

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. 25 Thursday, March 8, 2001 Twenty-fifth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, Jr., President Pro Tempore, at 4:05 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, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

ABSENT - 5: Senators Gallo, Issa, Kelly, Montalbano, Walaska.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senators Alves and Blais, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber 2001 Friendly Sons of St. Patrick Miss Ireland Caitlin Roberti, her mother Maureen Roberti and parade chairman Michael O'Connell.

Also:

Upon suggestion of Senator Polisen, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Nick Oliver, Director of Advocacy, American Heart Association.

Also:

Upon suggestion of Senator Tassoni, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Thomas Badoud, who is a student at Pennsylvania State University.

COMMUNICATION

The Honorable President Pro Tempore, presents the following communications:

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

Charles J. Fogarty
Lieutenant Governor

The Honorable John C. Revens, Jr. Senate President Pro Tempore
317 State House
Providence, Rhode Island 02903

VIA Hand Delivery

Dear Senator Revens:

Senate Session today, Thursday, March 8, 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
GENERAL ASSEMBLY**

March 8, 2001

Lieutenant Governor Charles Fogarty
Room 116, State House
Providence, RI 02903

Dear Lt. Governor Fogarty:

Please be advised that I will not be attending the Senate Session on Thursday, March 8, 2001 due to an Educational conflict.

Sincerely,

PAUL S. KELLY
Senator, District 30

Received and ordered to be placed on file.

FROM THE

HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage:

(01-H 6157) An Act to vacate the forfeiture or revocation of the charter of Furniture Express, Inc. March 8, 2001

Read and ordered to be placed on the Consent

This is to inform you that I will be unable to attend the Calendar.

Also:

(01-H 6178) Joint Resolution memorializing the President and Congress to take whatever action necessary to obtain the release of Americans being held against their will in North Korea, China, Russia and Vietnam.

Read and referred to the Committee on Special Legislation.

Also:

(01-H 6179) Joint Resolution making an appropriation of \$731.31 to pay the claim of Amica Mutual Insurance Company, P.O. Box 6008, Providence, Rhode Island 02940 as subrogee of Lucille N. Creamer of 9 Country Meadow Drive, Cranston, Rhode Island 02921.

Read and referred to the Committee on Finance.

Also:

(01-H 6180) An Act relating to land trust for the town of Richmond.

Read and referred to the Committee on Corporations.

REPORTS OF COMMITTEES TRANSFER OF BILLS

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

(01-S 551) An Act relating to state affairs and government- central landfill oversight council.

Read and referred to the Committee on Finance.

Senator McCaffrey, 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:

(01-S 243) An Act relating to lending institutions.

Read and referred to the Committee on Corporations.

NEW BUSINESS

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

Senators Coderre, Connors and Caprio present (01-S 841) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and ordered to be placed on the Consent Calendar.

Senators Coderre, Connors and Caprio present (01-S 842) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and ordered to be placed on the Consent Calendar.

Senators Graziano, Izzo, Roberts, Walsh and Blais present (01-S 843) Joint Resolution requesting the Director of the Department of Human Services to conduct a feasibility study of adding smoking cessation therapy as a Medicaid benefit.

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

Senators Garabedian, Graziano, Raptakis and Tassoni present (01-S 844) An Act relating to health and safety - nursing home inspections.

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

Senators Ruggerio, Alves, DaPonte, Goodwin and Coderre present (01-S 845) An Act relating to businesses and professions - the healing act of acupuncture.

Read and referred to the Committee on Corporations.

Senators Garabedian, Roberts and Cote present (01-S 846) An Act relating to taxation - business corporation tax.

Read and referred to the Committee on Finance.

Senator Garabedian presents (01-S 847) An Act relating to elections mail ballots.

Read and referred to the Committee on Judiciary.

Senator Gibbs presents (01-S 848) An Act relating to mobile and manufactured homes -evictions.

Read and referred to the Committee on Judiciary.

Senators Bates, DaPonte, Sosnowski, Felag and Damiani present (01-S 849) An Act relating to children with disabilities.

Read and referred to the Committee on Finance.

Senate Majority Leader Irons presents (01-S 850) Senate Resolution expressing condolences on the passing of retired Colonel Milton E. Irons.

Senate Majority Leader Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

CALENDAR

In order for the day is taken up as follows:

1. (99-S400) An Act relating to towns and cities.

Committee on Corporations recommends passage.

Senator Breene moves passage, seconded by Senators Lenihan and Blais.

The act is read and passed, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 44; Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Izzo, Kells, Lenihan, McCaffrey, McDonald, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

NAYS -0.

ANNOUNCEMENTS

Senator Damiani announces that the Committee on Corporations will meet on Tuesday, March 13, 2001, at the rise of the Senate in Room 212 of the State House.

Also:

Senator Felag announces that the Committee on Finance will meet today at the rise of the Senate in Room 211 of the State House.

Also:

Senator McCaffrey 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 Senate Majority Leader Irons, seconded by Senator Algieri, the Senate adjourns at 4:15 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR ROBERT T. KELLS

Dear God, we thank Thee for the gift of this new day with its opportunities for growth in nobility of character and in service to others. Amen.

Appendix

CONSENT CALENDAR

In order for Tuesday, March 13, 2001:

1. (01-S 841) An Act reinstating and restoring forfeited or revoked corporate charters.

Ordered on the Consent Calendar.

2. (99-S842) An Act reinstating and restoring forfeited or revoked corporate charters.

Ordered on the Consent Calendar.

3. (01-H6157) An Act to vacate the forfeiture or revocation of the charter of Furniture Express, Inc.

Ordered on the Consent Calendar.

RAYMOND T. HOYAS, JR.

Secretary of the Senate Thursday, March 8, 2001

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

Thank you for stopping by!

