

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. 33 Tuesday, April 11, 2000 Thirty-third Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:18 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, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

ABSENT - 2: Senators Alves, Montalbano.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, April 6, 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.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

April 7, 2000

His Honor, Charles J. Fogarty
Lieutenant Governor of Rhode Island
StateHouse
Providence, RI 02903

Dear Lieutenant Governor Fogarty:

This is to inform you that I will not be present for the Senate session on Wednesday, April 12, 2000.

Thank you for your consideration in this matter.

All best wishes.

Sincerely,

PAUL W. FOGARTY
Senator, District 27

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

April 11, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-6-3 of the Rhode Island General Laws, I have made the following appointment as Director of the Economic Development Corporation:

Tom Schumpert of Cumberland
VICE
John Swen
(resigned)

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

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

**EFFECTIVE WITHOUT
THE SIGNATURE OF THE GOVERNOR**

His Honor, the Lieutenant Governor, presents an announcement of the receipt by the Secretary of State of the following measures which became effective without the signature of His Excellency, the Governor on April 6, 2000:

(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 (A) not 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).

(00-S 2827) An Act relating to solemnization of marriages.

JAMES R. LANGEVIN
Secretary of State

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 8141) An Act to vacate the forfeiture or revocation of the charter of South Side Medical Center Condominium Association, Inc.

Read and ordered to be placed on the Consent Calendar.

**REPORTS OF COMMITTEES
TRANSFER OF BILL**

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 Corporations:

(00-S 2615) An Act relating to health and safety health care accessibility and quality assurance act.

Read and referred to the Committee on Corporations.

COMMITTEE ON CORPORATIONS

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

(00-S 2235) (Substitute "A" as amended) An Act relating to regulation of business practices.

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

(00-S 2539) (Substitute "A") An Act relating to businesses and professions - medical answering services.

Read and ordered to be placed on the Calendar.

(00-S 2545) An Act relating to businesses and professions - electrolysis.

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

(00-S 2632) (Substitute "A" as amended) An Act relating to financial institutions.

Read and ordered to be placed on the Calendar.

(00-S 2807) An Act relating to taxation -exemption.

Read and ordered to be placed on the Calendar.

(00-S 2535) (Substitute "A" as amended) An Act relating to insurance - genetic testing.

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 2466) An Act relating to state affairs and government Department of Administration.

Read and ordered to be placed on the Calendar.

(00-S 2643) (Substitute "A") An Act relating to criminal offenses sexual offender registration and community notification.

Read and ordered to be placed on the Calendar.

(00-S 2721) (Substitute "A") An Act relating to the domestic violence prevention act.

Read and ordered to be placed on the Calendar.

(00-S 2866) (Substitute "A") An Act relating to solemnization of marriages.

Read and ordered to be placed on the Calendar.

(00-S 2414) (Substitute "A") Joint Resolution creating a special legislative commission to study an enhanced role for probation and parole,

Read and ordered to be placed on the Consent Calendar.

**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 2042) An Act relating to renaming the Newport Airpark.

Read and ordered to be placed on the Calendar.

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

Read and ordered to be placed on the Calendar.

NEW BUSINESS

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

Senators Algiere, Kelly, Paiva Weed, Roney, Roberts and others present (00-S 2913) Senate Resolution expressing condolences on the passing of Rhode Island Superior Court Justice Thomas H. Neeham.

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 rising vote.

Senator Walsh presents (00-S 2912) An Act relating to cities and towns.

Read and referred to the Committee on Corporations.

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 2286 as amended) Senate Resolution creating a special Senate commission to study lead poisoning in the city of Cranston.

CALENDAR

In order for the day is taken up as follows:

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".

Upon suggestion of Senator Enos, and without objection, ordered to be recommitted to the Committee on Judiciary.

Upon suggestion of Senator Enos, and without objection, the remainder of the Calendar is deferred to Thursday, April 13, 2000.

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.

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 Izzo announces that the Committee on Health, Education and Welfare will meet on Wednesday, April 12, 2000, at 3:00 o'clock P.M. in Room 211 of the State House.

Also:

Senator Goodwin announces that the Committee on Special Legislation will meet on Wednesday, April 12, 2000, at the rise of the Senate in the Senate Lounge of the State House.

ADJOURNMENT

Upon motion of Senator Kelly, seconded by Senator Algiere, the Senate adjourns at 4:27 o'clock P.M.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

INVOCATION

SENATOR JOHN F. McBURNEY, III

Dear Lord, as we begin another day of deliberations in the Senate Chamber, guard our thoughts, control our speech, and guide our actions. Inspire us with a sense of good will towards all our fellow Rhode Islanders. Amen.

Appendix

CONSENT CALENDAR

In order for Wednesday, April 12, 2000:

1.(00-S 2414) (Substitute "A") Joint Resolution creating a special legislative commission to study an enhanced role for probation and parole.

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

2.(00-S 2535) (Substitute "A" as amended) An Act relating to insurance - genetic testing.

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

3.(2000-H 8141) An Act to vacate the forfeiture or revocation of the charter of South Side Medical Center Condominium Association, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Tuesday, April 11, 2000

Appendix

CALENDAR

In order for Thursday, April 13, 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. (00-2 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 2589) An Act relating to towns and cities general powers.

Committee on Labor recommends passage.

17.(00-S 2592) An Act relating to businesses and professions- plumbers.

Committee on Labor recommends passage.

18.(00-S 2619) An Act relating to animal care.

Committee on Special Legislation recommends passage.

19.(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".

20.(00-S 2714) An Act relating to military affairs and defense.

Committee on Special Legislation recommends passage.

21.(00-S 2742) An Act relating to insurance.

Committee on Corporations recommends passage.

22.(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.

23.(00-S 2838 as amended) An Act relating to insurance.

Committee on Corporations recommends passage as amended.

24.(00-S 2841) An Act relating to battery deposit and control.

Committee on Corporations recommends passage.

25.(00-S 2171) An Act relating to motor and other vehicles- registration of vehicles.

Committee on Special Legislation recommends passage.

26.(00-S 2363) An Act relating to the General Assembly - Joint Committee on Naming New Buildings.

Joint Committee on Naming State Constructions recommends passage.

27.(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".

28.(00-S 2184) (Substitute "A") An Act relating to criminal procedure - DNA detection.

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

29.(00-S 2514) An Act relating to the Rhode Island Whistleblowers' Protective Act.

Committee on Judiciary recommends passage.

30.(00-S 2551) An Act relating to the uniform commercial code - bulk transfers.

Committee on Corporations recommends passage.

31.(00-S 2569) An Act relating to state affairs and government - electronic signatures and records act.

Committee on Corporations recommends passage.

32.(00-S 2631) An Act relating to insurance.

Committee on Corporations recommends passage.

33.(00-S 2656) An Act relating to motor and other vehicles- special stops required.

Committee on Judiciary recommends passage.

34.(00-S 2678) An Act relating to food and drugs - uniform controlled substances act.

Committee on Judiciary recommends passage.

35.(00-S 2692 as amended) An Act relating to businesses and professions - the healing art of acupuncture.

Committee on Corporations recommends passage as amended.

36.(00-S 2781 as amended) An Act relating to agents, brokers and solicitations.

Committee on Corporations recommends passage as amended.

37.(00-S 2789) An Act relating to towns and cities health and educational building corporation.

Committee on Corporations recommends passage.

38.(2000-H 6731) An Act relating to taxation.

Committee on Corporations recommends passage in concurrence.

39.(00-S 2026) (Substitute "A") An Act relating to compensation for World War II forced labor.

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

40.(00-S 2029) (Substitute "A") An Act relating to sales and use taxes - enforcement and collection.

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

41.(00-S 2067) (Substitute "A") An Act relating to businesses and professions - home inspectors.

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

42.(00-S 2082) An Act relating to employment security - benefits.

Committee on Labor recommends passage.

43.(00-S 2112) An Act relating to motor and other vehicles motor vehicle offenses.

Committee on Judiciary recommends passage.

44.(00-S 2118 as amended) An Act relating to wage discrimination based on sex.

Committee on Labor recommends passage as amended.

45.(00-S 2124) An Act relating to courts and civil procedure- theft from elderly.

Committee on Judiciary recommends passage.

46.(00-S 2268) An Act relating to towns and cities - city housing authorities.

Committee on Corporations recommends passage.

47.(00-S 2397) An Act relating to the employees retirement system - administrative procedures.

Committee on Judiciary recommends passage.

48.(00-S 2470) (Substitute "A" as amended) An Act relating to motor vehicle offenses.

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

49.(00-S 2483 as amended) An Act relating to the hospital conversions act.

Committee on Corporations recommends passage as amended.

50.(00-S 2527) An Act relating to health care.

Committee on Corporations recommends passage.

51.(00-S 2593) An Act relating to labor and labor relations- division of professional regulation.

Committee on Labor recommends passage.

52.(00-S 2598) An Act relating to towns and cities - ordinances.

Committee on Labor recommends passage.

53.(00-S 2602) (Substitute "A" as amended) An Act relating to the uniform commercial code.

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

54.(00-S 2613) An Act relating to fire safety.

Committee on Corporations recommends passage.

55.(00-S 2638) (Substitute "A") An Act relating to taxation- cigarette tax.

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

56. (00- 2697) An Act relating to racketeer influenced and corrupt organizations.

Committee on Judiciary recommends passage.

57.(00-S 2751) An Act relating to sales tax.

Committee on Finance recommends passage.

58.(00-S 2778) (Substitute "A") An Act relating to the uniform commercial code.

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

59.(00-S 2794) An Act relating to motor vehicle insurance- rental vehicles.

Committee on Corporations recommends passage.

60.(00-S 2832) (Substitute "A" as amended) An Act relating to uniform controlled substances.

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

61.(00-S 2888) An Act to vacate the forfeiture or revocation of the Charter of Aquila Abruzzi E Molisi Citizens Club.

Ordered on the Calendar.

62.(00-S 2265) An Act relating to civil rights.

Committee on Health, Education and Welfare recommends passage.

63.(00-S 2305) (Substitute "A") An Act relating to chiropractors.

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

64.(00-S 2042) An Act relating to renaming the Newport Airpark.

Joint Committee on Naming State Constructions recommends passage.

65.(00-S 2235) (Substitute "A" as amended) An Act relating to regulation of business practices.

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

66.(00-S 2458) An Act relating to historic residences - tax credit.

Committee on Corporations recommends passage.

67.(00-S 2466) An Act relating to state affairs and government - Department of Administration.

Committee on Judiciary recommends passage.

68.(00-S 2539) (Substitute "A") An Act relating to businesses and professions - medical answering services.

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

69.(00-S 2545) An Act relating to businesses and professions electrolysis.

Committee on Corporations recommends passage.

70.(00-S 2558) An Act relating to health and safety - Rhode Island Uniform Safety Act.

Committee on Corporations recommends passage.

71.(00-S 2566) An Act relating to Joint Committee on Naming New Buildings.

Joint Committee on Naming State Constructions recommends passage.

72.(00-S 2632) (Substitute "A" as amended) An Act relating to financial institutions.

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

73.(00-S 2643) (Substitute "A") An Act relating to criminal offenses - sexual offender registration and community notification.

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

74.(00-S 2721) (Substitute "A") An Act relating to the domestic violence prevention act.

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

75.(00-S 2807) An Act relating to taxation -exemption.

Committee on Corporations recommends passage.

76.(00-S 2866) (Substitute "A") An Act relating to solemnization of marriages.

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

RAYMOND T. HOYAS, JR.

Clerk of the Senate

Tuesday, April 11, 2000

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

Thank you for stopping by!

