

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. 41                      Wednesday, April 25, 2001                      Forty-first 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 49 Senators present and 1 Senator absent as follows:

PRESENT - 49: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, 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, Polisen, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - I: Senator Connors.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, April 24, 2001 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Bates, Parella, Walsh, Blais, Gallo, Garabedian, Izzo, Roberts, Badeau, Connors, Lenihan, Damiani, DaPonte, Breene, Hunter, Gibbs, McDonald, Sheehan, Coderre, Caprio, Goodwin, Graziano, Igliazzi, Kells,

Perry, Roney, Walton, Tassoni, Sosnowski, Enos, Donelan, McCaffrey, Walaska and Breene, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Shannon Marie Clarkin, Barrington High School, Hilary Gayle Estepa, Barrington High School, Margaret Marie Lero, St. Mary's Academy, George Dennette Schultz, The Prout School, Jose Luis Villamil, Coventry High School, Gailina Lisovskaya, Cranston West High School, Michelle A. Tiu, Cranston West High School, John F. Faltus, Bishop Hendricken High School, Rebecca A-Yee Fong, Cranston West High School, Christopher J. Gruttadauria, Cranston West High School, Katie Lynn Marsella, Cranston East High School, Anne L. Pedro, Cumberland High School, Jennifer Fonseca, Cumberland High School, Jennifer Lynn Almeida, East Greenwich High School, Brad Michael Campbell, East Greenwich High School, Lauren Lee Ciccone, East Greenwich High School, Catherine N. Coscina, East Greenwich High School, Rochelle Lily Cotton, East Greenwich High School, Jessica T. George, Exeter/West Greenwich High School, Caitlin Rose Greeley, East Greenwich High School, Melissa Anne Howe, East Greenwich High School, Timothy Joseph Howe, East Greenwich High School, Brigitte A. Joy, East Greenwich High School, Jeffrey S. Kingman, East Greenwich High School, Sara Elizabeth Rose Lonardo, East Greenwich High School, Joseph W. Malo, Bishop Hendricken High School, Laura Sinisterra, Tollgate High School, Megan Elizabeth Winters, East Greenwich High School, Katie Ann Saraiva, East Providence High School, Courtney Marie Lacerda, East Providence High School, Barry Wayne Morang, Jr., East Providence High School, Rachel Grenier, Exeter/West Greenwich High School, Kimberly Annon, Lincoln High School, Adam W. Deitch, Lincoln High School, Thomas William Flynn, Ocean Tides High School, Kerri Lynn Giorgio, Exeter/West Greenwich High School, Rachael Lynn Markovitz, Narragansett High School, Andrea Poisson, Narragansett High School, Kerrie Jean Morrison, St. Mary Academy Bay View, Jennifer A. Fitzgerald, St. Raphael Academy, Emily Luna, Feinstein High School, Nichole Shannon Daigle, Feinstein High School, Richelle Ann Francis, Feinstein High School, Gina Marie Vessella, St. Mary's Academy, Gladys Reyes, Feinstein High School, Charlotte Marie Sherman, Textron Chamber High School, RuthCelia Luna Rosario, Feinstein High School, Patricia Isabel Rodriguez, Feinstein High School, Raydeana Carmen Watts, Feinstein High School, Melissa Lee Sousa, Feinstein High School, Gladys P. Cooper, Feinstein High School, Lucrecia A. Lopez, Feinstein High School, Jessica Olivo, Feinstein High School, Dana A. Wright, Feinstein High School, Jessica A. Keetz, Smithfield High School, Janelle Marie Geaber, South Kingstown High School, Megan R. Ponte, South Kingstown High School, William Raymond Bishop, Tiverton High School, Jennifer Lin Lavoie, Tiverton High School, James Carlton Poirier, Tiverton High School, Mary Kathryn Regan, Tiverton High School, Linda Resendes, Tiverton High School, Sara Beth Willet, Tiverton High School, Stephanie A. Sturdahl, Pilgrim High School, Charles Densmore, Pilgrim High School, Jennifer Ann Milner, Warwick Veterans Memorial High School, Nicole Lynn Santagata, Warwick Veterans Memorial High School, Brian Michael Baccari, Bishop Hendricken High School, Kimberly Rose Foley, Warwick Veterans Memorial High School, Jeffrey E. Pella, Bishop Hendricken High School, Holly Jean Tift, Exeter/West Greenwich High School, along with many family members and friends.

Also:

Upon suggestion of Senator Damiani, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Daniel Morrison, retired Lieutenant of the Rhode Island State Police.

Also:

Upon suggestion of Senator Celona, Senate Majority Leader Irons, Senators McBurney, DaPonte and Cicilline, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber James Merola, La Salle Academy Hockey Team Goaltender named Rhode Island Most Valuable Player.

Also:

Upon suggestion of Senator Izzo, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dr. Frank Chaloupka, Professor of Economics at University of Illinois at Chicago and Dr. Jonathan Geuber, Professor of Economics at M.I.T.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
SENATE CHAMBER

April 18, 2001

His Honor, Charles J. Fogarty Lieutenant Governor  
State of Rhode Island  
116 State House  
Providence, RI 02903

Dear Governor Fogarty:

Please be advised that I will be in Maryland on April 23 and April 24, 2001, attending a forensic services training workshop in my capacity as Chair of the Special Legislative Commission to Study Services to Persons with Mental Illness in the Criminal Justice System. Consequently, I will not be present for the April 24, 2001, session of the General Assembly.

All good wishes,

J. CLEMENT CICILLINE  
Senator, District 60

Received and ordered to be placed on file.

**REPORT**

His Honor, the Lieutenant Governor, presents the following:

Annual Report from the Housing Resources Commission.

Read and ordered to be placed on file.

**EFFECTIVE WITHOUT  
THE SIGNATURE OF THE GOVERNOR**

His Honor, the Lieutenant Governor, 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 April 20, 2001:

(01-S 815) (Substitute "A") An Act authorizing the Chariho Regional School District to issue not to exceed in the aggregate \$55,160,000 general obligation bonds and/or notes to finance the construction or renovations (as set forth below) and the improvement, alteration, repair, furnishing and equipping of the following schools and school facilities in the Regional School District: (I) not to exceed \$40,500,000 to finance the construction of a new high school, (II) not to exceed \$4,360,000 to finance the renovation of a portion of the existing high school to convert the high school into an elementary school, (III) not to exceed \$2,500,000 to finance additions to and renovations of the Ashaway School, (IV) not to exceed \$2,800,000 to finance additions to and renovations of the Hope Valley School, (V) not to exceed \$2,900,000 to finance the renovation of the Charlestown School, (VI) not to exceed \$2,100,000 to finance the renovation of the Richmond School and repealing section 13(1) of the regional school district's enabling legislation, which assures certain students matriculation in certain elementary schools in the Regional School District.

(01-S 478) (Substitute "A") An Act relating to insurance - workers' compensation insurance.

EDWARD S. INMAN, III  
Secretary of State

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 5042 as amended) An Act relating to domestic relations child custody.

Read and referred to the Committee on Judiciary.

Also:

(01-H 5131) (Substitute "A" as amended) An Act relating to health and safety safe haven for infants act.

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

Also:

(01-H 5191) An Act relating to real estate probate practice and procedure.

Read and referred to the Committee on Judiciary.

Also: (01-H 5313) (Substitute "A" as amended) An Act relating to criminal procedure - DNA records.

Read and referred to the Committee on Judiciary.

Also:

(01-H 5332 as amended) An Act relating to domestic relations- child support lien act.

Read and referred to the Committee on Judiciary.

Also:

(01-H 5434) An Act relating to courts and civil procedure- procedure generally - causes of action.

Read and referred to the Committee on Judiciary.

Also:

(01-H 5613 as amended) An Act relating to adoption of children.

Read and referred to the Committee on Judiciary.

Also:

(01-H 5952) (Substitute "A") An Act relating to criminal offenses- children.

Read and referred to the Committee on Judiciary.

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON FINANCE**

Senator Caprio, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

(01-S 214) An Act relating to teachers' and public officers' and employees' retirement and municipal employees.

Read and ordered to be placed on the Calendar.

(01-S 284) An Act relating to participation by Tiverton School Department employees in the Municipal Employees Retirement System.

Read and ordered to be placed on the Calendar.

(01-S 603) Senate Resolution creating a special Senate commission to study the need for a tax policy within the Division of Taxation or the General Assembly.

Read and ordered to be placed on the Consent Calendar.

(01-S 764) An Act relating to state affairs and government.

Read and ordered to be placed on the Calendar.

(01-S 797) An Act relating to corporations, associations and partnerships.

Read and ordered to be placed on the Calendar.

### **COMMITTEE ON SPECIAL LEGISLATION**

Senator Goodwin, from the Committee on Special Legislation, reports back, with recommendation of passage of the following measures:

(01-S 883) Senate Resolution respectfully requesting the Director of the Department of Administration initiate a policy that all paper used in the Rhode Island State House be recycled.

Read and ordered to be placed on the Consent Calendar.

(01-S 162) An Act relating to police officers commission on standards and training.

Read and ordered to be placed on the Calendar.

(01-S 239) An Act relating to animals and husbandry.

Read and ordered to be placed on the Calendar.

(01-S 346) (Substitute "A") An Act relating to alcoholic beverages- retail licenses - Class N nightclub licenses.

Read and ordered to be placed on the Calendar.

(01-S 542) An Act relating to motor vehicles.

Read and ordered to be placed on the Calendar.

(01-S 694) An Act relating to state affairs and government- tourism and development.

Read and ordered to be placed on the Calendar.

(01-S 752) (Substitute "A") An Act relating to transportation of beverages.

Read and ordered to be placed on the Calendar.

(01-S 858) (Substitute "A") An Act relating to fish and wildlife- marine fisheries council.

Read and ordered to be placed on the Calendar.

## **NEW BUSINESS**

Senators Donelan, McCaffrey, Walaska and Revens present (01-S 920) Senate Resolution declaring May 3, 2001 as the opening of the 36th Annual Celebration of Gaspee Days.

Senator Donelan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Cicilline and Paiva Weed present (01-S 921) Senate Resolution congratulating Noreen Stonor Drexel for winning the 2001 Newport Daily News Community Service Award.

Senator Cicilline requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Cicilline and Paiva Weed present (01-S 922) Senate Resolution congratulating George Kingston for winning the 2001 Newport Daily News Community Service Award.

Senator Cicilline requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Cicilline, seconded by Senator Paiva Weed, 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 Algiere, and by unanimous consent, the following measurers on today's Consent Calendar, are read and passed, item number 3 in concurrence, upon a voice vote:

- 1. (01-S 843) Senate Resolution requesting the Director of the Department of Human Services to conduct a feasibility study of adding smoking cessation therapy as a Medicaid benefit.
- 2. (99-S887) Senate Resolution memorializing Congress to increase funding for special education to meet the federal commitment under the Individuals With Disabilities Education Act.
- 3. (01-H6333) An Act to vacate the forfeiture or revocation of the charter of Rhode Island Cheerleading Coaches Association, Inc.

**CALENDAR**

In order for the day is taken up as follows:

- 1. (99-S63) An Act relating to state purchases.

Committee on Corporations recommends passage.

Senator Coderre moves passage, seconded by Senator Celona.

The act is read and passed, by unanimous consent, upon a roll call vote with 43 Senators voting in the affirmative, 0 Senators voting in the negative and 1 Senator abstaining as follows:

**YEAS** - 43; Senators Algiers, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Walaska, Walsh, Walton.

**NAYS** -0.

**ABSTAINED** - 1; Senator Tassoni.

3.

(01-S 273 as amended) An Act relating to insurance.

Committee on Corporations recommends passage as amended.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Tuesday, May 1, 2001.

**2. (99-S217) An Act relating to commercial law - interest and usury.**

Committee on Corporations recommends passage.

Senator Blais moves passage, seconded by Senator Breene.

Senator Blais, seconded by Senator Breene, offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-S 217)**

Mr. President:

I hereby move to amend (01-S 217) by deleting all language on lines 8 through 10 inclusive on page 3 and by inserting the following language in place thereof:

"provided, that said commercial entity shall provide lender with a certificate stating that said commercial entity has first prepared prospective financial statements compiled by a certified public accountant licensed in the state of Rhode Island, indicating that cash flows will be adequate to service the debt."

Respectfully submitted,

LEO R. BLAIS  
Senator, District 21

The motion to amend prevails upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

**YEAS - 45;** Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, SosnowsKi, Tassoni, Walaska, Walsh, Walton.

**NAYS -0.**

Senators Blais, Paiva Weed, Lenihan, Roney and Iglioizzi discuss the act.

Upon suggestion of Senator Blais, and without objection, ordered to be placed on the Calendar for Tuesday, May 1, 2001.

**4. (99-S278) An Act relating to uniform relocation payments.**

Committee on Corporations recommends passage.

Senator Felag moves passage, seconded by Senator Celona.

The act is read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 6 Senators voting in the



negative as follows:

**YEAS** - 37: Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Goodwin, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, McCaffrey, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska, Walsh, Walton.

**NAYS** - 6: Senators Graziano, Lenihan, Paiva Weed, Roberts, Roney, Sheehan.

**5.** (01-S 332) An Act relating to food and drugs - uniform controlled substances act.

Committee on Corporations recommends passage.

Senator Blais moves passage, seconded by Senators Roberts, Breene and DaPonte.

The act is read and passed, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

**YEAS** - 46: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

**NAYS** -0.

**6.** (01-S 401) (Substitute "A") An Act relating to insurance- flexible rating for non-business automobile insurance policies.

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

Senator Bates moves passage, seconded by Senator Celona.

Senators Paiva Weed, Igliazzi and Sheehan discuss the act.

Senator Paiva Weed, seconded by Senator Cicilline, offers the following written motion to amend:

## **FLOOR AMENDMENT**

## **TO**

### **(01-S 401) (Substitute "A")**

Mr. President:

I hereby move to amend (01-S 401) (Substitute "A") entitled "AN ACT RELATING TO INSURANCE - FLEXIBLE RATING FOR NONBUSINESS AUTOMOBILE INSURANCE POLICIES", as follows:

On page 1, line 5 by deleting the word "seven" and inserting in place thereof the word "four".

On page 1, line 6 by deleting the figure "7%" and inserting in place thereof the figure "4%".

On page 1, line 10 by deleting the word "seven" and inserting in place thereof the word "four" and by deleting the figure "(7%)" and inserting in place thereof the figure (4%)

Respectfully submitted,

M. TERESA PAIVA WEED  
Senator, District 49

Senators Paiva Weed, Bates, Blais, Roney, Kells, Celona and Sheehan discuss the amendment.

The motion to amend fails upon a roll call vote with 17 Senators voting in the affirmative and 29 Senators voting in the negative as follows:

**YEAS - 17:** Senators Cicilline, Donelan, Enos, Felag, Fogarty, Izzo, Lenihan, McDonald, Paiva Weed, Parella, Perry, Roberts, Roney, Sheehan, Sosnowski, Walsh, Walton.

**NAYS - 29:** Senators Algiere, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, DaPonte, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglionzi, Irons, Issa, Kells, McBurney, Montalbano, Polisena, Raptakis, Revens, Ruggerio, Tassoni, Walaska.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 33 Senators voting in the affirmative and 14 Senators voting in the negative as follows:

**YEAS - 33:** Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, DaPonte, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Hunter, Irons, Issa, McBurney, McCaffrey, McDonald, Montalbano, Polisena, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**NAYS - 14:** Senators Cicilline, Enos, Felag, Garabedian, Iglionzi, Izzo, Kells, Lenihan, Paiva Weed, Parella, Perry, Raptakis, Walsh, Walton.

**7. (99-S402) (Substitute "A")** An Act relating to businesses and professions.

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

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Wednesday, May 2, 2001.

**8. (99-S407)** An Act relating to sewage charges.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Wednesday, May 2, 2001.

**9. (99-S434) (Substitute "A" as amended)** An Act relating to health and safety - safety and health programs for fire departments.

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

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Thursday, May 3, 2001.

**10. (99-S497) An Act relating to motor vehicles - regulation of business practices among motor vehicle dealers.**

Committee on Corporations recommends passage.

Senator Badeau moves passage, seconded by Senator Celona.

Senators Garabedian and Celona discuss the act.

The act is read and passed, 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 Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Felag, Fogarty Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

**NAYS -0.**

**11. (99-S554) (Substitute "A") An Act relating to insurance.**

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

Senator Cote moves passage, seconded by Senator Garabedian.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

**YEAS - 47:** Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

**NAYS -0.**

**12. (99-S585) (Substitute "A") An Act relating to the uniform commercial code.**

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

Senator Hunter moves passage, seconded by Senators Issa, Gallo, Celona and Tassoni.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

**YEAS - 48:** Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

**NAYS -0.**

**COMMUNICATION**

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
SENATE CHAMBER

**STATEMENT OF POTENTIAL CONFLICT**

To the Honorable Senate:

I, Leo R. Blais, under oath depose and say:

- 1. I am a duly elected member of the Rhode Island Senate.
- 2. This statement is made in accord with Rhode Island General Law section 36-14-6.
- 3. In my official capacity, I may be expected or required to vote or participate in the deliberations of bill (01-S 641) (Substitute "A"), now pending before the Senate or a committee thereof.
- 4. I request that I be excused from voting, deliberating or taking action on the matter.
- 5. I do not desire to vote or deliberate because I have a conflict of interest as follows.

I am an employee of The Coventry Credit Union.

- 6. This statement is true to the best of my knowledge.

LEO R. BLAIS  
Senator, District 21

Subscribed and sworn to before me this 26th day of April, 2001.

JEFFREY A. LANPHEAR  
Notary Public

Ordered to be placed on file.

**CALENDAR**

- 13. (99-S641) (Substitute "A") An Act relating to financial institutions.
- Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute "A".

Senator Revens moves passage, seconded by Senators Celona and Perry.

Senator Igliazzi discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 41 Senators voting in the affirmative, 0 Senators voting in the negative and 4 Senators abstaining as follows:

**YEAS** - 41: Senators Algiers, Alves, Badeau, Bates, Breene, Caprio, Celona, Cicilline, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Graziano, Hunter, Igliazzi, Irons, Izzo, Kells, Lenihan, McBurney, McDonald, Montalbano, Parella, Perry, Polisena, Raptakis, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walsh, Walton.

**NAYS** -0.

**ABSTAINED** - 4: Senator Blais, Issa, Paiva Weed, Walaska.

**14.** (99-S718 as amended) An Act relating to the Rhode Island Public Transit Authority.

Committee on Corporations recommends passage as amended.

Senator Walton moves passage, seconded by Senators Kells, Celona, McDonald and others.

Senators McDonald, Blais, Walton and Celona discuss the act.

The act is read and passed, as amended, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

**YEAS** - 46: Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

**NAYS** -0.

**15.** (01-S 805) (Substitute "A") An Act relating to businesses and professions - irrigation contractors.

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

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Wednesday, May 2, 2001.

**16.** (99-S881) An Act relating to public utilities and carriers- Public Utilities Commission.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Wednesday, May 2, 2001.

**17.** (99-S885) An Act relating to energy conservation.

Committee on Corporations recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Calendar for Wednesday, May 2, 2001.

## **ANNOUNCEMENT**

Senator Felag announces that the Committee on Finance 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 Algieri, and upon suggestion of Senator McBurney, the Senate adjourns at 5:02 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Stephen Morin of West Warwick, brother of Judge Bruce Morin and grandson of former Governor Robert Quinn.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

## **Appendix**

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## **INVOCATION**

**SENATOR JOHN A. CELONA**

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 best to assist them. Amen.

## **Appendix**

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## **CONSENT CALENDAR**

In order for Thursday, April 26, 2001:

**1.** (01-S 603) Senate Resolution creating a special Senate commission to study the need for a tax policy within the Division of Taxation or the General Assembly.

Committee on Finance recommends passage.

**2.** (01-S 883) Senate Resolution respectfully requesting the Director of the Department of Administration initiate a policy that all paper used in the Rhode Island State House be recycled.

Committee on Special Legislation recommends passage.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

Wednesday, April 25, 2001

**Appendix**

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**CALENDAR**

In order for Thursday, April 26, 2001:

**1.** (01-S 419) An Act relating to taxation -business corporation tax.

Committee on Finance recommends passage.

**2.** (99-S124 as amended) An Act relating to education - student identification numbers.

Committee on Health, Education and Welfare recommends passage as amended.

**3.** (99-S150) An Act relating to nurses.

Committee on Health, Education and Welfare recommends passage.

**4.** (99-S192) (Substitute "A") An Act relating to miscellaneous rules.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

**5.** (99-S465) (Substitute "A" as amended) An Act relating to health and safety.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended.

**6.** (99-S534) (Substitute "A") An Act relating to mental health, retardation and hospitals.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

**7. (99-S566) An Act relating to criminal offenses - children.**

Committee on Health, Education and Welfare recommends passage.

**8. (99-S657) An Act relating to health and safety licensing of health care facilities.**

Committee on Health, Education and Welfare recommends passage.

**9. (99-S664 as amended) An Act relating to health and safety- home care patient rights.**

Committee on Health, Education and Welfare recommends passage as amended.

**10. (99-S20) (Substitute "A" as amended) An Act relating to education - campus police and security.**

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

**11. (01-S 61) An Act relating to elections -registration of voters.**

Committee on Judiciary recommends passage.

**12. (99-S72) (Substitute "A") An Act relating to zoning ordinances.**

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A."

**13. (99-S100) (Substitute "A") An Act relating to waters and navigation - alcohol boating safety.**

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A."

**14. (99-S111) An Act relating to uniform commercial code- bulk transfers.**

Committee on Judiciary recommends passage.

**15. (99-S187) (Substitute "A") An Act relating to criminal procedure - DNA records.**

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A."

**16. (99-S201) An Act relating to probate practice.**

Committee on Judiciary recommends passage.

**17. (01-S 206) (Substitute "A") An Act creating a special Senate commission to study and report on the laws governing the appointment and tenure of judicial magistrates in the courts of this state and all matters relating thereto.**

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A."

**18. (99-S211) An Act relating to state affairs and government- Governor's Commission on Disabilities.**

Committee on Judiciary recommends passage.

**19. (99-S224 as amended) An Act relating to criminal offenses- weapons.**

Committee on Judiciary recommends passage as amended.



**20.** (99-S286) (Substitute "A") An Act relating to domestic relations - adoption of children.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**21.** (99-S298 as amended) An Act relating to taxation - tax sales.

Committee on Judiciary recommends passage as amended.

**22.** (99-S299) An Act relating to tax sales -notice.

Committee on Judiciary recommends passage.

**23.** (99-S301) (Substitute "A" as amended) An Act relating to state affairs and government -quasi-public corporations.

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

**24.** (99-S304) An Act relating to tax sales.

Committee on Judiciary recommends passage.

**25.** (99-S320) (Substitute "A") An Act relating to domestic relations - adoption of children.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**26.** (99-S324) (Substitute "A") An Act relating to motor and other vehicles - miscellaneous rules.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**27.** (99-S329) (Substitute "A") An Act relating to incompetency to stand trial and persons adjudged not guilty by reason of insanity.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**28.** (99-S376) An Act relating to criminal offenses - children.

Committee on Judiciary recommends passage.

**29.** (99-S382) An Act relating to comprehensive planning and land use.

Committee on Judiciary recommends passage.

**30.** (99-S391) An Act relating to the courts -traffic tribunal.

Committee on Judiciary recommends passage.

**31.** (01-2 393) An Act relating to elections -nomination of party and independent candidates.

Committee on Judiciary recommends passage.

**32.** (99-S398) (Substitute "A") An Act relating to property- mortgage foreclosure and sale.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**33.** (99-S430) (Substitute "A") An Act relating to motor and other vehicles - motor vehicle offenses.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**34.** (99-S510) An Act relating to powers of fiduciaries.

Committee on Judiciary recommends passage.

**35.** (99-S512) (Substitute "A") An Act relating to criminal offenses - theft of historic stone walls. Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**36.** (99-S569) (Substitute "A") An Act relating to elections - Rhode Island campaign contributions and expenditures reporting.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**37.** (99-S572) (Substitute "A") An Act relating to registration of voters.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**38.** (99-S573) (Substitute "A") An Act relating to criminal procedure - witness protection.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**39.** (01-S 618) An Act relating to election -expenditure reporting.

Committee on Judiciary recommends passage.

**40.** (99-S701) An Act relating to public officers and employees.

Committee on Judiciary recommends passage.

**41.** (99-S702) An Act relating to criminal procedure - victims' rights.

Committee on Judiciary recommends passage.

**42.** (01-S 727) (Substitute "A") An Act relating to insurance- structured settlement protection act.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**43.** (99-S767) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

**44.** (99-S768) An Act relating to the Rhode Island Police Accreditation Commission.

Committee on Judiciary recommends passage.

**45.** (99-S774) (Substitute "A") An Act relating to health and safety health care power of attorney.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A".

**46.** (99-S779) An Act relating to probate practice and procedures.

Committee on Judiciary recommends passage.

**47. (99-S780)** An Act relating to waters and navigation - regulation of boats.

Committee on Judiciary recommends passage.

**48. (99-S782)** An Act relating to probate practice and procedure- guardianship.

Committee on Judiciary recommends passage.

**49. (99-S827)** An Act relating to personal income taxation.

Committee on Judiciary recommends passage.

## **Appendix**

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CALENDAR In order for Tuesday, May 1, 2001:

**1. (99-S217 as amended)** An Act relating to commercial law- interest and usury. Ordered on the Calendar.

**2. (99-S273 as amended)** An Act relating to insurance.

Committee on Corporations recommends passage as amended.

**3. (99-S399) (Substitute "A")** An Act relating to financial institutions - creation and expansion.

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

**4. (99-S489) (Substitute "A")** An Act relating to businesses and professions - contractors' registration.

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

**5. (99-S494) (Substitute "A")** An Act relating to businesses and professions - contractors' restrictions.

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

**6. (01-S 214)** An Act relating to teachers' and public officers' and employees' retirement and municipal employees.

Committee on Finance recommends passage.

**7. (99-S284)** An Act relating to participation by Tiverton School Department employees in the Municipal Employees Retirement System.

Committee on Finance recommends passage.

**8. (99-S764)** An Act relating to state affairs and government.

Committee on Finance recommends passage.

**9. (99-S797)** An Act relating to corporations, associations and partnerships.

Committee on Finance recommends passage.

**10.** (99-S162) An Act relating to police officers commission on standards and training.

Committee on Special Legislation recommends passage.

**11.** (99-S239) An Act relating to animals and husbandry.

Committee on Special Legislation recommends passage.

**12.** (99-S346) (Substitute "A") An Act relating to alcoholic beverages - retail licenses - Class N nightclub licenses.

Committee on Special Legislation recommends indefinite postponement of the original bill and passage of Substitute "A".

**13.** (99-S542) An Act relating to motor vehicles.

Committee on Special Legislation recommends passage.

**14.** (99-S694) An Act relating to state affairs and government- tourism and development.

Committee on Special Legislation recommends passage.

**15.** (99-S752) (Substitute "A") An Act relating to transportation of beverages.

Committee on Special Legislation recommends passage.

**16.** (99-S858) (Substitute "A") An Act relating to fish and wildlife - marine fisheries council.

Committee on Special Legislation recommends indefinite postponement of the original bill and passage of Substitute "A".

## **Appendix**

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## **CALENDAR**

In order for Wednesday, May 2, 2001:

**1.** (01-S 402) (Substitute "A") An Act relating to businesses and professions.

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

**2.**

(01-S 407) An Act relating to sewage charges.

Committee on Corporations recommends passage.

**3.**

(01-S 805) (Substitute "A") An Act relating to businesses and professions - irrigation contractors.

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

4.

(01-S 881) An Act relating to public utilities and carriers- Public Utilities Commission.

Committee on Corporations recommends passage.

5.

(01-S 885) An Act relating to energy conservation.

Committee on Corporations recommends passage.

**Appendix**

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**CALENDAR**

In order for Thursday, May 3, 2001:

1. (01-S 434) (Substitute "A" as amended) An Act relating to health and safety - safety and health programs for fire departments.

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

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

Wednesday, April 25, 2001

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

Thank you for stopping by!

