

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. 17 Thursday, February 17, 2000 Seventeenth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:07 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

ABSENT - 2: Senators Alves, Kells.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, February 16, 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 Fogarty, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber from Burrillville, Town Council President Wallace Lees, Town Manager Michael Wood, Norman Mainville, Edward Bonczek, and William Gonyea.

Upon suggestion of Senators Cicilline and Paiva Weed, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Joseph Pratt, Councilman from the City of Newport.

APPOINTMENT BY THE GOVERNOR

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

February 15,2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 16.61-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Public Telecommunications Authority:

James H. Leach of Providence
VICE
Rabbi Leslie Y. Gutterman

for a term expiring January 31, 2002.

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

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

February 14, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 16-61.4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Public Telecommunications Authority:

Sheldon Sollosy of Cranston for a term expiring January 31, 2003.

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 6760) An Act relating to Sunday business pharmacies.

Read and referred to the Committee on Corporations.

Also:

(2000-H 7921) An Act amending Chapter 109 of the public laws entitled 'An Act authorizing the town of Middletown to borrow up to \$12,000,000 for the purpose of financing the construction, improvement, renovation, furnishing and equipping of a senior center, school buildings, library facilities and a public safety complex through the issuance of its general obligation notes or bonds'.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Gibbs, seconded by Senators Paiva Weed and Blais, and by unanimous consent, read and passed, in concurrence, under suspension of the rules, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45; Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Issa, Iz~o, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

REPORTS OF COMMITTEES

COMMITTEE ON CORPORATIONS

Representative Irons, for the Committee on Corporations, reports back the following measures, with recommendation of passage:

(00-S 2323) An Act relating to financial institutions.

Read and ordered to be placed on the Calendar.

(00-S 2324 as amended) An Act relating to financial institutions- licensed activities.

Read and ordered to be placed on the Calendar.

(00-S 2332) An Act relating to financial institutions - lenders and loan brokers.

Read and ordered to be placed on the Calendar.

(00-S 2340 as amended) An Act relating to public utilities and carriers - taxicabs.

Read and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

Representative Lenihan, for the Committee on Finance, reports back the following measure, with recommendation of passage:

(00-S 2054) Senate Resolution respectfully requesting that the federal government provide funding for the purchase of Rocky Point Park as open space. Read a- ordered to be placed on the Consent Calendar.

TRANSFER OF BILLS

Senator Paiva Weed, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bills from the Committee on Judiciary to the Committee on Special Legislation:

(00-S 2343) An Act relating to fish and wildlife licensing.

Read and referred to the Committee on Special Legislation.

(00-S 2345) An Act relating to lobsters and other crustaceans.

Read and referred to the Committee on Special Legislation.

(00-S 2511) An Act relating to fish and wildlife lobsters and other crustaceans.

Read and referred to the Committee on Special Legislation.

(00-S 2512) An Act relating to fish and wildlife licensing.

Read and referred to the Committee on Special Legislation.

(00-S 2793) An Act relating to lobsters and other crustaceans.

Read and referred to the Committee on Special Legislation.

(00-S 2618) An Act relating to agricultural functions of the Department of Environmental Management.

Read and referred to the Committee on Special Legislation.

Senator Paiva Weed, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bills from the Committee on Judiciary to the Committee on Health, Education and Welfare:

(00-S 2254) An Act relating to criminal offenses - children.

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

(00-S 2386) An Act relating to criminal offenses - children.

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

Senator Paiva Weed, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Judiciary to the Committee on Finance:

(00-S 2582) An Act relating to towns and cities - optional retirement for members of police force and fire fighters.

Read and referred to the Committee on Finance.

Senator Paiva Weed, from the Committee on Judiciary, in accordance with Senate Rule 6.14, moves to transfer the following bills from the Committee on Judiciary to the Joint Committee on Highway Safety:

(00-S 2270) An Act relating to motor and other vehicles.

Read and referred to the Joint Committee on Highway Safety.

(00-S 2653) An Act relating to motor and other vehicles.

Read and referred to the Joint Committee on Highway Safety.

NEW BUSINESS

The following item s are received and referred to committee pending any objection of the body on the next legislative day.

Senator Bates presents (00-S 2801) Senate Resolution congratulating Catherine Oswald on receiving the Prudential Spirit of Community Award for being named Rhode Island's Top High School Student Volunteer.

Senator Bates requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Kelly and Algieri present (00-S 2802) Senate Resolution extending congratulations.

Senator Kelly requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators DaPonte, Irons, Bates and Damiani present (00-S 2803) Senate Resolution extending sincere condolences on the passing of Albert Fascio.

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Without objection, the following Acts are introduced after the deadline.

Senators Paiva Weed, Roney, Roberts, Sosnowski and Walsh present (00-S 2804) An Act relating to domestic relations - divorce and separation.

Read and referred to the Committee on Judiciary.

Senators Igliozzi, Enos, Tocco, Walton, Gallo and others present (00-S 2805) An Act relating to the pharmaceutical assistance to the elderly act.

Read and referred to the Committee on Finance.

Senators Fogarty, Walaska, Felag, Damiani and Breene present (00-S 2806) An Act relating to motor and other vehicles - right-of-way of fire companies.

Read and referred to the Joint Committee on Highway Safety.

Senators Breene and Lenihan present (00-S 2807) An Act relating to taxation - exemption.

Read and referred to the Committee on Corporations.

Senators Patterson, Roney and Enos present (00-S 2808) An Act relating to motor and other vehicles.

Read and referred to the Committee on Judiciary.

CALENDAR

In order for the day is taken up as follows:

1. Appointment of Ashbel T. Wall, II of Providence VICE George Vose (Resigned) as Director of the Department of Corrections.

Committee on Judiciary recommends that the Senate give its Advice and Consent to this appointment.

Senator Paiva Weed, seconded by Senators Kelly, Enos, Coderre, Perry, Goodwin, Oster, Parella, Algiere, Irons, Roney,

Roberts, Celona, Tocco, Walsh, Sasso, Badeau and others, moves that confirmation of the Senate be given this appointment.

Senators Kelly, Cicilline, Roney, Algiere and Roberts discuss the confirmation.

By unanimous consent, the confirmation of the Senate is given this appointment, upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS -0.

GUESTS

Upon suggestion of Senators Paiva Weed and Perry, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Ashbel T. Wall, II, newly confirmed Director of the Department of Corrections, his wife Maria DiCarvalho, daughter Lucy Wall and parents John and Mary Wall.

CALENDAR

2.(00-S 2176) An Act relating to taxation.

Committee on Corporations recommends passage.

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the desk.

3.(00-S 2177) An Act relating to the Smithfield Land Trust.

Committee on Corporations recommends passage.

Senator Flynn moves passage, seconded by Senators Blais, Fogarty, Irons and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algiere, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliozi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Patterson, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

4. (00-S 2178) An Act in amendment of and in addition to Chapter 55 of the Public Laws, 1958, as amended, entitled, "An Act authorizing the towns of Charlestown, Richmond and Hopkinton, to join a regional school district, incorporating said regional school district, and providing for the issuance of bonds, construction and operation of a regional school system for the joint use of the participating towns, within said regional school district established by this

act" and authorizing the Chariho Regional School District to issue (knot more than \$12,000,000 bonds and notes for the acquisition, construction, renovation and equipping of two or three new elementary schools (Kindergarten through Grade 5), (B) not more than \$17,000,000 bonds and notes for land acquisition, additions to, renovation and equipping of the existing Chariho High School (Grades 9 through 12), and (C) not more than \$8,500,000 bonds and notes for the renovation and equipping of the existing Ashaway, Charlestown, Hope Valley and Richmond Elementary Schools (Kindergarten through Grade 5).

Committee on Corporations recommends passage.

Senator Walsh moves passage, seconded by Senator Sosnowski and others.

The act is read and passed, 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, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

5.(00-S 2189) An Act establishing the Hopkinton Land Trust.

Committee on Corporations recommends passage.

Senator Walsh moves passage, seconded by Senators Sasso and Sosnowski.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Goodwin, Graziano, Iglioizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

6. (00-S 2151 as amended) An Act relating to the towns of Foster and Glocester - regional juvenile hearing board.

Committee on Judiciary recommends passage as amended.

Senator Fogarty moves passage, seconded by Senators Flynn, Breene, Tocco, Felag and others.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43; Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Goodwin, Graziano, Iglioizzi, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

7.(00-S 2269) An Act relating to elections -ballots for blind and visually impaired voters.

Committee on Judiciary recommends passage.

Senator Igliazzi moves passage, seconded by Senators Tocco, Kelly, Sasso, Coderre, DaPonte and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45; Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

ANNOUNCEMENTS

Senator Lenihan announces that the Committee on Finance will meet today at the rise of the Senate in Room 211 of the State House.

Also:

Senator Paiva Weed announces that the Committee on Judiciary will meet today at the rise of the Senate in Room 313 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, and upon suggestion of Senators Walsh and Flynn, the Senate adjourns at 4:35 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Richard Carrier of Richmond.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

Appendix

INVOCATION

SENATOR ROGER R. BADEAU

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 29, 2000:

- 1. (00-S 2054) Senate Resolution respectfully requesting that the federal government provide funding for the purchase of Rocky Point Park as open space.

Committee on Finance recommends passage.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Thursday, February 17, 2000

Appendix

CALENDAR

In order for Tuesday, February 29, 2000:

- 1.(00-S 2195) An Act relating to insurance compliance self audit.

Committee on Judiciary recommends passage.

Appendix

CALENDAR

In order for Wednesday, March 1, 2000:

1. (00-S 2323) An Act relating to financial institutions.

Committee on Corporations recommends passage.

2.(00-S 2324 as amended) An Act relating to financial institutions- licensed activities.

Committee on Corporations recommends passage as amended,

3. (00-S 2332) An Act relating to financial institutions - lenders and loan brokers.

Committee on Corporations recommends passage.

4.(00-S 2340 as amended) An Act relating to public utilities and carriers -- taxicabs.

Committee on Corporations recommends passage as amended.

RAYMOND T. HOYAS, JR.

Clerk of the Senate

Thursday, February 17, 2000

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

Thank you for stopping by!

