

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. 26 Thursday, March 16, 2000 Twenty-sixth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:00 o'clock P.M.

The roll is called and a quorum is declared present with 45 Senators present and 5 Senators absent as follows:

PRESENT 45: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

ABSENT - 5: Senators Caprio, Irons, Issa, Montalbano,

INVOCATION

His Honor, the Lieutenant Governor, by unanimous consent, presents Father Raymond M. Kelly, Pastor of St. Patrick Church, Providence, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

ST. PATRICK'S BREAST PLATE

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator Connors, to deliver St. Patrick's Breast Plate.

NATIONAL ANTHEM

His Honor, the Lieutenant Governor, by unanimous consent, presents nationally recognized musician Corey Pesaturo to perform the National Anthem.

APPROVAL OF RECORD

The Senate Journal of Wednesday, March 15, 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 Blais, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Cindy Clarkin of Coventry and her children Ruth, David and Timothy, Jessica Esolen of Coventry, John P. Clarkin, John Mark and Adam Bolton.

Upon suggestion of Senator Celona, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber members of Senator Walsh's family, her granddaughter Amanda Walsh, Dawn Walsh, daughter-in-law, and Jean McGinn.

Upon suggestion of Senator Goodwin, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Father Raymond M. Kelly, Pastor of St. Patrick's Church, Providence, and her mother, Patricia M. Goodwin and her father, the Honorable Thomas N. Goodwin, former State Senator from Providence, affectionately known as the "original" Senator Goodwin.

Upon suggestion of Senators Goodwin, Sosnowski and DaPonte, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dr. Scott Molloy.

Upon suggestion of Senator Gallo, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the mother of His Honor, the Lieutenant Governor Fogarty and Senator Fogarty, Mrs. Martha Fogarty.

Upon suggestion of Senator Perry, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Nancy and Robert Anneyci of Providence and Mary Kolsky of Providence.

Upon suggestion of Senator Felag, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber from Warren, the Honorable James McCanna, Town Council President, the Honorable William MacDougall, Councilman and Brian Remy, Sewer Chairman.

Upon suggestion of Senator Iglioizzi, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Frank Montanaro, President AfL-CIO and George Nee, Secretary/Treasurer AFL-CIO.

Upon suggestion of Senator Celona, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber his cousin Thomas J. Celona of Thrifty Car Rental.

Upon suggestion of Senator Coderre, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber John Stringer of the University Student Senate.

Upon suggestion of Senator DaPonte, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Hyun Kim, of Brown University, who will be serving as an intern in the Lieutenant Governor's office.

Upon suggestion of Senator Kelly, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Richard A. Licht, former Lieutenant Governor and candidate for United States Senate.

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

Chamber Cardyn Riordian, Liz Parizek, Ann Polacek and Helen Maroney.

REPORTS OF COMMITTEE

**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 2119) An Act relating to nurses.

Read and ordered to be placed on the Calendar.

(00-S 2519) (Substitute "A" as amended) An Act relating to licensing of health care facilities.

Read and ordered to be placed on the Calendar.

(00-S 2572 as amended) An Act relating to education - curriculum.

Read and ordered to be placed on the Calendar.

(00-S 2603) (Substitute "A") An Act relating to residential care and assisted living facility licensing act.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senators McCaffrey and Walaska present (00-S 2849) Senate Resolution congratulating Donald R. Staley on his retirement after 39 years of outstanding service to the Warwick School Department.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Kelly and Algiere present (00-S 2850) Senate Resolution commemorating the celebration of St. Patrick's Day.

Senator Kelly requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Kelly and Algiere present (00-S 2851) Senate Resolution commemorating the Feast of St. Joseph.

Senator Kelly requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

Without objection, the Consent Calendar is moved to Tuesday, March 21, 2000.

ADJOURNMENT

Upon motion of Senator Kelly, seconded by Senator Algieri, the Senate adjourns at 4:19 o'clock P.M.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

Appendix

INVOCATION

FATHER RAYMOND M. KELLY
PASTOR, ST. PATRICK CHURCH PROVIDENCE

As we honor St. Patrick and St. Joseph today, may our honoring be much more than song and dance, drinks and partying. True honoring means sharing in their noble qualities as persons. Imitation is the finest tribute.

As St. Patrick had a zeal for souls so may legislators have a zeal for the citizens and welfare of this state. As St. Patrick had love for the Irish to whom he felt God called him so may all the legislators here have a love for this state and its citizens and work for its greater progress and improvement in education, industry, finance and respect for life.

As St. Patrick personally endured many sufferings in his care and concern for the Irish people and through it all grew in character and as a person, so may each legislator see in the inconveniences of annoying and complaining phone calls, unplanned visitors at home or at the office, long hours of sometimes boring and tiring meetings, misunderstandings about votes and positions taken, a means of personal growth in character and virtue.

May each one of us here have the spirit of St. Patrick as he picturesquely and enigmatically puts in writing: I bind to myself today the power of Heaven, the light of the sun, the brightness of the moon, the splendor of fire, the flashing of lightning, the swiftness of wind, the depth of the sea, the compactness of rocks. May we have his spirit of calling upon God our creator: I bind to myself today God's power to guide me, God's might to uphold me, God's wisdom to teach me, God's eye to watch over me, God's ear to hear me, God's word to give me speech, God's hand to guide me, God's way to lie before me, God's shield to shelter me, God's host to secure me against anyone who meditates injury to me, whether far or near, whether few or with many.

Finally may we have the humility of St. Joseph who though never quoted in the Scripture performed faithfully his duties to Mary and the Christ Child. Although legislators walk the corridors of her may they never forget the seemingly lowly, the homeless and refugees of whom St. Joseph was an example searching for a place for Mary to bear her child and fleeing to Egypt to escape a power mad Herod in his attempt to murder the child.

May the spirit of St. Patrick and St. Joseph inspire us all.

Appendix

CONSENT CALENDAR

In order for Tuesday, March 21, 2000:

1. (00-S 2845) An Act to vacate the forfeiture or revocation of the charter of Brewerville Civic Association, Inc.

Ordered on the Consent Calendar.

2.(2000-H 7908) An Act to vacate the forfeiture or revocation of the charter of A.P.L. Realty Co., Inc.

Ordered on the Consent Calendar.

3.(2000-H 8062) An Act to vacate the forfeiture or revocation of North Kingstown (Stoney Lane) Six Principle Baptist Church.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Thursday, March 16, 2000

Appendix

CALENDAR In order for Tuesday, March 21, 2000:

1.(00-S 2540 as amended) An Act relating to long-term care coordinating council.

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

2.(00-S 2770) (Substitute "A") An Act relating to indictments, informations and complaints.

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

3.(00-S 2216) An Act relating to motor vehicles.

Committee on Corporations recommends passage.

4.(00-S 2344) An Act relating to businesses and professions- psychologists.

Committee on Corporations recommends passage.

5.(00-S 2384) An Act relating to the sinking fund commission.

Committee on Finance recommends passage.

6.(00-S 2521 as amended) An Act relating to domestic abuse prevention.

Committee on Judiciary recommends passage as amended.

7.(00-S 2560) An Act relating to courts and civil procedure- courts - domestic assault.

Committee on Judiciary recommends passage.

8.(00-S 2637) An Act relating to lotteries -prize payments percentage.

Committee on Finance recommends passage.

9.(00-S 2669 as amended) An Act relating to credit card lending.

Committee on Corporations recommends passage as amended.

10. (00-S 2761) An Act relating to education - Rhode Island College.

Committee on Finance recommends passage.

11. (00-S 2011 as amended) An Act relating to towns and cities - New Shoreham water' en system,

Committee on Corporations recommends passage as amended.

12. (00-S 2120) An Act relating to labor and labor relations- sexual harassment, education and training in the workplace.

Committee on Labor recommends passage.

13. (00-S 2376 as amended) An Act relating to public officers and employees - retirement system - contributions and benefits.

Committee on Finance recommends passage as amended.

14. (00-S 2620) An Act relating to courts and civil procedure- procedure generally - evidence.

Committee on Judiciary recommends passage.

15. (00-S 2737) An Act relating to motor vehicles.

Committee on Judiciary recommends passage.

16. (00-S 2769) An Act relating to motor and other vehicles - adjudication of traffic offenses.

Committee on Judiciary recommends passage.

17.(2000-H 7847) (Substitute "A" as amended) An Act relating to lobsters and other crustaceans. Ordered on the Calendar.

Appendix

CALENDAR

In order for Wednesday, March 22, 2000: **1.** (00-S 2119) An Act relating to nurses.

Committee on Health, Education and Welfare recommends passage.

2.(00-S 2519) (Substitute "A" as amended) An Act relating to licensing of health care facilities.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended.

3.(00-S 2572 as amended) An Act education - curriculum.

Committee on Health, Education and W~~ recommends passage as amended.

4.(00-S 2603) (Substitute "A") An Act relating to residential care and assisted living facility licensing act.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

Appendix

CALENDAR

In order for Thursday, March 23, 2000:

1. (00-S 2568) An Act relating to business corporations.

Committee on Corporations recommends passage.

2.(00-S 2630 as amended) An Act relating to towns and cities- district management authorities.

Committee on Corporations recommends passage as amended.

3.(00-S 2556) An Act relating to criminal procedure - sentence and execution.

Committee on Judiciary recommends passage.

4.(00-S 2337) (Substitute "A") An Act relating to financial institutions.

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

5.(00-S 2696) An Act relating to insurance -health maintenance organization.

Committee on Corporations recommends passage.

6.(00-S 2094) An Act relating to elections.

Committee on Judiciary recommends passage.

7.(00-S 2481) An Act relating to judicial selection.

Committee on Judiciary recommends passage.

RAYMOND T. HOYAS, JR.

Clerk of the Senate

Thursday, March 16, 2000

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

Thank you for stopping by!

