

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. 20

Thursday, March 2, 2000

Twentieth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:10 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, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Izzo, Kells, 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, Damiani.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, March 1, 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 Senators Paiva Weed and Cicilline, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Joseph Pratt and the Honorable Dennis McCoy, members of the

Newport City Council.

Upon suggestion of Senator Cicilline, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Hal McElroy, Managing Director, Trident Hotel, Kinsdale, Ireland.

Upon suggestion of Senator Tocco, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Joseph Polisena, former State Senator from Johnston.

Upon suggestion of Senator Kelly, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Daniel Andrews, North Smithfield Town Administrator.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

STATE HOUSE
LINCOLN ALMOND
Governor

March 1,2000 To the Honorable, the Senate:

I am hereby withdrawing the January 27, 2000 appointment of Pen J. Fang to the Fire Code Board of Appeals.

Sincerely,

LINCOLN ALMOND
Governor

Received and ordered to be placed on file.

FROM THE

HOUSE OF REPRESENTATIVES

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

(2000-H 7211 as amended) An Act relating to Valley Gas Company.

Read and referred to the Committee on Corporations.

Also:

(2000-H 7277 as amended) An Act in amendment of and in addition to an act entitled "An Act to incorporate Bristol and Warren Gas Company" passed at the January Session of the General Assembly A.D. 1953.

Read and referred to the Committee on Corporations.

REPORTS OF COMMITTEES

COMMITTEE ON CORPORATIONS

Senator Irons, from the Committee on Corporations, reports back, with recommendation of passage of the following measures:

(00-S 2325) An Act relating to credit unions.

Read and ordered to be placed on the Calendar.

(00-S 2328) An Act relating to community antenna television systems.

Read and ordered to be placed on the Calendar.

(00-S 2337) (Substitute "A") An Act relating to financial institutions.

Read and ordered to be placed on the Calendar.

(00-S 2454 as amended) An Act relating to the Valley Gas Company.

Read and ordered to be placed on the Calendar.

(00-S 2455 as amended) An Act relating to the Bristol and Warren Gas Company.

Read and ordered to be placed on the Calendar.

(00-S 2474) An Act relating to insurance -agents, brokers and solicitors.

Read and ordered to be placed on the Calendar.

(00-S 2476) An Act relating to Rhode Island Resource Recovery Corporation.

Read and ordered to be placed on the Calendar.

(00-S 2525) An Act relating to health and safety.

Read and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

Senator Lenihan, from the Committee on Finance, reports back, with recommendation of passage of the following measures: (00-S 2099) An Act relating to fish and wildlife - licensing.

Read and ordered to be placed on the Calendar.

(00-S 2329) An Act making an appropriation of \$5,000 to Laura A. Hoxsie.

Read and ordered to be placed on the Calendar.

(00-S 2362) An Act relating to management and disposal of property.

Read and ordered to be placed on the Calendar.

(00-S 2404) An Act relating to public prOperty and works.

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

Senator Izzo, from the Committee on Health, Education and Welfare, reports back, with recommendation of passage of the following measures:

(00-S 2330) An Act relating to health and safety - health care quality steering committee.

Read and ordered to be placed on the Calendar.

(00-S 2389) An Act relating to education -children with disabilities.

Read and ordered to be placed on the Calendar.

(00-S 2413) An Act relating to emergency management.

Read and ordered to be placed on the Calendar.

(00-S 2533) An Act relating to health and safety - respiratory care act.

Read and ordered to be placed on the Calendar.

(00-S 2534 as amended) An Act relating to education health and safety of pupils.

Read and ordered to be placed on the Calendar.

(00-S 2538) An Act relating to health and safety.

Read and ordered to be placed on the Calendar.

(00-S 2540 as amended) An Act relating to long term care coordinating council.

Read and ordered to be placed on the Calendar.

(00-S 2100) Senate Resolution recognizing May 6-12 as National Nurses Week.

Read and ordered to be placed on the Consent Calendar.

(00-S 2571) Senate Resolution respectfully requesting the Department of Human Services to apply to the Federal Health Care Financing Administration to expand its home and community based waiver programs.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON JUDICIARY

Senator Paiva Weed, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures;

(00-S 2242) An Act relating to wills, estates, trusts and fiduciaries.

Read and ordered to be placed on the Calendar. (00-S 2246) An Act relating to probate courts.

Read and ordered to be placed on the Calendar.

(00-S 2247) An Act relating to probate practice and procedure.

Read and ordered to be placed on the Calendar.

(00-S 2333) An Act relating to real estate appraiser certification act.

Read and ordered to be placed on the Calendar.

TRANSFER OF BILLS

Senator Lenihan, from the Committee on Finance, in accordance with Senate Rule 6.14, moves to transfer the following bills from the Committee on Finance to the Committee on Corporations:

(00-S 2458) An Act relating to historic residences - tax credit.

Read and referred to the Committee on Corporations.

(00-S 2516) An Act relating to the William H. Hall Library

Read and referred to the Committee on Corporations.

Senator Izzo, from the Committee on Health, Education and Welfare, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Health, Education and Welfare to the Committee on Finance:

(00-S 2726) An Act relating to textbooks.

Read and referred to the Committee on Finance.

NEW BUSINESS

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

Senators Kelly and Algieri present (00-S 2817) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and ordered to be placed on the Consent Calendar.

Senators Walaska, McCaffrey, Donelan, Sasso and Breene present (00-S 2818) Senate Resolution respectfully requesting that the federal government provide funding for the purchase of Barton Farm (a.k.a. Perra Farm) as farmland/open space.

Read and referred to the Committee on Special Legislation.

Senators Lenihan and Patterson present (00-S 2819) Senate Resolution endorsing and recommending the concept of the Air, Land and Sea History and Technology Park at Quonset Point.

Read and referred to the Committee on Special Legislation.

Senators Kelly and Algiere present (00-S 2820) 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 Kelly and Algiere present (00-S 2821) Senate Resolution extending condolences.

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 rising vote.

CALENDAR

In order for the day is taken up as follows:

1.(00-S 2121) An Act relating to criminal offenses - assaults.

Committee on Judiciary recommends passage.

Senator Graziano moves passage, seconded by Senators Kells, Cote, Sasso, Celona and others.

Senators Cicilline and Perry discuss the act.

The act is read and passed, upon a roll call vote with 38 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS - 38: Senators Algiere, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Kells, Kelly, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Raptakis, Revens, Ruggerio, Sasso, Sosnowski, Tocco, Walaska.

NAYS - 7; Senators Cicilline, Gallo, Izzo, Perry, Roberts, Roney, Walton.

2.(00-S 2150) An Act relating to title to real estate - trusts.

Committee on Judiciary recommends passage.

Senator Roney moves passage, seconded by Senators McDonald, Igliazzi and Paiva Weed.

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

NAYS -0.

3.(00-S 2215) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

Upon suggestion of Senator Lenihan, and without objection, ordered to be placed at the bottom of the Calendar.

4.(00-S 2244) An Act relating to uniform premarital agreement act.

Committee on Judiciary recommends passage.

Senator Roney moves passage, seconded by Senator Enos 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, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

5.(00-S 2248) An Act relating to powers of attorney.

Committee on Judiciary recommends passage.

Senator Roney moves passage, seconded by Senator Paiva Weed 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, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, 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.

ANNOUNCEMENTS

Senator Irons announces that the Committee on Corporations will meet today at the rise of the Senate in Room 212 of the State House.

Also:

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, the Senate adjourns at 4:34 o'clock P.M.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

Appendix

INVOCATION

SENATOR JOHN C. REVENS, JR.

Dear God, Please grant us the wisdom to be aware of the true needs of the people we are here to serve, and the courage to meet those needs to the fullest extend of our ability. Amen.

Appendix

CONSENT CALENDAR

In order for Thursday, March 7, 2000:

1. (00-S 2100) Senate Resolution recognizing May 6-12 as National Nurses Week.

Committee on Health, Education and Welfare recommends passage.

2. (00-S 2571) Senate Resolution respectfully requesting the Department of Human Services to apply to the Federal Health Care Financing Administration to expand its home and community based waiver programs.

Committee on Health, Education and Welfare recommends passage.

3. (00-2817) An Act reinstating and restoring forfeited or revoked corporate charters. Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.

Clerk of the Senate

Thursday, March 2, 2000

Appendix

CALENDAR

In order for Thursday, March 7, 2000:

1. (00-S 2215) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

Appendix

CALENDAR

In order for Wednesday, March 8, 2000:

1.(00-S 2099) An Act relating to fish and wildlife - licensing.

Committee on Finance recommends passage.

2.(00-S 2242) An Act relating to wills, estates, trusts and fiduciaries.

Committee on Judiciary recommends passage.

3.(00-S 2246) An Act relating to probate courts.

Committee on Judiciary recommends passage.

4.(00-S 2247) An Act relating to probate practice and procedure.

Committee on Judiciary recommends passage.

5.(00-S 2325) An Act relating to credit unions.

Committee on Corporations recommends passage.

6.(00-S 2328) An Act relating to community antenna television systems.

Committee on Corporations recommends passage.

7.(00-S 2329) An Act making an appropriation of \$5,000 to Laura A. Hoxsie.

Committee on Finance recommends passage.

8.(00-S 2330) An Act relating to health and safety - health care quality steering committee.

Committee on Health, Education and Welfare recommends passage.

9.(00-S 2333) An Act relating to real estate appraiser certification act.

Committee on Judiciary recommends passage.

10.(00-S 2337) (Substitute "A") An Act relating to financial institutions.

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

11.(00-S 2362) An Act relating to management and disposal of property.

Committee on Finance recommends passage.

12.(00-S 2389) An Act relating to education - children with disabilities.

Committee on Health, Education and Welfare recommends passage.

13.(00-S 2404) An Act relating to public property and works.

Committee on Finance recommends passage.

14.(00-S 2413) An Act relating to emergency management.

Committee on Health, Education and Welfare recommends passage.

15.(00-S 2454 as amended) An Act relating to the Valley Gas Company.

Committee on Corporations recommends passage as amended.

16.(00-S 2455 as amended) An Act relating to the Bristol and Warren Gas Company.

Committee on Corporations recommends passage as amended.

17.(00-S 2474) An Act relating to insurance - agents, brokers and solicitors.

Committee on Corporations recommends passage.

18.(00-S 2476) An Act relating to Rhode Island Resource Recovery Corporation.

Committee on Corporations recommends passage.

19.(00-S 2525) An Act relating to health and safety.

Committee on Corporations recommends passage.

20.(00-S 2533) An Act relating to health and safety - respiratory care act.

Committee on Health, Education and Welfare recommends passage.

21.(00-S 2534) An Act relating to education health and safety of pupils.

Committee on Health, Education and Welfare recommends passage.

22.(00-S 2538) An Act relating to health and safety.

Committee on Health, Education and Welfare recommends passage.

23.(00-S 2540 as amended) An Act relating to long-term care coordinating council.

Committee on Health, Education and Welfare recommends passage as amended.

RAYMOND T. HOYAS, JR.

Clerk of the Senate

Thursday, March 2, 2000

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

Thank you for stopping by!

