

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 second day of January in the year of Our Lord two thousand and one.

Volume 128, No. 10                      Wednesday, January 24, 2001                      Tenth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:01 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, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 2: Senators Blais, McCaffrey.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senators Coderre, DaPonte and Cicilline, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Eric Palazzo, Associate Administrator, Division of Public Utilities and Carriers.

Also:

Upon suggestion of Senators Polisena, Walton, Izzo and Coderre, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dean Walter Crocker who is retiring from the University of Rhode Island, College of Continuing Education Center, along with his wife Terri Crocker of Johnston.

Also:

Upon suggestion of Senators Garabedian, Gallo and Polisena, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable John R. O'Leary, Mayor of Cranston.

**COMMUNICATION**

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
SENATE CHAMBER

January 24, 2001

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

Dear Lt. Governor Fogarty:

Please be advised that I will be absent from the Senate session on Wednesday, January 24, 2001 and Thursday, January 26, 2001 as I will be out of state attending a NSCL Conference and a Trade Association meeting.

I would appreciate your recording this letter in the appropriate Senate Journals.

Sincerely,

LEO R. BLAIS  
Senator, District 21

Received and ordered to be placed on file.

**NEW BUSINESS**

Senator Roney presents (01-S 131) An Act relating to wills, estates, trusts and fiduciaries.

Read and referred to the Committee on Judiciary.

Senators Hunter, Montalbano, Celona, Polisena, Issa and others present (01-S 132) An Act relating to criminal offenses - theft.

Read and referred to the Committee on Judiciary.

Senators Cicilline, Perry and Walton present (01-S 133) An Act relating to motor fuel tax.

Read and referred to the Committee on Finance.

Senator Enos presents (by request) (01-S 134) An Act relating to fish and wildlife - deer hunting.

Read and referred to the Committee on Special Legislation.

Senators Lenihan and Cote present (01-S 135) An Act relating to the employees retirement system - administrative procedures.

Read and referred to the Committee on Judiciary.

Senators Roney and Roberts present (01-S 136) An Act relating to criminal procedure - public defender.

Read and referred to the Committee on Judiciary.

Senators Walsh, Sosnowski, Kelly, Enos and Breene present (01-S 137) An Act relating to education - student investment initiative.

Read and referred to the Committee on Finance.

Senators Graziano, McDonald, Polisena and Tassoni present (01-S 138) An Act relating to corporations, associations and partnerships.

Read and referred to the Committee on Corporations.

Senator Roney presents (01-S 139) An Act relating to mortgage insurance.

Read and referred to the Committee on Corporations.

Senators Polisena, Walton, Damiani, Graziano and Coderre present (01-S 140) Senate Resolution congratulating Walter A. Crocker on his retirement from the University of Rhode Island.

Senator Polisena requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senator Roney presents (01-S 141) An Act relating to probate practice and procedure.

Read and referred to the Committee on Judiciary.

Senators Celona, Montalbano and Graziano present (01-S 142) Senate Resolution congratulating Deputy Sheriff Joann Macari on receiving the "Deputy Sheriff of the Year Award" for 2000.

Senator Celona requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senator Roney presents (01-S 143) An Act relating to courts and civil procedure - levy and sale on execution.

Read and referred to the Committee on Judiciary.

Senator Roney presents (01-S 144) An Act relating to towns and cities district management authorities.

Read and referred to the Committee on Corporations.

Senators Gibbs, Breene, Irons and Algiere present (01-S 145) Joint Resolution extending the reporting date of the special legislative commission on sustainability.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Gibbs, seconded by Senate Majority Leader Irons, and by unanimous consent, read and passed, under suspension of the rules, upon a voice vote.

Senators Graziano, Polisena, Tassoni and Montalbano present (01-S 146) An Act relating to nurses.

Read and referred to the Committee on Finance.

Senators Graziano, Polisena and Tassoni present (01-S 147) An Act relating to taxation -sales and use taxes - liability and computation.

Read and referred to the Committee on Finance.

Senators Graziano, Polisena, Tassoni, Montalbano and Irons present (01-S 148) An Act recognizing May 7-13 as National Nurses Week.

Read and referred to the Committee on Special Legislation.

Senators Graziano, Polisena, Tassoni, Gallo and Montalbano present (01-S 149) An Act relating to criminal offenses - burglary and breaking and entering.

Read and referred to the Committee on Judiciary.

Senators Graziano, Polisena, Tassoni and Montalbano present (01-S 150) An Act relating to nurses.

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

Senator Cicilline presents (01-S 151) An Act relating to health insurance - copayments.

Read and referred to the Committee on Corporations.

Senators Walsh and Sosnowski present (01-S 152) An Act relating to the Charlestown Fire District.

Read and referred to the Committee on Corporations.

Senators Walsh, Perry, Sosnowski, Roberts, Izzo and others present (01-S 153) An Act relating to health and safety.

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

Senators Graziano, Polisena, Tassoni and Coderre present (01-S 154) An Act relating to elections - campaign contributions- expenditure reporting.

Read and referred to the Committee on Judiciary.

Senators Polisen, Damiani, Graziano, Tassoni and Issa present (01-S 155) An Act relating to courts and civil procedure - procedure generally - causes of action.

Read and referred to the Committee on Judiciary.

Senators Graziano, Polisen, Tassoni, Montalbano and Damiani present (01-S 156) An Act relating to criminal offenses - assaults.

Read and referred to the Committee on Judiciary.

Senators Graziano, Polisen, Connors, Tassoni, Gallo and others present (01-S 157) Joint Resolution making an appropriation of \$5,000,000 for the Department of Administration.

Read and referred to the Committee on Finance.

Senators Graziano, Polisen, Tassoni, Montalbano, Celona and others present (01-S 158) An Act relating to victims rights- domestic violence.

Read and referred to the Committee on Judiciary.

Senators Graziano, Gallo, DaPonte, Montalbano, Connors and others present (01-S 159) Senate Resolution proclaiming April 3, 2001 as Rhode Island Pay Equity Day.

Read and referred to the Committee on Special Legislation.

Senators Polisen, Damiani, Tassoni and Izzo present (01-S 160) An Act relating to establishing fire safety standards for cigarettes.

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

Senators Coderre, Goodwin, Damiani, Breene and Izzo present (01-S 161) An Act relating to criminal offenses - child molestation.

Read and referred to the Committee on Judiciary.

Senators Enos, Kells, Cicilline, Parella, Roberts and others present (01-S 162) An Act relating to police officers commission on standards and training.

Read and referred to the Committee on Special Legislation.

Senators Enos, Cicilline, Walton, Parella and Roberts present (01-S 163) An Act relating to mental health.

Read and referred to the Committee on Judiciary.

Senators Perry, Roney, Cicilline, Izzo, Roberts and others present (01-S 164) An Act relating to businesses and professions- physician employment contracts.

Read and referred to the Committee on Corporations.

Senators Hunter, Cicilline, Paiva Weed and Sheehan present (01-S 165) An Act relating to state affairs and government-video lottery terminal - revenue.

Read and referred to the Committee on Finance.

**CONSENT CALENDAR**

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Irons, seconded by Senator Breene, the following measure on today's Consent Calendar is read and passed, by unanimous consent, upon a voice vote:

(01-S 116) An Act reinstating and restoring forfeited or revoked corporate charters.

**ANNOUNCEMENTS**

Senator Felag announces that the Committee on Finance will meet on Tuesday, January 30, 2001, at the rise of the Senate 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 Senate Majority Leader Irons, seconded by Senator Algieri, the Senate adjourns at 4:20 o'clock P.M.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

**Appendix**

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**INVOCATION**

**SENATOR HANNA M. GALLO**

We ask, that you guide us, Lord, in broadening our minds and extending ourselves in service to our constituents. May we better understand their concerns and needs and do our very best to assist them. Amen.

**Appendix**

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CALENDAR

In order for Thursday, January 25, 2001:

1. Appointment of Frank J. Williams as Chief Justice of the Supreme Court.

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

2. (99-S3) An Act relating to levy and assessment of local taxes.

Committee on Corporations recommends passage.

3. (01-S 14) An Act relating to education -establishment of regional school districts.

Committee on Corporations recommends passage.

4. (99-S45) An Act validating and rating amendments to the home rule charter of the town of Smithfield.

Committee on Corporations recommends passage.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

Wednesday, January 24, 2001

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

Thank you for stopping by!

