

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. 49 Wednesday, May 24, 2000 Forty-ninth Day

The roll is called and a quorum is declared present with 47 Senators present and Senators absent as follows:

PRESENT 47; Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster Paiva Weed, Parella, Patterson, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton

ABSENT 3; Senators DaPonte, Kelly, Perry

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senators Irons, Bates and Damiani, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber East Providence High School "Townies", 1999 Division 1 Football Champions:

Jamie Silva, Matt Andrews, Jason Bodell, Pat Carter, Derek Charbonneau, Dave Charest, Jaroul Correia, Kevin Furtado, Brandon Husnander, Tshombe Lambert, Bryan Losasso, Michael Martins, Dan Oakland, Justin Oldham, Grant Peoples, Christian Preston, Jared Proulx, Mike Puhacz, Derek Salisbury, John Santos, Mike Santos, Roland Walker, Ross Walker, Dave Wyman, Ray Carnevale, Anderson DaSilva, Joe Fisher, Jon-Thomas Flamond, Kevin HarrisonLombardi, Corey Henderson, Brian Jones, Greg Jones, Matt Langevin, Derek Lema, Ben Lord, James Madden, Jaime Mowry, Matt Rankin, Brandon Richardson, Steve Silva, Allen Andrade, Paulo Andrade, Nick Birtwell, Keith Britto, John Carnevale, Charlie Carson, Kevin Carvalho, Hudson Carvalho, Derek DeSousa, Chris Dias, Ron Drew, Neil McKenna, Tim Najas, Justin Richards, Mike Silva, Luke Stedman, Curtis Tutt, Joe Wahl,

Spotters Ted Gorham and Mike Illucci, Volunteer Coach Steve Ptaszek, Assistant Coaches Steve Checallah, Jon Stringfellow and Scott Winter, Head Coach John "Sandy" Gorham, and East Providence High School Principal Manuel Vinhateiro.

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 2956) An Act amending the city charter of the city of Newport to hold local elections in even-numbered years.

Read and ordered to be placed on the Calendar.

(2000-H 7072) An Act relating to the towns of Foster and Glocester- regional juvenile hearing board.

Read and ordered to be placed on the Calendar.

(2000-H 7173) An Act relating to taxation.

Read and ordered to be placed on the Calendar.

(00-S 2874) An Act relating to mandated benefits review act.

Read and ordered to be placed on the Calendar. (00-S 2946) An Act establishing the Burrillville Land Trust.

Read and ordered to be placed on the Calendar.

(00-S 2958) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$4,000,000 (\$3,500,000 of which shall be to preserve open space and \$500,000 of which shall be to acquire recreation land).

Read and ordered to be placed on the Calendar.

(2000-H 6879) (Substitute "B") An Act relating to business corporations.

Read and ordered to be placed on the Calendar.

(2000-H 6880) (Substitute "A") An Act relating to business corporations.

Read and ordered to be placed on the Calendar.

(2000-H 7020) (Substitute "A" as amended) An Act relating to businesses and professions pharmacy.

Read and ordered to be placed on the Calendar.

(2000-H 8006) An Act authorizing the town of New Shoreham to finance additions, renovations, improvements, alterations and repairs and to finance the purchase of furnishing and equipment for schools and school facilities in the town by the issuance of not more than \$4,963,000 bonds and/or notes therefor.

Read and ordered to be placed on the Calendar.

(2000-H 8198) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$4,000,000 (\$3,500,000 of which shall be to preserve open space and \$500,000 of which shall be to acquire recreation land).

Read and ordered to be placed on the Calendar.

(2000-H 8214) An Act authorizing the town of Glocester to finance the acquisition of open space for preservation and groundwater protection and the development of public recreational facilities in the town by the issuance of not more than \$500,000 bonds and/or notes therefor.

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:

(2000-H 6804) (Substitute "A" as amended) An Act making revised appropriations for the support of the state for the fiscal year ending June 30, 2000.

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 measure:

(00-S 2704) (Substitute "A") An Act relating to criminal offenses- sex offender central registry.

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 Paiva Weed, Cicilline and Gibbs present (00-S 2984) Senate Resolution congratulating Carolyn J. Silva on receiving the 1999-2000 Distinguished Citizen of the Year Award from the Middletown Rotary Club.

Senator Paiva Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Blais, Breene and Raptakis present (00-S 2985) Senate Resolution relating to the relocation of the Kent County Courthouse.

Read and referred to the Committee on Judiciary.

CALENDAR

In order for the day is taken up as follows:

1. (00-S 2508) (Substitute "A") An Act relating to criminal offenses.

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 placed on the Desk.

2.(00-S 2664) (Substitute "A" as amended) An Act relating to criminal offenses - weapons.

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

Senator Coderre moves passage, seconded by Senators Paiva Weed, Enos, Gallo, Tocco, Raptakis and others.

Senator Paiva Weed, seconded by Senators Coderre, Roberts, Tocco, Igliozzi and others, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(00-S 2664) (Substitute "A" as amended)

Mr. President:

I hereby move to amend (00-S 2664) (Substitute "A" as amended) entitled. "AN ACT RELATING TO CRIMINAL OFFENSES - WEAPONS", as follows:

On page 2, line 32, insert the following language after the word "parole": provided, however, that, unless sentenced' to life without the possibility of parole pursuant to subsection (a) (3) of this section, a person sentenced to life under this section may be granted parole."

Respectfully submitted,

M. TERESA PAIVA WEED
Senator, District 49

Senators Coderre, Raptakis and Paiva Weed discuss the amendment.

The motion to amend prevails 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, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote,

Damiani, Donelan, Enos, Felag, Flynn, Gallo, Gibbs, Goodwin, Graziano, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, paiva Weed, Parella, Patterson, Raptakis, Revens, Roberts. Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton,

NAYS -O.

Senator Roney, seconded by Senators Irons and Cicilline, offers the following written motion to amend:

FLOOR AMENDMENT
TO

(00-S 2664) (Substitute "A" as amended)

Mr. President:

I hereby move to amend (00-S 2664) (Substitute "A" as amended) entitled "AN ACT RELATING TO CRIMINAL OFFENSES WEAPONS", as follows:

- 1. On page 2, line 26 through 28, delete the following language "or life without the possibility of parole by the sentencing judge after consideration of aggravating and mitigating circumstances contained in sections 12-10.2-3 and 12-10.2-4"
- 2. On page 2, line 31, delete the words "and parole" and insert in lieu thereof the following language, "and shall not be eligible for parole until the person has served three-fourths of the sentence imposed or thirty years, whichever comes first".
- 3. On page 3, line 12, delete the words "or parole" and insert in lieu thereof the following language, "and shall not be eligible for parole until the person has served three-fourths of the sentence imposed or thirty years, whichever comes first".

Respectfully submitted,

JOHN M. RONEY
Senator, District 2

Senators Irons, Coderre, Cicilline, Raptakis, McDonald, Graziano, Issa, Blais, Paiva Weed, Algieri, Connors, Celona, Parella, Kells and Roney discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 11 Senators voting in the affirmative and 35 Senators voting in the negative as follows:

YEAS - 11: Senators Alves, Caprio, Cicilline, Donelan, Graziano, Irons, Issa, Kells, Montalbano, Roney, Walaska.

NAYS - 35: Senators Algieri, Badeau, Bates, Blais, Breene, Celona, Coderre, Connors, Cote, Damiani, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Igliozi, Izzo, Lenihan, McBurney, McCaffrey, McDonald, Oster, Paiva Weed, Parella, Patterson, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walsh.

Senators Tocco, Goodwin and Walaska discuss the act.

Upon motion of Senator Coderre, seconded by Senator Enos, the bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, 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, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, Donelan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -A

ANNOUNCEMENTS

Senator Cote announces that the Committee on Corporations will meet on Thursday, May 25, 2000, at 3:00 o'clock P.M. in Room 212 of the State House.

Also:

Senator Izzo announces that the Committee on Health, Education and Welfare will meet today at the rise of the Senate in Room 211 of the State House.

Also:

Senator Goodwin announces that the Committee on Special Legislation will meet today at the rise of the Senate in Room 212 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 Enos, seconded by Senator Algiere, the Senate adjourns at 5:30 o'clock P.M.

RAYMOND T. HOYAS, JR.
Clerk of the Senate

Appendix

INVOCATION

SENATOR WILLIAM V. IRONS

Heavenly Father, thank you for the stamina and patience you have given us to be public servants for the people of our state. Guide us daily in performing our tasks in a manner which would be desirable to you. Amen.

Appendix

CONSENT CALENDAR

In order for Thursday, May 25, 2000:

1.(00-S 2956) An Act amending the city charter of the city of Newport to hold local elections in even-numbered years.

Committee on Corporations recommends passage.

2.(2000-H 7072) An Act relating to the towns of Foster and Glocester regional juvenile hearing board.

Committee on Corporations recommends passage in concurrence.

3.(2000-H 7173) An Act relating to taxation.

Committee on Corporations recommends passage in concurrence.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Wednesday, May 24, 2000

Appendix

CALENDAR

In order for Thursday, May 25, 2000:

1. Appointment of Edward P. Sowa of Lincoln VICE Judge William G. Gilroy as Judge of the Rhode Island Workers' Compensation Court.

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

2. Appointment of Stephen P. Nugent of Barrington VICE Associate Justice Dominic F. Cresto as Associate Justice of the Rhode Island Superior Court.

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

3.(2000-H 6804) (Substitute "B") Making revised appropriations for the support of the State for the fiscal year ending June 30, 2000.

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

4.(2000-H 6715) An Act relating to taxation.

Committee on Corporations recommends passage in concurrence.

(2000-H 7011 as amended) An Act relating to housing maintenance and occupancy code.

Committee on Corporations recommends passage as amended.

6.(2000-H 7142) (Substitute "A") An Act relating to deceptive trade practices - appliances. Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute "A" in concurrence.

7.(2000-H 7172) An Act relating to the town of Scituate property tax assessment.

Committee on Corporations recommends passage in concurrence.

8.(2000-H 7312) An Act relating to taxation.

Committee on Corporations recommends passage in concurrence.

9.(2000-H 7440) (Substitute "A" as amended) Joint Resolution creating a special legislative commission to study the licensing of private detectives.

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

10.(2000-H 7634) An Act establishing the Hopkinton Land Trust.

Committee on Corporations recommends passage in concurrence.

11.(2000-H 7783) 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).

Committee on Corporations recommends passage in concurrence.

12.(2000-H 8034) 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 in concurrence.

13.(2000-H 8041) 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 in concurrence.

14.(2000-H 8154) An Act amending the charter of North Providence.

Committee on Corporations recommends passage in concurrence.

Appendix

CALENDAR

In order for Tuesday, May 30, 2000:

1.(00-S 2704) (Substitute "A") An Act relating to criminal offenses sex offender central registry.

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

2.(00-S 2874) An Act relating to mandated benefits review act.

Committee on Corporations recommends passage.

3.(00-S 2946) An Act establishing the Burrillville Land Trust.

Committee on Corporations recommends passage.

4. (00-S 2958) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$4,000,000 (\$3,500,000 of which shall be to preserve open space and \$500,000 of which shall be to acquire recreation land).

Committee on Corporations recommends passage.

5.(00-S 2961) An Act authorizing the town of Glocester to finance the acquisition of open space for preservation and groundwater protection and the development of public recreational facilities in the town by issuance of not more than \$500,000 bonds and/or notes therefor.

Committee on Corporations recommends passage.

6.(2000-H 6879) (Substitute "B") An Act relating to business corporations.

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

7.(2000-H 6880) (Substitute "A") An Act relating to business corporations.

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

8.(2000-H 7020) (Substitute "A" as amended) An Act relating to businesses and professions -pharmacy.

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

9.(2000-H 8006) An Act authorizing the town of New Shoreham to finance additions, renovations, improvements, alterations and repairs and to finance the purchase of furnishing and equipment for schools and school facilities in the town by the issuance of not more than \$4,963,000 bonds and/or notes therefor.

Committee on Corporations recommends passage in concurrence.

10.(2000-H 8198) An Act authorizing the city of Warwick to issue bonds and notes in an amount not to exceed \$4,000,000 (\$3,500,000 of which shall be to preserve open space and \$500,000 of which shall be to acquire recreation land).

Committee on Corporations recommends passage in concurrence.

11.(2000-H 8214) An Act authorizing the town of Glocester to finance the acquisition of open space for preservation and groundwater protection and the development of public recreational facilities in the town by the issuance of not more than \$500,000 bonds and/or notes therefor.

Committee on Corporations recommends passage in concurrence.

RAYMOND T. HOYAS, JR.

Clerk of the Senate

Wednesday, May 24, 2000

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

Thank you for stopping by!

