

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. 24 Wednesday, March 7, 2001 Twenty-fourth 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 45 Senators present and 5 Senators absent as follows;

PRESENT - 46: 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, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

ABSENT - 6: Senators Issa, Montalbano, Roney, Ruggerio, Walton.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, March 6, 2001 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators DaPonte, Alves and Senate Majority Leader Irons, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber the Honorable Dr. Antonio Costa, Mayor, Ribeira Grande, San Miguel, Azores.

Also:

Upon suggestion of Senator Walaska, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber, from the DuPont Performance Coatings, Edward J. Donnelly, Vice President and General Manager, Richard S. Goehringer, Sales Manager, and Michael Harty, Marketing Sales Manager.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

March 6, 2001

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

Dear Lieutenant Governor Fogarty;

Please be advised that I will be absent from the Senate Legislative Session on March 8th, because I will be out of town on business at a conference with the Board of Regents.

I would appreciate your recording my letter in the appropriate section of the Senate Journal. Thank you for your immediate attention to this matter.

Sincerely,

HANNA M. GALLO
Senator, District 12

Received and ordered to be placed on tile.

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 14, 2001

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 42-55-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Housing and Mortgage Finance Corporation:

Denise A. Barge of Cranston
VICE
Henry V. Johnson, Jr.

for a term to expire 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

March 6, 2001

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 39-1-4 of the Rhode Island General Laws, I have made the following reappointment as Chairman of the Public Utilities Commission:

Elia Germani of Warwick for a term expiring March 1, 2007.
To this reappointment, I 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 14, 2001

To the Honorable, the Senate;

I have the honor to inform you that in accordance with the provisions of Section 42-128-6 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Housing Resources Act:

John Leyden of Cranston
(Local Building Official)
VICE
Robert Benoit

for a term expiring January 31, 2003.

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

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES
TRANSFER OF BILLS

Senator Caprio, from the Committee on Finance, in accordance with Senate Rule 6.14, moves to transfer the following bills from the Committee on Finance to the Committee on Corporations:

(01-S 63) An Act relating to state purchases.

Read and referred to the Committee on Corporations.

(01-S 199) An Act relating to taxation.

Read and referred to the Committee on Corporations.

(01-S 278) An Act relating to uniform relocation payments.

Read and referred to the Committee on Corporations.

(01-S 459) An Act relating to taxation - levy and assessment of local taxes.

Read and referred to the Committee on Corporations.

(01-S 520) An Act relating to health care.

Read and referred to the Committee on Corporations.

(01-S 641) An Act relating to financial institutions.

Read and referred to the Committee on Corporations.

Senator Caprio, from the Committee on Finance, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Finance to the Committee on Health, Education and Welfare:

(01-S 616) An Act relating to taxation -cigarette tax.

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

Senator Caprio, from the Committee on Finance, in accordance with Senate Rule 6.14, moves to transfer the following bills from the Committee on Finance to the Committee on Judiciary:

(01-S 255) An Act relating to health and safety - mosquito abatement.

Read and referred to the Committee on Judiciary.

(01-S 304) An Act relating to tax sales.

Read and referred to the Committee on Judiciary.

(01-S 320) An Act relating to domestic relations - adoption of children.

Read and referred to the Committee on Judiciary.

(01-S 376) An Act relating to criminal offenses -children.

Read and referred to the Committee on Judiciary.

(01-S 604) An Act relating to waters and navigation - Rhode Island clean water finance agency.

Read and referred to the Committee on Judiciary.

Senator Caprio, from the Committee on Finance, in accordance with Senate Rule 6.14, moves to transfer the following bills from the Committee on Finance to the Committee on Labor:

(01-S 171) An Act relating to wage discrimination based on sex.

Read and referred to the Committee on Labor.

(01-S 241) An Act relating to military affairs and defense organization and command of military forces.

Read and referred to the Committee on Labor.

(01-S 367) An Act relating to public officers and employees- merit system.

Read and referred to the Committee on Labor.

(01-S 682) An Act relating to state contractors with private employers providing service personnel.

Read and referred to the Committee on Labor.

NEW BUSINESS

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

Senators Izzo, Roberts, Blais, Cicilline, Perry and others present (01-S 831) Joint Resolution requesting the Department of Human Services to conduct a feasibility study on a Medicaid waiver for a prescription drug discount program.

Read and referred to the Committee on Finance.

Senators Perry, Roberts, Graziano, Fogarty and Gallo present (by request of the Lieutenant Governor) (01-S 832) An Act relating to insurance coverage for serious mental illness.

Read and referred to the Committee on Corporations.

Senators Raptakis, Irons, Garabedian, McBurney, Cicilline and others present (01-S 833) Senate Resolution celebrating March 25, 2001 as the 180th Anniversary of Greek Independence Day.

Senator Raptakis requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Hells, Damiani, Fogarty and Iglioizzi present (01-S 834) Senate Resolution congratulating Captain Dennis Gerard Gerstmeyer on his retirement after more than 28 years of outstanding service to the Providence Police Department.

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.

Senators Kells, Perry, Paiva Weed and McDonald present (by request of the Lieutenant Governor) (01-S 835) An Act relating to weapons - pistol ballistic identification databank.

Read and referred to the Committee on Judiciary.

Senators Roberts, Iglioizzi, Izzo, Garabedian and Gallo present (01-S 836) An Act relating to towns and cities - establishing a commercial incentive zone at the former Narragansett Brewery Site.

Read and referred to the Committee on Corporations.

Senator Algieri presents (01-S 837) An Act relating to the joint municipal planning commission.

Read and referred to the Committee on Corporations.

Senators Iglioizzi, Tassoni, Badeau and Enos present (01-S 838) An Act relating to taxation -property subject to taxation.

Read and referred to the Committee on Corporations.

Senator Algiere presents (01-S 839) An Act relating to incorporation of the Dunns Corners fire district.

Read and referred to the Committee on Corporations.

Senators Montalbano, Graziano, Kells and Damiani present (01-S 840) An Act relating to parole.

Read and referred to the Committee on Judiciary.

CALENDAR

In order for the day is taken up as follows:

1. (99-S478 as amended) An Act relating to insurance - workers' compensation insurance.

Committee on Labor recommends passage as amended.

Senator Badeau moves passage, seconded by Senate Majority Leader Irons, Senator Hunter and others.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46: Senators Algiere, 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, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS -0.

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet on Thursday, March 8,2001, at 3:00 o'clock P.M. in Room 211 of the State House.

Also:

Senator Graziano announces that the Committee on Health, Education and Welfare will meet today 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 Algiere, the Senate adjourns at 4:06 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR THOMAS J. IZZO

Almighty God, bless those who serve in this Senate. Inspire us with your truth, surround us with your love, and fill us with your grace.Amen.

Appendix

CALENDAR

In order for Thursday, March 8, 2001:

1. (01-S 400) An Act relating to towns and cities.

Committee on Corporations recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Wednesday, March 7, 2001

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

Thank you for stopping by!

