

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. 16 Thursday, February 8, 2001 Sixteenth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:00 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, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, lenihan, McBurney, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisen, Raptak, Revers, Roberts, Roney, Ruggerio, Sosnows, Tassoni, Walaska, Walsh, Walton.

ABSENT - 2; Senators McCaffrey, Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, February 7, 2001 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Celona and Montalbano, and by unanimous consent, His Honor, the Lieutenant Governor,

welcomes to the Chamber Armand Cortellesso, who is serving as a Senate page.

NEW BUSINESS

Senators Hunter and Bates present (01-S 282) An Act relating to federal riot reinsurance reimbursement fund.

Read and referred to the Committee on Corporations.

Senator Graziano presents (01-S 283) An Act relating to health and safety.

Read and referred to the Committee on Finance.

Senator Enos presents (01-S 284) An Act relating to participation by Tiverton School Department employees in the municipal employees retirement system.

Read and referred to the Committee on Finance.

Senators Felag, Damiani, Enos, McDonald, Walaska and others present (01-S 285) An Act relating to motor and other vehicles- dealers', manufacturers' and rental licenses.

Read and referred to the Committee on Corporations.

Senator Lenihan presents (01-S 286) An Act relating to domestic relations - adoption of children.

Read and referred to the Committee on Judiciary.

Senators Fogarty, Irons, Tassoni, Enos, Cicilline and others present (01-S 287) Senate Resolution congratulating Terrence J. Leary for his 25 years of dedicated service as Director of Harmony Hill School.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Graziano, Kells, Walton, Perry, Ruggerio and others present (01-S 288) Senate Resolution congratulating Major Richard T. Sullivan, on being selected to be the next Colonel of the Providence Police Department.

Senator Graziano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Enos, Walton, Cicilline, Lenihan, Fogarty and others present (01-S 289) An Act relating to human services - long term home health care.

Read and referred to the Committee on Finance.

Senators Enos, Walton, Fogarty and Tassoni present (01-S 290) An Act relating to employment.

Read and referred to the Committee on Labor.

Senators Hunter and McDonald present (01-S 291) An Act relating to state aid.

Read and referred to the Committee on Finance.

Senators McDonald and Hunter present (01-S 292) An Act relating to state aid.

Read and referred to the Committee on Finance.

Senators McDonald, Sosnowski and Walsh present (01-S 293) An Act relating to the Registry of Motor Vehicles.

Read and referred to the Committee on Finance.

Senator Blais presents (by request of the Department of Labor and Training) (01-S 294) An Act appropriating money for use by the Department of Labor and Training for personnel costs.

Read and referred to the Committee on Finance.

Senator Blais presents (by request of the Governor) (01-S 295) An Act relating to courts and civil procedure - District Court.

Read and referred to the Committee on Judiciary.

Senator Gibbs presents (by request of the Governor) (01-S 296) An Act relating to the call of a constitutional convention.

Read and referred to the Committee on Judiciary.

Senator McDonald presents (01-S 297) An Act relating to criminal offenses - children.

Read and referred to the Committee on Judiciary.

Senators McDonald and Iglioizzi present (01-S 298) An Act relating to taxation - tax sales.

Read and referred to the Committee on Judiciary.

Senators McDonald and Iglioizzi present (01-S 299) An Act relating to tax sales - notice.

Read and referred to the Committee on Judiciary.

Senator McDonald presents (01-S 300) An Act relating to criminal offenses - public utilities.

Read and referred to the Committee on Judiciary.

Senators Lenihan, Paiva Weed, DaPonte, Parella, Cots and others present (01-S 301) An Act relating to state affairs and government- quasi-public corporations.

Read and referred to the Committee on Judiciary.

Senator Parella presents (by request of the State Police) (01-S 302) An Act relating to state affairs and government- state police.

Read and referred to the Committee on Judiciary.

Senator McDonald presents (01-S 303) An Act relating to judicial selection.

Read and referred to the Committee on Judiciary.

Senators McDonald and Iglioizzi present (01-S 304) An Act relating to tax sales.

Read and referred to the Committee on Finance.

Senators Kelly and Lenihan present (01-S 305) An Act relating to taxation - phasing out the state personal income tax on long-term capital gains and phasing in an earned income tax credit.

Read and referred to the Committee on Finance.

Senator McDonald presents (01-S 306) An Act relating to towns and cities - state aid.

Read and referred to the Committee on Finance.

Senator McDonald presents (01-S 307) An Act relating to state affairs and government -Department of the Environment.

Read and referred to the Committee on Finance.

Senator Badeau presents (01-S 308) An Act relating to labor and labor relations - workers' compensation.

Read and referred to the Committee on Labor.

Senator Badeau presents (01-S 309) An Act relating to insurance - workers' compensation insurance fund.

Read and referred to the Committee on Labor.

Senator Bates presents (by request of the Governor and the Department of Business Regulation) (01-S 310) An Act relating to insurance.

Read and referred to the Committee on Corporations.

Senator Blais presents (by request of the Governor, the Department of Transportation and the State Police) (01-S 311) An Act relating to motor and other vehicles - skateboards and inline skates.

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

Senator McDonald presents (01-S 312) An Act relating to certification of child care and youth workers.

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

Senators Graziano, Ruggerio, DaPonte and Celona present (01-S 313) An Act relating to labor and labor relations - fair employment practices.

Read and referred to the Committee on Judiciary.

Senators Montalbano, Graziano, Ruggerio, DaPonte and Celona present (01-S 314) An Act relating to courts and civil procedure- courts.

Read and referred to the Committee on Judiciary.

Senators Montalbano, Graziano, Ruggerio, DaPonte and Celona present (01-S 315) An Act relating to motor and other vehicles- motor vehicle offenses.

Read and referred to the Committee on Judiciary.

Senators Montalbano, Graziano, DaPonte and Celona present (01-S 316) An Act relating to waters and navigation.

Read and referred to the Committee on Judiciary.

Senators Paiva Weed, Cicilline, Perry, Roberts and Gibbs present (01-S 317) An Act relating to criminal offenses - weapons.

Read and referred to the Committee on Judiciary.

Senators Walaska, Kells, Fogarty, McBurney, Goodwin and others present (01-S 318) An Act relating to textbooks.

Read and referred to the Committee on Finance.

Senators Perry, Walton, Walsh, Paiva Weed, Tassoni and others present (01-S 319) An Act relating to state affairs and government.

Read and referred to the Committee on Finance.

Senators Lenihan,(Montalbano, Graziano, Ruggerio, DaPonte and others present (01-S 320) An Act relating to domestic relations - adoption of children.

Read and referred to the Committee on Finance.

Senators Izzo and Coderre present (01-S 321) An Act relating to education - Board of Governors for Higher Education.

Read and referred to the Committee on Judiciary.

Senators Cicilline, Lenihan, Walton and Izzo present (01-S 322) An Act relating to taxation personal income tax.

Read and referred to the Committee on Finance.

Senators Walsh, Perry, Walton, Montalbano, Roberts and others present (01-S 323) An Act relating to the adoption of children.

Read and referred to the Committee on Judiciary.

Senators DaPonte, Walton, Damiani, Bates, Izzo, Paiva Weed and others present (01-S 324) An Act relating to motor vehicles- miscellaneous rules.

Read and referred to the Committee on Judiciary.

Senators Parella, Perry, Damiani, Cicilline and Polisena present (01-S 325) An Act relating to education - compulsory attendance.

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

Senators Cicilline, Gallo, Paiva Weed, Roberts and Gibbs present (01-S 326) An Act relating to education - residence of children for school purposes.

Read and referred to the Committee on Finance.

Senators Blais, Breene and Raptakis present (01-S 327) An Act relating to the regulation of earth removal and gravel processing in the town of Coventry.

Read and referred to the Committee on Corporations.

Senators Montalbano, Graziano, Ruggerio, DaPonte and Celona present (01-S 328) An Act relating to traffic tribunal.

Read and referred to the Committee on Judiciary.

Senators Perry, Parella, Cicilline, Walton, Paiva Weed and others present (01-S 329) An Act relating to incompetency to stand trial and persons adjudged not guilty by reason of insanity.

Read and referred to the Committee on Judiciary.

Senators Walsh, Walton and Paiva Weed present (01-S 330) An Act relating to domestic relations - passive voluntary adoption mutual consent registry act.

Read and referred to the Committee on Judiciary.

Senators Coderre, Gallo, Walsh, Lenihan and Parella present (01-S 331) An Act relating to education - Rhode Island Certification Standards Board.

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

Senator Blais presents (01-S 332) An Act relating to food and drugs - uniform controlled substances act.

Read and referred to the Committee on Corporations.

Senator McBurney presents (01-S 333) An Act relating to textbooks.

Read and referred to the Committee on Finance.

Senators Celona, Montalbano and Graziano present (01-S 334) An Act relating to the superfund pollution tax relief.

Read and referred to the Committee on Finance.

Senators Montalbano, Graziano, Ruggerio, DaPonte and Celona present (01-S 335) An Act relating to small claims and consumer claims.

Read and referred to the Committee on Judiciary.

Senators Montalbano, Lenihan, Graziano, DaPonte and Celona present (01-S 336) An Act relating to domestic relations - adoption of children.

Read and referred to the Committee on Judiciary.

Senators Perry, Cicilline, Walton, Graziano, Walsh and others present (01-S 337) An Act relating to criminals - correctional institution -medical parole.

Read and referred to the Committee on Judiciary.

Senators Celona, Polisena, Montalbano and Graziano present (01-S 338) An Act relating to health and safety - thermal imaging devices.

Read and referred to the Committee on Finance.

Senators Celona, Polisena, Montalbano and Graziano present (01-S 339) An Act relating to health and safety.

Read and referred to the Committee on Corporations.

Senators Perry, Felag, Kells, Cicilline, Walton and others present (01-S 340) An Act relating to creation of the community and neighborhood partnership tax credit.

Read and referred to the Committee on Finance.

Senators Irons, Revens, Badeau, Celona, Caprio, Coderre and others present (01-S 341) An Act relating to taxation.

Read and referred to the Committee on Finance.

Senators Walton, Paiva Weed, Ruggerio, Kells, Cicilline and others present (01-S 342) An Act relating to criminal procedure- indictments, informations and complaints.

Read and referred to the Committee on Judiciary.

Senators Walton, Kells, Felag, DaPonte, Paiva Weed and others present (01-S 343) An Act relating to labor and labor relations- minimum wages.

Read and referred to the Committee on Labor.

Senator Roney presents (01-S 344) An Act relating to duties of utilities and carriers.

Read and referred to the Committee on Corporations.

Senator Roney presents (01-S 345) An Act relating to incompetency to stand trial and persons adjudged not guilty by reason of insanity.

Read and referred to the Committee on Judiciary.

Senator Roney presents (01-S 346) An Act relating to alcoholic beverages - retail licenses - Class N nightclub licenses.

Read and referred to the Committee on Special Legislation.

Senator Coderre presents (by request) (01-S 347) An Act relating to elective meetings.

Read and referred to the Committee on Judiciary.

Senator Coderre presents (01-S 348) An Act relating to the licensing of health care facilities.

Read and referred to the Committee on Corporations.

Senator Coderre presents (by request) (01-S 349) An Act relating to public officers and employees - insurance benefits.

Read and referred to the Committee on Finance.

Senators Coderre and Goodwin present (01-S 350) An Act relating to the regulation of water carriers.

Read and referred to the Committee on Corporations.

Senators Coderre and Goodwin present (01-S 351) An Act relating to waters and navigation - regulation of boats.

Read and referred to the Committee on Corporations.

Senators Coderre, DaPonte and Goodwin present (01-S 352) An Act relating to the Board of Governors for Higher Education- Miss Rhode Island Scholarship.

Read and referred to the Committee on Finance.

Senator Coderre presents (01-S 353) An Act relating to public officers and employees insurance benefits.

Read and referred to the Committee on Finance.

Senators Coderre, Garabedian, DaPonte and Goodwin present (01-S 354) An Act relating to the Department of Business Regulation- consumer affairs.

Read and referred to the Committee on Corporations.

Senators Coderre, Caprio, DaPonte and Goodwin present (01-S 355) An Act relating to public utilities and carriers - regulatory powers of administration.

Read and referred to the Committee on Corporations.

Senators Coderre and Fogarty present (01-S 356) Senate Resolution respectfully directing all state departments that fund long-term care services to provide appropriate cost of living adjustments.

Read and referred to the Committee on Finance.

Senators Coderre and DaPonte present (01-S 357) An Act relating to correctional institutions -parole.

Read and referred to the Committee on Judiciary.

Senator Coderre presents (01-S 358) An Act relating to education.

Read and referred to the Committee on Finance.

Senators Coderre, Goodwin and Irons present (01-S 359) An Act relating to elections.

Read and referred to the Committee on Judiciary.

Senator Coderre presents (01-S 360) Senate Resolution relating to food, drugs and cosmetics act.

Read and referred to the Committee on Corporations.

CALENDAR

In order for the day is taken up as follows:

1. (99-S107) An Act relating to the Rhode Island Resource Recovery Corporation.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Wednesday, February 14, 2001.

2. (99-S152) An Act relating to the Charlestown Fire District.

Committee on Corporations recommends passage.

Senator Walsh moves passage, seconded by Senators Sosnowski and Enos.

The act is read and passed, by unanimous consent, 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, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McDonald, Montalbano Paiva Weed, Perry, Polisena, Raptakis, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

ANNIVERSARY WISHES

Senator Enos extends best wishes to Senator Felag and his wife Elaine on the very special occasion of their 20th Wedding Anniversary.

The entire Senate joins in extending best wishes to the couple.

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.

ANNOUNCEMENT

Senator Montalbano announces that the Committee on Judiciary will meet on Tuesday, February 13, 2001, at the rise of the Senate in Room 313 of the State House.

ADJOURNMENT

Upon motion of Senate Majority Leader Irons, seconded by Senator Algieri, the Senate adjourns at 4:08 o'clock P.M.

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Appendix

INVOCATION

SENATOR WILLIAM ENOS

Heavenly Father, we thank you today for life and health, and for love and friendship. May we use these gifts from You for our benefit and for the benefit of all the people with whom we come in contact. Amen.

Appendix

CALENDAR

In order for Tuesday, February 13, 2001:

- 1. (01-S 110) An Act relating to uniform premarital agreement act.

Committee on Judiciary recommends passage.

Appendix

CALENDAR

In order for Wednesday, February 14, 2001:

- 1. (01-S 107) An Act relating to the Rhode Island Resource Recovery Corporation.

Committee on Corporations recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Thursday, February 8, 2001

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

Thank you for stopping by!

