

## 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. 18

Tuesday, February 29, 2000

Eighteenth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:04 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, 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 - 2;** Senators Alves, Graziano.

### INVOCATION

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

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### APPROVAL OF RECORD

The Senate Journal of Thursday, February 17, 2000 proceedings is read in part.

Upon suggestion of Senator Kelly and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as recorded.

### GUESTS

Upon suggestion of Senator Igliazzi, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Stephen Angell, President of the Johnston Town Council.

Upon suggestion of Senator Walsh, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Scott Bill Hirst, Vice President, Hopkinton Town Council.

Upon suggestion of Senator Kelly, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Matt Ellis, News Director at Channel 12.

Upon suggestion of Senator Goodwin, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Barnaby Evans, creator of Waterfires and Yvonne Seggerman, Director of Development for the City of Providence.

Upon suggestion of Senator Paiva Weed, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Ashley Stokes of Newport.

## COMMUNICATION

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

### STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS SENATE CHAMBER

February 18,2000 Lieutenant Governor Charles Fogarty  
State House  
Providence, RI 02903

Dear Lieutenant Governor Fogarty:

I am writing to inform you that I will be out of the State of Rhode Island during the period of February 18 to February 29,2000.

I will be attending a Conference sponsored by the Women In Government in Tampa, Florida regarding issues related to Women in the 21st Century followed by a visit to Phoenix, Arizona where I hope to discuss the issue of electing more women to statewide office since Arizona has certainly shown the way in this regard.

Sincerely,

CATHERINE E. GRAZIANO, RN, PhD  
Senator, District 5

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

February 15, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 5-70-4 of the Rhode Island General Laws, I have made the following reappointment to the Board of Examination and Licensing of Telecommunication Systems Contractors, Technicians, and Installers:

Robert Zuba of Central Falls  
(Representing municipal electrical inspectors)

for a term expiring August 1, 2006.

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

Sincerely,

LINCOLN ALMOND  
Governor

Read and referred to the Committee on Judiciary,

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 16, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-130-6 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Rural Development Council:

Ralph Boragine of Charlestown  
(Business Representative Located in 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.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 16, 2000 To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-130-6 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Rural Development Council;

Edward C. Burlingame of Chepachet  
(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.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 16,2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 16-69-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Jessica L. Tempest of Providence  
(Student Representative)

VICE Aaron J. Phaneuf

for a term expiring January 31, 2002.

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

Sincerely,

LINCOLN ALMOND  
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 18, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-130-6 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Rural Development Council;

Robert G. Driscoll of Portsmouth  
(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.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond

Governor

February 21, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-6-9 of the Rhode Island General Laws, I have made the following reappointment as Director of the Department of Health:

Dr. Patricia Nolan  
(Director of the Department of Health)

for a term expiring February 21, 2005.

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

Sincerely,

LINCOLN ALMOND  
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 23, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-63-6 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Economic Development Corporation: Robert A. Antignano of Cranston for a term expiring February 1, 2004.

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

Sincerely,

LINCOLN ALMOND  
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 23, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-63-6 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Economic Development Corporation:

Keith W. Stokes of Newport for a term expiring February 1, 2004.

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

Sincerely,

LINCOLN ALMOND  
Governor

Read and referred to the Committee on Judiciary

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 23, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 28-5-8 of the Rhode Island General Laws, I have made the following reappointment to the Commission for Human Rights;

Joaquin Gomes of Pawtucket for a term expiring July 1, 2004.

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

Sincerely,

LINCOLN ALMOND  
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond  
Governor

February 23, 2000

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 20-3-1 of the Rhode Island General Laws, I have made the following appointment to the Marine Fisheries Council;

Stephen Medeiros of Coventry  
VICE  
Robert Gearing  
(resigned)

for a term expiring April 1, 2002.

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 measure which became effective without the signature of His Excellency, the Governor on February 17, 2000:

(00-S 2030) An Act relating to school districts - Chariho.

JAMES R. LANGEVIN  
Secretary of State

Received and ordered to be placed on file.

## **REPORTS OF COMMITTEES 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 2477) An Act relating to cities and towns subdivision of land.

Read and referred to the Committee on Corporations.

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 Corporations:

(00-S 2302) An Act relating to state affairs and government tests for law enforcement candidate

Read and referred to the Committee on Corporations.

(00-S 2350) An Act relating to health insurance coverage - the 911 system.

Read and referred to the Committee on Corporations.

(00-S 2634) An Act relating to health care accessibility and quality assurance act.

Read and referred to the Committee on Corporations.

(00-S 2660) An Act relating to deceptive trade practices elderly prescription drug labels.

Read and referred to the Committee on Corporations.

(00-S 2661) An Act relating to commercial law deceptive trade practices.

Read and referred to the Committee on Corporations.

(00-S 2717) An Act relating to food, drugs and cosmetics act.

Read and referred to the Committee on Corporations.

## **NEW BUSINESS**

Senators Kelly, Enos, Goodwin, Roney, Lenihan and others present (00-S 2809) Senate Resolution congratulating Walter Cryan on his retirement.

Senator Kelly requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

## **TRIBUTE TO WALTER CRYAN**

Senator Kelly pays tribute to Walter Cryan upon his retirement from WPRI, after serving an amazing 35 years. He has become a part of many Rhode Islanders families and his friendly familiar face and majestic voice will be greatly missed.

The entire Senate joins in wishing him many happy and healthy retirement years.

Mr. Cryan addresses the Senate.

## **NEW BUSINESS**

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

Senator Sosnowski presents (00-S 2810) 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 referred to the Committee on Corporations.

Senator Flynn presents (00-S 2811) Senate Resolution congratulating Daniel Tessier on receiving the Prudential Spirit of Community Award for being named Rhode Island's top middle school student volunteer.

Senator Flynn requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

## **CONSENT CALENDAR**

In order for the day is taken up as follows:

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

1. (00-S 2054) Senate Resolution respectfully requesting that the federal government provide funding for the purchase of Rocky Point Park as open space.

## **CALENDAR**

In order for the day is taken up as follows:

1.(00-S 2195) An Act relating to insurance compliance self audit.

Committee on Judiciary recommends passage.

Upon suggestion of Senator Enos, seconded by Senator Irons, and without objection, ordered to be recommitted to the Committee on Corporations.

## **IN HONOR OF BLACK HISTORY MONTH**

Senator Cicilline of the Dr. Martin Luther King Holiday Commission presents Keith Stokes of Newport to deliver an address on Black History Month.

Mr. Stokes addresses the Senate.

Senator Walton presents a gift to Mr. Stokes.

## **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 1, 2000, at 3:00 o'clock P.M. in Room 211 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 Kelly, seconded by Senator Algieri, the Senate adjourns at 4:40 o'clock P.M.

RAYMOND T. HOYAS, JR.  
Clerk of the Senate

## INVOCATION

SENATOR J. CLEMENT CICILLINE

Lord, once again, this country has suffered a grievous blow as a result of senseless and devastating gun violence and another precious young life has been snuffed out. This time a first grade girl in a small town in Michigan, north of Flint.

Lord help us to dedicate ourselves to a greater acceptance of the sanctity of life and the need to treat each other with kindness, caring and understanding.

Lord, help us, too, to focus our energies on developing a safer environment for our children, a place where they can grow and learn and thrive, a place where differences are embraced not challenged, and a place where peace prevails.

### Appendix

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## CALENDAR

In order for Wednesday, March 1, 2000:

**1.** (00-S 2323) An Act relating to financial institutions.

Committee on Corporations recommends passage.

**2.**(00-S 2324 as amended) An Act relating to financial institutions- licensed activities.

Committee on Corporations recommends passage as amended.

**3.**(00-S 2332) An Act relating to financial institutions lenders and loan brokers.

Committee on Corporations recommends passage.

**4.**(00-S 2340 as amended) An Act relating to public utilities and carriers - taxicabs.

Committee on Corporations recommends passage as amended.

### Appendix

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## CALENDAR

In order for Thursday, March 2, 2000:

1. (00-S 2121) An Act relating to criminal offenses - assaults.

Committee on Judiciary recommends passage.

2.(00-S 2150) An Act relating to title to real estate - trusts.

Committee on Judiciary recommends passage.

3.(00-S 2215) An Act relating to state affairs and government,

Committee on Judiciary recommends passage.

4.(00-S 2244) An Act relating to uniform premarital agreement act.

Committee on Judiciary recommends passage.

5.(00-S 2248) An Act relating to powers of attorney.

Committee on Judiciary recommends passage.

RAYMOND T. HOYAS, JR.

Clerk of the Senate

Tuesday, February 29, 2000

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

Thank you for stopping by!

