

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. 30

Tuesday, March 28, 2000

Thirtieth Day

The roll is called and a quorum is declared present with 49 Senators present and 1 Senator absent as follows:

PRESENT - 49: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, 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, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

ABSENT 1: Senator Cote.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, March 23, 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 Algieri and Coderre, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dr. Julie White of Westerly and the Community College of Rhode Island.

Upon suggestion of Senator Irons, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Thomas Schumpert, Director of the Department of Business Regulations, Anthony Arico, Assistant Director and Al Mastrostefano, Insurance Superintendent.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

The Honorable Charles J. Fogarty
President of the Senate Senate Chamber, State House
Providence, RI 02903

Dear

Mr. President:

Please be advised that I will be absent from the Senate Session today, March 22, 2000, through Thursday, March 30, 2000, as I will be out of the state due to a family illness.

Please make the appropriate notation in the Senate Journal. Thank you for your cooperation.

Sincerely,

MARC A. COTE
Senator, District 31

Received and ordered to be placed on file.

APPOINTMENTS 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

March 28,2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Article 10, Section 4 of the Rhode Island Constitution entitled Judicial Selection, I have made the following appointment as Associate Justice of the Rhode Island Superior Court:

Stephen P. Nugent of Barrington
VICE Associate Justice Dominic F. Cresto

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

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

March 22,2000

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

March 28, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Article 10, Section 4 of the Rhode Island Constitution entitled Judicial Selection, I have made the following appointment as Judge of the Rhode Island Workers' Compensation Court:

Edward P. Sowa of Lincoln
VICE
Judge William G. Gilroy

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

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

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 2010) An Act relating to jury lists.

Read and ordered to be placed on the Calendar.

(00-S 2035) (Substitute "A") An Act relating to commercial law - gift certificate.

Read and ordered to be placed on the Calendar.

(00-S 2114) (Substitute "A") An Act relating to highways -- construction and maintenance.

Read and ordered to be placed on the Calendar.

(2000-H 7438) An Act relating to situs and ownership of taxable property.

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 measure:

(00-S 2166) An Act relating to sales and use taxes - enforcement and collection.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

Senator Paiva Weed, from the Committee on Judiciary, reports back, with recommendation that confirmation of the Senate be given to the following:

Reappointment of Dr. Patricia Nolan (Director of the Department of Health) as Director of the Department of Health for a term expiring February 21, 2005.

Read and ordered to be placed on the Calendar.

TRANSFER OF BILLS

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 Corporations:

(00-S 2626) An Act relating to interest and usury.

Read and referred to the Committee on Corporations.

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 Health, Education and Welfare:

(00-S 2136) An Act relating to health and safety.

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

(00-S 2570) An Act relating to establish the Rhode Island Tobacco Control Program.

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

NEW BUSINESS

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

Senators Cicilline and Paiva Weed present (00-S 2866) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senator Kelly, seconded by Senator Algiere, the following measure on today's Consent Calendar, by unanimous consent, is read and passed upon a voice vote:

1.(00-S 2864) An Act to vacate the forfeiture or revocation of the Charter of George Edward Sousa Enterprises, Inc.

FROM THE DESK

Upon suggestion of Senator Enos, and without objection, the following act is removed from the Desk and recommitted to the Committee on Corporations:

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

Read and recommitted to the Committee on Corporations.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

STATEMENT OF POTENTIAL CONFLICT

To the Honorable Senate:

I, Dennis L. Algiere, under oath depose and say:

- 1. I am a duly elected member of the Rhode Island Senate.
- 2. This statement is made in accord with Rhode Island General Law section 36-14-6.
- 3. In my official capacity, I may be expected or required to vote or participate in the deliberations of bill (00-S 2669 as amended), now pending before the Senate or a committee thereof.
- 4. I request that I be excused from voting, deliberating or taking action on the matter.
- 6. I do not desire to vote or deliberate because I have a potential conflict of interest as follows:

I am an employee of The Washington Trust Company.

- 6. This statement is true to the best of my knowledge.

DENNIS L. ALGIERE
Senator, District 26 Subscribed and sworn to before me this 28th day of March, 2000.

JEFFREY A. LANPHEAR
Notary Public

Ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

STATEMENT OF POTENTIAL CONFLICT

To the Honorable Senate:

I, Leo R. Blais, under oath depose and say:

- 1. I am a duly elected member of the Rhode Island Senate.
- 2. This statement is made in accord with Rhode Island General Law section 36-14.6.
- 3. In my official capacity, I may be expected or required to vote or participate in the deliberations of bill (00-S 2669 as amended), now pending before the Senate or a committee thereof.
- 4. I request that I be excused from voting, deliberating or taking action on the matter.
- 5. I do not desire to vote or deliberate because I have a potential conflict of interest as follows:

I am a director of the Coventry Credit Union.

6. This statement is true to the best of my knowledge.

LEO R.BLAIS
Senator, District 21 Subscribed and sworn to before me this 28th day of March, 2000.

JEFFREY A. LANPHEAR
Notary Public

Ordered to be placed on file.

CALENDAR

In order for the day is taken up as follows:

1.(00-S 2669 as amended) An Act relating to credit card lending.

Committee on Corporations recommends passage as amended.

Senator Irons moves passage, seconded by Senator Coderre.

The act is read and passed, as amended, upon a roll call vote with 32 Senators voting in the affirmative, 6 Senators voting in the negative and 3 Senators abstaining as follows:

YEAS - 32: Senators Bates, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Igliazzi, Irons, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Parella, Patterson, Perry, Revens, Roberts, Sosnowski, Tocco, Walaska, Walton.

NAYS - 6: Senators Alves, Graziano, Issa, Oster, Raptakis, Sasso. **ABSTAINED** - 3: Senators Algieri, Blais, Kelly.

2.(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".

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the Calendar for Tuesday, April 4, 2000.

3.(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.

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the Calendar for Thursday, April 6, 2000.

4.(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".

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the Calendar for Thursday, April 6, 2000.

5.(00-S 2012) An Act relating to state affairs and government- tourism districts.

Committee on Special Legislation recommends passage.

Senator Lenihan moves passage, seconded by Senators Patterson, Walton and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 44 Senators voting in e affirmative and 0 Senators voting in the negative as follows:

YEAS 44: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Flynn, Gallo, Gibbs, Goodwin, Graziano, Igliozi, 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.

7.(00-S 2434) An Act relating to tree wardens.

Committee on Corporations recommends passage.

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the Calendar for Tesday, April 4, 2000.

8.(00-S 2516) An Act relating to the William H. Hall Library.

Committee on Corporations recommends passage.

Senator Roberts moves passage, seconded by Senators Izzo, Sasso and Gallo.

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, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliozi, Irons, Issa, Iz~o, 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.

9.(00-S 2577) An Act relating to hoisting engineers.

Committee on Labor recommends passage.

Senator Ruggerio moves passage, seconded by Senators Kells, DaPonte, Goodwin, Kelly, 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 Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

10. (00-S 2580) An Act relating to businesses and professions- plumbers.

Committee on Labor recommends passage.

Senator Ruggerio moves passage, seconded by Senators Izzo, McDonald, Tocco and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative, 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS - 44: Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Flynn, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

ABSTAINED - 1: Senator Fogarty.

11. (00-S 2740) (Substitute "A") An Act relating to courts and civil procedure - courts - Family Court.

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

Senator Paiva Weed moves passage, seconded by Senators Enos, Kells, Oster, Izzo, Tocco, Walsh, Roberts and others.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

12. (00-S 2822) An Act authorizing the town of Coventry to finance the acquisition and improvement of land for recreational purposes by the issuance of not more than \$2,000,000 bonds and/or notes therefor.

Committee on Corporations recommends passage.

Senator Blais moves passage, seconded by Senators Breene and Raptakis.

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, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

13. (00-S 2825) An Act authorizing the town of Glocester to finance the development, construction, reconstruction, resurfacing and rehabilitation of roads, highways and bridges in the town, including the construction of a salt/sand storage facility by the issuance of not more than \$3,000,000 bonds and/or notes therefor.

Committee on Corporations recommends passage.

Senator Fogarty moves passage, seconded by Senators Ruggerio, Flynn and Breene.

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 Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

14. (00-S 2837) An Act relating to criminal offenses - children.

Committee on Judiciary recommends passage.

Senator Roberts moves passage, seconded by Senators Tocco, Walsh, Blais, Lenihan, Walton, Paiva Weed, Damiani and others.

The act is read and passed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Flynn, Fogarty, Gallo, Gibbs, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

15.(2000-H 7534) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage in concurrence.

Senator Paiva Weed moves passage, seconded by Senator Enos, Parella and Coderre.

The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

6.(00-S 2173 as amended) An Act relating to establishment and extension of gambling activities.

Committee on Special Legislation recommends passage as amended.

Senator Cicilline moves passage, seconded by Senators Lenihan, Patterson and Roberts.

Senators Alves, Cicilline and Blais discuss the act.

Senator Blais, seconded by Senators Breene and Cicilline, offers the following written motion to amend:

**FLOOR AMENDMENT
TO**

(00-S 2173 as amended)

Mr. President:

I hereby move to amend (00-S 2173 as amended) by deleting section 3 in its entirety and by inserting the following in place thereof: "SECTION 3. SEVERABILITY. - If any provisions of this act or any rule or regulation made thereunder, or the application thereof to any person or circumstance, is held to be invalid by a court of competent jurisdiction, the remainder of this act or any rule or regulation in the application of such provision to other persons or circumstances shall not be affected thereby. The invalidity of any section or sections or parts or any section or sections of this act shall not affect the validity of the remainder of this act. SECTION 4. This act shall take effect upon passage."

Respectfully submitted,

LEO R.BLAIS
Senator, District 21

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, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliozi, 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.

Upon motion of Senator Cicilline, seconded by Senator Blais, the act is read and passed, as amended, upon a roll call vote with 43 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte,

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

NAYS - 4: Senators Alves, Issa, Raptakis, Ruggerio.

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.

Also:

Senator Izzo announces that the Committee on Health, Education and Welfare will meet on Wednesday, March 29, 2000, at 3:00 o'clock P.M. in Room 313 of the State House.

Also:

Senator Badeau announces that the Committee on Labor will meet on Wednesday, March 29,2000, at 2:30 o'clock P.M. in the Senate Lounge of the State House.

Also:

Senator Goodwin announces that the Committee on Special Legislation will meet on Wednesday, March 29, 2000, at the rise of the Senate in the Senate Lounge 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.

RECESS

Upon motion of Senator Kelly, seconded by Senator Algieri, and upon suggestion of Senator Gallo, the Senate stands at recess at 4:50 o'clock P.M. on a unanimous rising vote, as a further mark of respect to the memory of Christopher J. Meehan of Cranston, an outstanding scholar who was a senior at the University of Rhode Island. His young life was cut short but he shall forever live on in the memories of those who loved him.

CALLED TO ORDER

The Senate is called to order on Wednesday, March 29, 2000, at 4:17 o'clock P.M., by the Honorable Charles D. Walton, President Pro Tempore.

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 2217) An Act relating to businesses and professions- physician employment contracts.

Read and ordered to be placed on the Calendar.

(00-S 2339) An Act relating to real estate brokers and sales persons.

Read and ordered to be placed on the Calendar.

(00-S 2742) An Act relating to insurance.

Read and ordered to be placed on the Calendar.

(00-S 2812) An Act providing for improvements to its water system by the Stone Bridge Fire District and authorizing the financing thereof, including the issue or not more than \$252,500 in bonds therefor.

Read and ordered to be placed on the Calendar.

(00-S 2838 as amended) An Act relating to insurance.

Read and ordered to be placed on the Calendar.

(00-S 2841) An Act relating to battery deposit and control.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

(00-S 2241) (Substitute "A") An Act relating to mental health law.

Read and ordered to be placed on the Calendar.

(00-S 2485) (Substitute "A") An Act relating to health and safety emergency medical transportation services.

Read and ordered to be placed on the Calendar.

(00-S 2563) (Substitute "A") An Act relating to commercial law - general regulatory provisions - deceptive trade

practices.

Read and ordered to be placed on the Calendar.

(00-S 2639) (Substitute "A") An Act relating to correctional institutions parole.

Read and ordered to be placed on the Calendar.

COMMITTEE ON LABOR

Senator Badeau, from the Committee on Labor, reports back, with recommendation of passage of the following measures:

(00-S 2589) An Act relating to towns and cities - general powers.

Read and ordered to be placed on the Calendar.

(00-S 2592) An Act relating to businesses and professions plumbers.

Read and ordered to be placed on the Calendar.

COMMITTEE ON SPECIAL LEGISLATION

Senator Goodwin, from the Committee on Special Legislation, reports back, with recommendation of passage of the following measures:

(00-S 2619) An Act relating to animal care.

Read and ordered to be placed on the Calendar.

(00-S 2714) An Act relating to military affairs and defense.

Read and ordered to be placed on the Calendar.

FROM THE

HOUSE OF REPRESENTATIVES

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

(2000-H 7968) An Act to vacate the forfeiture or revocation of the charter of "Da Rocha Nurseries, Inc."

Read and ordered to be placed on the Consent Calendar.

Also:

(2000-H 8008) An Act to vacate the forfeiture or revocation of the charter of J.K. Press, Inc.

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS

Senators Kelly, Celona, Graziano, Fogarty, Enos and others present (00-S 2867) Senate Resolution honoring Zellio Toppazzini as Rhode Island Reds Player of the Century.

Senator Celona requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Celona moves passage, seconded by the entire Senate.

Senators Celona, Irons, Montalbano, Walaska, Kells and Kelly pay tribute to Zellio Toppazzini.

The Resolution is read and passed, by unanimous consent, under suspension of the rules, upon a voice vote.

GUESTS

Upon suggestion of Senator Celona, and by unanimous consent, the President Pro Tempore welcomes to the chamber Zellio Toppazzini, Shirley Toppazzini, Kathye Toppazzini, Michael Toppazzini, Hugh Toppazzini, Trevor Dagesse, Dan Butler and Nicholas Oliveira.

NEW BUSINESS

Senators Fogarty, Kelly, Flynn, Breene and Kells present (00-S 2868) Senate Resolution congratulating the Eleanor Slater Hospital/ Zambarano Unit on the recognition of Zambarano Day.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by the entire Senate.

Senators Fogarty and Ruggerio discuss the Resolution. The Resolution is read and passed, by unanimous consent, under suspension of the rules, upon a voice vote.

GUESTS

Upon suggestion of Senator Fogarty, and by unanimous consent, the President Pro Tempore welcomes to the chamber Paul Despres, Hospital Administrator, Fred Scuncio, Chief of Construction and Maintenance, Staff Members Debbie Stockwell, Steve Westerman, Raymond Vadboncoeur, Lois Simpson and Toni Charpentier and Patients Frank Beazley, Debbie Gray, Tom Theroux, Andrew Francis, Bill Feole, Rita Saltonstall and Kelly Regan.

NEW BUSINESS

Senators Coderre, Algiere, Goodwin, Connors and Lenihan present (00-S 2869) Senate Resolution proclaiming April as World Parkinson's Disease Month.

Senator Coderre requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Coderre moves passage, seconded by the entire Senate. The Resolution is read and passed, by unanimous consent, under suspension of the rules, upon a voice vote.

GUESTS

Upon suggestion of Senator Coderre, and by unanimous consent, the President Pro Tempore welcomes to the chamber members of the American Parkinson Disease Association, Frances Andersen, President, Kathryn Cullen, Information and Referral Coordinator, Sig Andersen, Executive Committee Member, and Jean Vient, Walk-a-thon Co-chairperson.

NEW BUSINESS

Senator Kells presents (00-S 2870) Senate Resolution respectfully urging the Governor to fund the Public Service Jobs Initiative.

Senator Kells requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:42 o'clock P.M.

NEW BUSINESS

Senators Fogarty, Flynn, Breene, Kells and Celona present (by request of the Lieutenant Governor) (00-S 2871) Senate Resolution congratulating the Ponaganset High School Boy's Hockey Team on winning the Metropolitan B Division State Championship.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by the entire Senate.

Senators Fogarty, Flynn and Breene discuss the Resolution. The Resolution is read and passed, by unanimous consent,

under suspension of the rules, upon a voice vote.

GUESTS

Upon suggestion of Senator Fogarty, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the chamber the Ponaganset Hockey Team, Met B State Champions, Jonathan Hey, Norman Marcotte, Paul Coutu, Gifford Plume, Jonathan Bachman, Kyle Lapati, Thomas Moriarty, Ryan Bell, Jeffrey Quinlan, Anthony Autiello, Joseph Autiello, Joseph Loiselle, Ryan Mountford, Brenden Bell, Steven Winsor, Daniel Nadeau, Russell Miller, Mark Quinn, Evan Keighley, Head Coach Gregory Boc, Assistant Coach David Dupont, and Assistant Coach Gordie Mountford.

CALENDAR

Upon suggestion of Senator Enos, and without objection, the Calendar in order for Wednesday, March 29, 2000, is deferred to Thursday, March 30,2000.

ANNOUNCEMENT

Senator Goodwin announces that the Committee on Special Legislation will meet today at the rise of the Senate.

RECESS

Upon motion of Senator Coderre, seconded by Senator Algieri, the Senate stands at recess at 4:45 o'clock P.M. on a unanimous rising vote, as a further mark of respect to the memory of Roland A. Lafond of Pawtucket, whose longtime contributions to his community will forever be remembered.

CALLED TO ORDER

The Senate is called to order on Thursday, March 30, 2000, at 4:05 o'clock P.M.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

March 29,2000 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 Thursday, March 30 and, thus, will absent from the Senate session.

I would appreciate your recording my letter in the appropriate Senate Journal and thank you for your assistance.

Sincerely,

LEO R. BLAIS
Senate Minority Whip

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
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

March 22, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-130-5 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Rural Development Council:

Kenneth L. Fernstrom of Exeter
(local official from rural community)

for a term expiring July 1, 2003.

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

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

**REPORTS OF COMMITTEES
JOINT COMMITTEE ON
NAMING STATE CONSTRUCTIONS**

Senator Damiani, from the Joint Committee on Naming State Constructions, reports back, with recommendation of passage of the following measures:

(00-S 2363) An Act relating to the General Assembly - Joint Committee on Naming New Buildings.

Read and ordered to be placed on the Calendar.

(00-S 2640) An Act relating to the General Assembly.

Read and ordered to be placed on the Calendar.

COMMITTEE ON SPECIAL LEGISLATION

Senator Goodwin, from the Committee on Special Legislation, reports back, with recommendation of passage of the following measures:

(00-S 2171) An Act relating to motor and other vehicles - registration of vehicles.

Read and ordered to be placed on the Calendar.

(00-S 2644) (Substitute "A") An Act relating to animals and animal husbandry.

Read and ordered to be placed on the Calendar.

TRANSFER OF BILLS

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

(00-S 2136) An Act relating to health and safety.

Read and referred to the Committee on Finance.

(00-S 2570) An Act relating to establish the Rhode Island Tobacco Control Program.

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.

Senator Irons presents (00-S 2872) An Act to vacate the forfeiture or revocation of the charter of MDM Landscape Construction, Inc.

Read and ordered to be placed on the Consent Calendar.

Senators Algiere, Graziano and Oster present (00-S 2873) Senate Resolution declaring April 2-8, 2000 National Medical Laboratory Week.

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, under suspension of the rules, upon a voice vote.

Senators Blais, Breene, Irons, Bates and Celona present (00-S 2874) An Act relating to mandated benefits review act.

Read and referred to the Committee on Corporations.

Senators Cicilline and Goodwin present (00-S 2875) An Act relating to solemnization of marriages.

Read and referred to the Committee on Judiciary.

Senators Blais and Roberts present (00-S 2876) An Act authorizing the issuance of bonds, refunding bonds and temporary notes of the state of Rhode Island for tertiary waste treatment along the Pawtuxet River.

Read and referred to the Committee on Finance.

Senators Irons, Tocco, Iglioizzi, Graziano and Badeau present (00-S 2877) An Act relating to health and safety - refuse disposal.

Read and referred to the Committee on Corporations.

Senator Izzo presents (00-S 2878) An Act relating to public property and works State Capitol Preservation Act.

Read and referred to the Committee on Finance.

Senators Irons, Tocco, Iglioizzi, Graziano and Badeau present (00-S 2879) An Act relating to refuse disposal licenses.

Read and referred to the Committee on Corporations.

Senators Lenihan and Breene present (00-S 2880) An Act relating to animals and animal husbandry - dogs.

Read and referred to the Committee on Corporations.

Senator Izzo presents (00-S 2881) An Act relating to criminal offenses - children.

Read and referred to the Committee on Judiciary.

Senators Ruggerio, Caprio, Celona, Paiva Weed, Walsh and others present (00-S 2882) An Act relating to business and professions.

Read and referred to the Committee on Corporations.

Senators Blais and Breene present (00-S 2883) An Act relating to sales and use tax.

Read and referred to the Committee on Finance.

Senator Damiani presents (by request) (00-S 2884) An Act relating to campus security.

Read and referred to the Committee on Judiciary.

Senator Montalbano, seconded by Senator McCaffrey, moves to adjourn.

The motion to adjourn is defeated upon a roll call vote with 8 Senators voting in the affirmative and 28 Senators voting in the negative as follows:

YEAS - 8: Senators Alves, Graziano, Issa, McBurney, McCaffrey, Montalbano, Oster, Walaska.

NAYS - 28: Senators Algieri, Badeau, Bates, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Enos, Fogarty, Gibbs, Goodwin, Iglioizzi, Irons, Izzo, Kells, Kelly, Lenihan, McDonald, Paiva Weed, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Tocco.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senator Kelly, seconded by Senator Algieri, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, in concurrence, upon a voice vote:

- 1.(2000-H 7968) An Act to vacate the forfeiture or revocation of the charter of "Da Rocha Nurseries, Inc."
- 2.(2000-H 8008) An Act to vacate the forfeiture or revocation of the charter of J.K. Press, Inc.

CALENDAR

In order for the day is taken up as follows:

- 1. Reappointment of Dr. Patricia Nolan (Director of the Department of Health) as Director of the Department of Health for a term expiring February 21, 2005.

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

Senator Paiva Weed, seconded by Senators Kelly, Enos, Coderre, Irons, Goodwin, Oster, Roney, Revens, Gibbs, Izzo, Celona, Tocco, Roberts, Bates and many others, moves that confirmation of the Senate be given this reappointment.

Senators Irons, Cicilline, Roberts and Kells discuss the confirmation.

The confirmation of the Senate is given this reappointment, upon a roll call vote with 42 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 42: Senators Algieri, Bates, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donelan, Enos, 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, Tocco, Walaska, Walsh.

NAYS - 1: Senator Alves.

Upon suggestion of Senator Kelly, and without objection, the remainder of the Calendar is deferred to Tuesday, April 4, 2000.

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.

GUESTS

Upon suggestion of Senator Gallo, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Meaghan Tudryn.

Upon suggestion of Senators Fogarty, Tocco, Celona and Graziano, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Captain Thomas Oates of the Providence Police Department.

Upon suggestion of Senator McBurney, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Joan DiOrio, sister of Senator Montalbano.

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 Senator Perry, the Senate adjourns at 4:21 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Irving H. Prager of Providence, a gentlemen of many talents, especially known for his legendary cooking skills and longtime volunteer service at International House.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

Appendix

INVOCATION

SENATOR KEVIN A. BREENE

Help us to acknowledge our dependence on You, Lord. Instill in us Your Truth so that we may be true public servants to the people of our State. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, April 4, 2000:

- 1.** (00-S 2872) An Act to vacate the forfeiture or revocation of the charter of MDM Landscape Construction, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Tuesday, March 28, 2000

Appendix

CALENDAR

In order for Tuesday, April 4, 2000:

- 1.** (00-S 2327) An Act relating to exchange of information in support of child support collection.

Committee on Judiciary 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 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".

4.(00-S 2696) An Act relating to insurance health maintenance organization.

Committee on Corporations recommends passage.

5.(00-S 2010) An Act relating to jury lists.

Committee on Corporations recommends passage.

6.(00-S 2035) (Substitute "A") An Act relating to commercial law - gift certificate.

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

7.(00-S 2114) (Substitute "A") An Act relating to highways- construction and maintenance.

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

8.(00-S 2166) An Act relating to sales and use taxes - enforcement and collection.

Committee on Finance recommends passage.

9.(2000-H 7438) An Act relating to situs and ownership of taxable property.

Committee on Corporations recommends passage in concurrence.

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 the bill marked Substitute "A".

11.(00-S 2434) An Act relating to tree wardens.

Committee on Corporations recommends passage.

12.(00-S 2217) An Act relating to businesses and professions - physician employment contracts.

Committee on Corporations recommends passage.

13.(00-S 2241) (Substitute "A") An Act relating to mental health law.

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

14.(00-S 2339) An Act relating to real estate brokers and sales persons.

Committee on Corporations recommends passage.

15.(00-S 2485) (Substitute "A") An Act relating to health and safety - emergency medical transportation services.

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

16.(00-S 2563) (Substitute "A") An Act relating to commercial law - general regulatory provisions - deceptive trade practices.

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

17.(00-S 2589) An Act relating to towns and cities - general powers.

Committee on Labor recommends passage.

18.(00-S 2592) An Act relating to businesses and professions- plumbers.

Committee on Labor recommends passage.

19.(00-S 2619) An Act relating to animal care.

Committee on Special Legislation recommends passage.

20.(00-S 2639) (Substitute "A") An Act relating to correctional institutions - parole.

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

21.(00-S 2714) An Act relating to military affairs and defense.

Committee on Special Legislation recommends passage.

22.(00-S 2742) An Act relating to insurance.

Committee on Corporations recommends passage.

23. (00-S 2812) An Act providing for improvements to its water system by the Stone Bridge Fire District and authorizing the financing thereof, including the issue or not more than \$252,500 in bonds therefor.

Committee on Corporations recommends passage.

24.(00-S 2838 as amended) An Act relating to insurance.

Committee on Corporations recommends passage as amended.

25.(00-S 2841) An Act relating to battery deposit and control.

Committee on Corporations recommends passage.

Appendix

CALENDAR

In order for Wednesday, April 5, 2000:

1. (00-S 2171) An Act relating to motor and other vehicles- registration of vehicles.

Committee on Special Legislation recommends passage.

2.(00-S 2363) An Act relating to the General Assembly - Joint Committee on Naming New Buildings.

Joint Committee on Naming State Constructions recommends passage.

- 3.(00-S 2640) An Act relating to the General Assembly. Joint Committee on Naming State Constructions recommends passage.
- 4.(00-S 2644) (Substitute "A") An Act relating to animals and animal husbandry.
- Committee on Special Legislation recommends indefinite postponement of the original bill and passage of Substitute "A".

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Tuesday, March 28, 2000

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

Thank you for stopping by!

