended, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote,

Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliozi, Irons, Issa, Kells, Kelly, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh.

NAYS -O.

2. (00-S 2117 as amended) An Act relating to elections.

Committee on Judiciary recommends passage as amended.

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the Calendar for Tuesday, February 15, 2000.

ANNOUNCEMENT

Senator Irons announces that the Committee on Corporations will meet on Thursday, February 10,2000, at the rise of the Budget Address in Room 212 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.

ADJOURNMENT

Upon motion of Senator Kelly, seconded by Senator Algieri, the Senate adjourns at 4:23 o'clock P.M.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

INVOCATION

SENATOR PATRICK T. McDONALD

Dear God, we ask you to keep our goals clear, our hearts pure, our spirits courageous, and our faith enduring. Amen.

Appendix

CALENDAR

In order for Thursday, February 10, 2000:

- 1. (00-S 2185) An Act relating to the town of Scituate - property tax assessment.

Committee on Corporations recommends passage.

- 2. (00-S 2195) An Act relating to insurance compliance self audit.

Committee on Corporations recommends passage.

- 3. (2000-H 6705) An Act relating to education - Chariho Regional School District.

Committee on Corporations recommends passage in concurrence.

Appendix

CALENDAR

In order for Tuesday, February 15, 2000:

- 1. (00-S 2117 as amended) An Act relating to elections.

Committee on Judiciary recommends passage as amended.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Wednesday, February 9, 2000

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

Thank you for stopping by!

