

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. 20 Tuesday, February 27, 2001 Twentieth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, Jr., President Pro Tempore, at 4:01 o'clock P.M.

The roll is called and a quorum is declared present with 46 Senators present and 4 Senators absent as follows:

PRESENT - 46; Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Sheehan, Tassoni, Walaska, Walsh, Walton.

ABSENT - 4; Senators Alves, Coderre, Ruggerio, Sosnowski.

INVOCATION

The Honorable President Pro Tempore, by unanimous consent, presents Senator Paiva Weed, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President Pro Tempore, by unanimous consent, presents Senator Paiva Weed, to lead the Senate in the pledge of allegiance to the flag.

COMMUNICATION

The Honorable President Pro Tempore, presents the following communications:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE LIEUTENANT GOVERNOR

February 27, 2001

The Honorable John C. Revens, Jr. Senate President Pro Tempore
317 State House

Providence, Rhode Island 02903

VIA Hand Delivery

Dear Senator Revens;

This is to inform you that I will be unable to attend the Senate Session today, Tuesday, February 27, 2001. I am on Jury Duty.

I request that this letter be printed in the Journal of the Senate.

Sincerely,

CHARLES J. FOGARTY
Lieutenant Governor

Received and ordered to be placed on file.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

February 27, 2001

His Honor, Charles J. Fogarty Lieutenant Governor
Room 116, State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be informed that I will be out of State and will not be in attendance for the following session days; Tuesday, February 27, Wednesday, February 28 and Thursday, March 1. I would greatly appreciate your submitting this into the record.

Thank you for your cooperation in this matter.

Sincerely,

DOMINICK J. RUGGERIO
Senator, District 4

Received and ordered to be placed on file.

EFFECTIVE WITHOUT
THE SIGNATURE OF THE GOVERNOR

The Honorable President Pro Tempore presents an announcement of the receipt by the Secretary of State of the following measures which became effective without the signature of His Excellency, the Governor on February 16, 2001:

(01-S 16) An Act reinstating and restoring forfeited or revoked corporate charters.

(01-S 52) An Act reinstating and restoring forfeited or revoked corporate charters.

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

EDWARD S. INMAN, III
Secretary of State

Received and ordered to be placed on file.

Also:

The Honorable President Pro Tempore 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 22, 2001:

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

EDWARD S. INMAN, III
Secretary of State

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 2, 2001

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;

Dr. John B. Susa of Warwick for a term expiring July 1, 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 2, 2001

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;

Jean Stover of Bristol

for a term expiring July 1, 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 2, 2001

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 16-61-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Public Telecommunications Authority;

Michael Isaacs of East Greenwich
VICE
Dale D. Huff
(resigned)

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.

NEW BUSINESS

Senators Kells, Raptakis, Walton, Cicilline, Igliozi and others present (01-S 810) Senate Resolution commemorating the 157th Anniversary of Dominican Republic Independence on February 27, 2001.

Senator Kells requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Kells, 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 Senate Majority Leader Irons, seconded by Senator Algieri, the following measures and appointments on today's Consent Calendar, by unanimous consent, are read and passed upon a voice vote:

1. Reappointment of Angela V. Lovegrove of Rumford (Representative of Fair Housing) to the Rhode Island Housing Resources Act for a term expiring January 31, 2004.

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

2. Reappointment of Anna F. Prager of Wakefield to the Rhode Island Public Transit Authority for a term expiring April 1, 2003.

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

3. Reappointment of Christian L. Stephens of Woonsocket (Non-Profit Development Corporation) to the Rhode Island Housing Resources Act for a term expiring January 31, 2004.

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

4. Reappointment of Donald Deignan, Ph.D of Providence (Represents Blind and Physically Handicapped Persons) to the Library Board of Rhode Island for a term expiring December 31, 2003.

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

5. Appointment of Mark McKenney of Providence (Public Member) to the Library Board of Rhode Island for a term

expiring December 31, 2003.

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

6. Reappointment of Dr. Jeremy S. Collie of Narragansett to the Marine Fisheries Council for a term expiring April 1, 2004.

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

7. Appointment of Michael A. Watson of Cranston VICE Deborah Bodington Sullivan (resigned) to the Rhode Island State Council on the Arts for a term expiring March 1, 2002.

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

8. Reappointment of Pamela Pogue of East Greenwich (Public Member) to the Coastal Resources Management Council for a term expiring January 31, 2003.

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

9. Reappointment of Wayne Salisbury of North Scituate (Elected City or Town Official) to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2003.

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

10. Reappointment of the Honorable Francis X. Flaherty of Warwick to the Board of Governors for Higher Education for a term expiring January 31, 2004.

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

11. (99-S683) An Act reinstating and restoring forfeited or revoked corporate charters.

Ordered to be placed on the Calendar.

CALENDAR

In order for the day is taken up as follows;

1. (99-S119) (Substitute "A" as amended) An Act relating to waters and navigation - regulation of boats.

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

Senator Damiani moves passage, seconded by Senators Walton, Parella, Celona, Blais, Roney and others.

Senator Damiani, seconded by Senators Celona, Blais, Roney, Breene and others, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(01-S 119) (Substitute "A" as amended)

Mr. President:

I hereby move to amend (01-S 119) (Substitute "A" as amended) entitled "AN ACT RELATING TO WATER AND NAVIGATION REGULATION OF BOATS", as follows:

On page 1, lines 10 and 11, delete the words "five (5) years and a fine not to exceed five thousand (\$5,000)" and insert in lieu thereof the words "one (1) year and a fine not to exceed one thousand dollars (\$1,000)".

Respectfully submitted,

MICHAEL J. DAMIANI
Senator, District 43

The motion to amend prevails upon a voice vote.

Upon motion of Senator Damiani, seconded by Senators Celona, Parella, Walton and others, 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 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 40; Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Raptakis, Roney, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

2. (01-H5061) An Act relating to the establishment of regional school districts - Chariho.

Committee on Corporations recommends passage in concurrence.

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

The act is read and passed in concurrence, by unanimous consent, upon a roll call vote with 41 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 41; Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Raptakis, Roney, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

ANNOUNCEMENTS

Senator Damiani announces that the Committee on Corporations will meet today at the rise of the Senate in Room 212 of the State House.

Also:

Senator Montalbano 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 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 Irons, seconded by Senator Algieri, and upon suggestion of Senator Tassoni, the Senate adjourns at 4:17 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Walter Sears of Smithfield, an outstanding and well-respected member of his community. He will be greatly missed.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR M. TERESA PAIVA WEED

As we reconvene in this Senate Chamber, let us once again contemplate our reasons for being here. Let us also ask of our Creator, that he bestow special blessings today on us all and properly guide us in serving the people of our State. Amen.

Appendix

CALENDAR

In order for Wednesday, February 28, 2001:

- 1. Appointment of Stephen J. Capineri of East Providence VICE Associate Justice Peter Palombo, Jr. as Associate Justice of the Rhode Island Family Court.

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Tuesday, February 27, 2001

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

Thank you for stopping by!

