

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. 56 Thursday, June 8, 2000 Fifty-sixth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:20 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, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre Connors, Cote, 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, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh, Walton

ABSENT - 2: Senators Roberts, Sasso.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CORRECTION

The Senate Journal of Wednesday, June 7, 2000 shall be corrected as recording Senator Kelly as present and Senator Algieri as absent.

APPROVAL OF RECORD

The Senate Journal of Wednesday, June 7, 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 corrected.

GUEST

Upon suggestion of Senator Gibbs, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Raymond Houston of Monterey, California.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

June 7, 2000

His Honor, Charles J. Fogarty
Lieutenant Governor
Rhode Island Senate Chamber
State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be advised that I will be absent from the Senate session on June 8, 2000 as I will be out of state on Senate business.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

ELIZABETH H. ROBERTS

Senator District 1]

Received and ordered to be placed on file.

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 2963) An Act in amendment of the Quinnsville Fire District in the town of Lincoln.

Read and ordered to be placed on the Calendar.

(2000-H 8211) An Act in amendment of the Quinnsville Fire District in the town of Lincoln.

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

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

(00-S 2938) An Act relating to education curriculum.

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 bill from the Committee on Health, Education and Welfare to the Committee on Special Legislation:

(2000-H 8062) An Act relating to human services right to public facilities.

Read and referred to the Committee on Special Legislation.

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 Judiciary:

(2000-H 7640) (Substitute "A" as amended) An Act relating to waters and navigation - boating safety.

Read and referred to the Committee on Judiciary.

(2000-H 8066) An Act relating to health and safety board of certification of operators of public water supply facilities.

Read and referred to the Committee on Judiciary.

(2000-H 8093) (Substitute "A" as amended) An Act relating to refuse disposal.

Read and referred to the Committee on Judiciary.

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 Joint Committee on Accounts and Claims:

(00-S 2978) An Act authorizing suit against the town of North Providence.

Read and referred to the Joint Committee on Accounts and Claims.

NEW BUSINESS

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

Senators Celona, Montalbano and Graziano present (00-S 3014) An Act relating to the town charter of the town of North Providence.

Read and referred to the Committee on Corporations.

Senator Lenihan presents (00-S 3015) Senate Resolution proclaiming June 3-12, 2000 as "Navy Days 2000 Celebration".

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Coderre, Connors and Goodwin present (00-S 3016) Joint Resolution congratulating Stone Soup Coffee House on its relocation to the City of Pawtucket.

Senator Coderre requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Kelly and Algieri present (00-S 3017) Senate Resolution extending congratulations.

Senator Kelly requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Kelly and Algieri present (00-S 3018) Senate Resolution extending condolences.

Senator Kelly requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senator Kelly, seconded by Senator Algieri, the following appointments on today's Consent Calendar, by unanimous consent, are given the Advice and Consent of the Senate, upon a voice vote:

1. Appointment of Bruce L. Davey of Warwick (Representing structural engineers) VICE Mason Butler Williams the State Building Codes Standards Committee for a term expiring May 1, 2003.

2. Reappointment of J. Robert Wahlberg of Cranston (Representing Builders, Heavy Construction) to the State Building Codes Standards Committee for a term expiring May 1, 2003.
3. Reappointment of John J. Cronin, Jr. of Warwick (Representing Master Plumbers) to the State Building Codes Standards Committee for a term expiring May 1, 2003.
4. Appointment of John Robert Wahlberg of Cranston (Industry Representative) VICE Joseph O'Brien to the Fire Safety Code Board of Appeals and Review for a term expiring March 1, 2006.
5. Reappointment of Steve Durkee of Providence (Representing architects) to the State Building Codes Standards Committee for a term expiring May 1, 2003.

CALENDAR

In order for the day is taken up as follows:

1. Appointment of Stuart Pearson of Mapleville (Volunteer Fire Chief Representative) VICE Robert C. Wilder to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2006.

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

Upon motion of Senator Kelly, seconded by Senator Enos, and by unanimous consent, the confirmation of the Senate is given this appointment, upon a roll call vote with 39 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 39: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Kells, Kelly, Lenihan, McBurney, McCaffrey, Montalbano, Oster, Parella, Patterson, Ruggerio, Sosnowski, Tocco, Walaska, Walsh

NAYS -0.

2. Appointment of Thomas V. Iannitti of West Warwick VICE Leo D. Blais to the State Board of Elections for a term expiring June 1, 2013.

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

Senator Blais, seconded by Senators Algieri, Kelly, Gibbs, Kells, Damiani and others moves that confirmation of the Senate be given this appointment.

By unanimous consent, the confirmation of the Senate is given this appointment, upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh.

NAYS -0

3. (00-S 2971) An Act authorizing the town of Jamestown to finance the installation, expansion, construction and improvement of sewers, storm drains, pumping stations and sewage treatment and disposal facilities, to issue not more than \$5,500,000 bonds and notes therefor and to impose additional sewer service charges under Chapter 233 of the

Public Laws of 1973, as amended, to pay the principal and interest on such bonds and notes.

Committee on Corporations recommends passage.

Senator Paiva Weed moves passage, seconded by Senators Lenihan and Cicilline.

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 Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Raptakis, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh.

NAYS -0.

12.(00-S 2302) (Substitute "A") An Act relating to state affairs and government - test for law enforcement candidates.

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

Senator Cicilline moves passage, seconded by Senators Kells, Paiva Weed 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 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Raptakis, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

13.(00-S 2749) (Substitute "A") An Act relating to criminal offenses - children.

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

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

NAYS -0.

14.(00-S 2885 as amended) An Act relating to the state building code.

Committee on Corporations recommends passage as amended.

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the Calendar for Thursday, June 15, 2000.

15.(00-S 2981) An Act relating to the city of Warwick Land Trust.

Committee on Corporations recommends passage.

Senator Revens moves passage, seconded by Senators Walaska, McCaffrey, Donelan and Lenihan.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Flynn, Gallo, Gibbs, Goodwin, Graziano, Igliozi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh.

NAYS -0.

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

ANNOUNCEMENTS

Senator Paiva Weed announces that the Committee on Judiciary will meet today at the rise of the Senate in Room 313 of the State House.

TRANSMITTAL

By unanimous consent, all Senate matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

ADJOURNMENT

Upon motion of Senator Kelly, seconded by Senator Algieri, the Senate adjourns at 4:33 o'clock P.M. RAYMOND T. HOYAS, JR.
Clerk of the Senate

Appendix

INVOCATION

SENATOR JOSEPH A. MONTALBANO

Almighty Father, in daily toil, in private life, or in public ceremony, help us to preserve Thee and the people of Rhode Island in a manner which is pleasing to You. Help us to remember that it is only through Your grace and guidance that we can best utilize our talents in serving others. Amen.

Appendix

CALENDAR In order for Tuesday, June 13, 2000:

1. Reappointment of Michael F. Ryan of Warwick to the Board of Governors for Higher Education for a term expiring January 31, 2003.

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

2. Reappointment of Deborah Smith of North Kingstown to the Board of Governors for Higher Education for a term expiring January 31, 2003.

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

3. Reappointment of William Turner of Warwick to the Board of Governors for Higher Education for a term expiring January 31, 2003.

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

4.(00-S 2874) An Act relating to mandated benefits review act.

Committee on Corporations recommends passage.

5.(00-S 2508) (Substitute "A") An Act relating to criminal offenses. Ordered on the Calendar.

6.(00-S 2402) An Act relating to distressed areas economic revitalization act.

Committee on Corporations recommends passage.

7. (00-S 2988 as amended) An Act relating to the town of Middletown juvenile hearing board.

Committee on Judiciary recommends passage as amended.

8.(00-S 2994) An Act relating to tank vessel safety act.

Committee on Judiciary recommends passage.

9.

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

Committee on Corporations recommends passage as amended.

10.(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.

11.(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.

12.(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.

13.(2000-H 6879) (Substitute "B") An Act relating to business corporations continuing corporate powers.

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

14.(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.

15.(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.

16.(2000-H 7676) An Act relating to refuse disposal licenses.

Committee on Corporations recommends passage in concurrence.

17.(2000-H 6732 as amended) An Act relating to state affairs and government economic development corporation.

Committee on Corporations recommends passage as amended in concurrence.

18.(2000-H 6733) (Substitute "A" An Act relating to health insurance coverage the 911 Emergency System.

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

19.(2000-H 6797) (Substitute "A") An Act relating to adjudication of traffic offenses.

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

20.(2000-H 6979) (Substitute "A") An Act relating to contractors' registration.

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

21.(2000-H 7443) (Substitute "A") An Act relating to businesses and professions - health clubs.

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

22.(2000-H 7633) An Act relating to businesses and professions- employment agencies.

Committee on Corporations recommends passage in concurrence.

23.(2000-H 7694) (Substitute "A") An Act relating to state affairs and government -electronic signatures and records act.

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

24.(2000-H 7715) An Act relating to town and city sealers.

Committee on Corporations recommends passage in concurrence.

25.(2000-H 7916) An Act relating to incorporation of United Electric Power Company. Committee on Corporations recommends passage in concurrence.

Appendix

CALENDAR

In order for Wednesday, June 14, 2000:

1.(00-S 2957) (Substitute "A") An Act relating to lead hazard control and mitigation.

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

2.(00-S 2938) An Act relating to education -curriculum.

Committee on Health, Education and Welfare recommends passage.

3.(00-S 2963) An Act in amendment of the Quinnville Fire District in the town of Lincoln.

Committee on Corporations recommends passage.

4.(2000-H 8211) An Act in amendment of the Quinnville Fire District in the town of Lincoln.

Committee on Corporations recommends passage.

Appendix

CALENDAR

In order for Thursday, June 15, 2000:

1.(00-S 2885 as amended) An Act relating to the state building code.

Committee on Corporations recommends passage as amended.

RAYMOND T. HOYAS, JR.
Clerk of the Senate
Thursday, June 8, 2000

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

Thank you for stopping by!

