

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. 48 Thursday, May 10, 2001 Forty-eighth 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, Connors, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igl.iozzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisen.a, Raptak.is, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 1: Senator Kelly.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, May 9, 2001 proceedings is read in part.

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

FROM THE

HOUSE OF REPRESENTATIVES

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

(01-H 6053) (Substitute "A" as amended) An Act relating to electricians.

Read and referred to the Committee on Labor.

Also:

(01-H 6293) An Act relating to labor and labor relations pipefitters and refrigeration technicians, fire protection sprinkler fitters, contractors, journeyperson sprinkler fitters, sheet metal contractors, journey person sheet metal workers, and oil heat contractors. Read and referred to the Committee on Labor.

NEW BUSINESS

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

Senators DaPonte, Tassoni and Coderre present (01-S 944) Joint Resolution memorializing the President of the United States and the United States Congress to impose a moratorium on major airline industry mergers.

Read and referred to the Committee on Special Legislation.

Senators Izzo, Walton, Parella, Goodwin, Kells and others present (01-S 945) Senate Resolution proclaiming the month of May as "Foster Parent Appreciation Month" in the state of Rhode Island.

Senator Izzo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Coderre, Montalbano, Algiere, Alves, Caprio and others present (01-S 946) Senate Resolution congratulating Senate Majority Leader William V. Irons on the celebration of his birthday on May 11th.

Senator Coderre requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Irons, Alves, Coderre, Felag, Izzo and others present (01-S 947) Senate Resolution congratulating Senator Frank T. Caprio on the celebration of his birthday on May 10, 2001.

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 voice vote.

CALENDAR

In order for the day is taken up as follows:

1. (01-S 399) (Substitute cc An Act relating to financial institutions creation and expansion.

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

Senator Felag moves passage, seconded by Senators Celona and Breene.

The bill marked Substitute "A" is read and passed, 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, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Raptakis, Revens, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

2. (99-S207 as amended) An Act relating to education teachers' retirement.

Committee on Finance recommends passage as amended.

Senator Walsh moves passage, seconded by Senator Caprio, Senate Majority Leader Irons, Senator Cicilline and many others.

Senators Cote, Walsh and Caprio discuss the act.

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 - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, 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, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -0.

3. (99-S184) (Substitute "A") An Act relating to criminal offenses.

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

Senator Raptakis moves passage, seconded by Senators Damiani, Coderre, Breene, Algieri, Senate Majority Leader Irons, Senators Celona, DaPonte, McCaffrey and many others.

Senators Raptakis, Montalbano, Polisena, Paiva Weed, Perry, Iglioizzi, Kells, Walton, Goodwin, McDonald, Algieri, Graziano and Garabedian discuss the act.

The bill marked Substitute cc A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 38 Senators voting in the affirmative and 9 Senators voting in the negative as follows:

YEAS - 38: Senators Algiere, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Cote, Damiani, DaPonte, Donelan, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Parella, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh.

NAYS - 9: Senators Cicilline, Connors, Issa, Izzo, Kells, Paiva Weed, Perry, Roney, Walton.

4. (99-S247) (Substitute "A") An Act relating to courts and civil procedure - wrongful death.

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

Senator DaPonte moves passage, seconded by Senators Montalbano, Coderre, Celona and Donelan.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 43 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 43: Senators Algiere, Alves, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, 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, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

5. (99-S323 as amended) An Act relating to the adoption of children.

Committee on Judiciary recommends passage as amended.

Senator Walsh moves passage, seconded by Senators Montalbano and Damiani.

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, 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, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 0.

6. (99-S582) (Substitute "A" as amended) An Act relating to elections.

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

Senator Polisena moves passage, seconded by Senators Damiani, Montalbano, Hunter, Roney, Coderre and others.

The bill marked Substitute cc read and passed, as amended, and the original bill indefinitely postponed, 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, 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, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -O.

7. (99-S854) (Substitute "A") An Act relating to criminal procedure - domestic violence.

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

Senator Montalbano moves passage, seconded by Senators Polisena, Hunter, Gallo, Perry, Walsh and many others.

The bill marked Substitute cc read and passed, and the original bill indefinitely postponed, 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, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, 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, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -O.

8. (01-H5607) An Act relating to courts and civil procedure- causes of action.

Committee on Judiciary recommends passage in concurrence.

Senator Montalbano moves passage, seconded by Senators Celona, Graziano, McDonald and Damiani.

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

YEAS - 43: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Coderre, Connors, Cote, Damiani, DaPonte, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -O.

9. (01-H 6008) An Act relating to state affairs and government-- corrections department.

Committee on Judiciary recommends passage in concurrence.

Senator Montalbano moves passage, seconded by Senators Polisena and Graziano.

The act is read and passed, in concurrence, 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 - 45: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cote, Damiani, DaPonte, Enos, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Iglioizzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS -Q.

10. (01-H6099) (Substitute "A") An Act relating to the General Assembly - establishing a permanent joint committee.

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

Senator Montalbano moves passage, seconded by Senators Coderre, Celona, Hunter, Garabedian and Senate Majority Leader Irons.

The bill marked Substitute cc A,' is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 43 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 43: Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Cote, Damiani, DaPonte, Donelan, Felag, Fogarty, Gallo, Garabedian, Gibbs, Goodwin, Graziano, Hunter, Igliozi, Irons, Issa, Izzo, Kells, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1; Senator Enos.

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 Tuesday, May 15, 2001, at the rise of the Senate in Room 313 of the State House.

TRANSMITTAL

By unanimous consent, all Senate 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 Garabedian, the Senate adjourns at 5:05 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Antoinette F. Downing, the founding Chairwoman of the Rhode Island Historical Preservation Commission.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR DENNIS I. ALGIERE

Dear God, we have so much for which we are thankful; for this beautiful state which we live in, for the resources you have given us, for your protection and guidance of all the members of the Senate, as we strive for the public's welfare. Amen.

Appendix

CALENDAR

In order for Wednesday, May 16, 2001:

1. (01;S 881) An Act relating to public utilities and carriers- Public Utilities Commission.

Committee on Corporations recommends passage.

2. (99-S885) An Act relating to energy conservation.

Committee on Corporations recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Thursday, May 10, 2001

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

Thank you for stopping by!

