

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. 58 Wednesday, June 6, 2001 Fifty-eighth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:05 o'clock P.M.

The roll is called and a quorum is declared present with 48 Senators present and 2 Senators absent as follows:

PRESENT 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, Iglioizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisenena, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

ABSENT - 2: Senators Connors, Raptakis.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Tuesday, June 5, 2001 proceedings is read in part.

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

BIRTHDAY WISHES

Senators Ruggerio, Celona, Goodwin and Kelly extend best wishes to Senate Doorkeeper John Conti on the very special occasion of his 95th Birthday.

The entire Senate joins in extending all the best to Mr. Conti.

GUESTS

Upon suggestion of Senators Ruggerio, Celona, Goodwin and Kelly, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Mrs. Dalia Calabro.

Also:

Upon suggestion of Senators Gallo and Sosnowski, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dee Rogers, Principal, Peace Dale School, and Jerry and Judy Landrum of Dallas, Texas.

Also:

Upon suggestion of Senator Coderre, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Dr. Gail Fowler Mohanty, Executive Director, Slater Mill Historic Site and Richard H. Gregory, III, Esq., President, Old Slater Mill Association.

Also:

Upon suggestion of Senators Polisena, Alves and Blais, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Robert DiPadua of Coventry and from the Johnston Police Department, Lt. Jeff Floydd, Sgt. David Decesare and Officer Dan Parrillo.

COMMUNICATION

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

June 1, 2001

To the Honorable, the Senate:

I am hereby withdrawing the February 14, 2001 appointment of Charles A. Swartz to the Rhode Island Economic Development Corporation.

Sincerely,

LINCOLN ALMOND
Governor

Received and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

June 6, 2001

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

Dear Lt. Governor Fogarty:

Please be advised that I will be absent from the Senate session on Wednesday, June 6, 2001 as I will be out of town on business.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

LEONIDAS RAPTAKIS
Senator, District 20

Received and ordered to be placed on file.

APPOINTMENT BY THE GOVERNOR

His Honor, the Lieutenant Governor, presents the following communication from His Excellency, the Governor, transmitting the following appointment and requesting the advice and consent of the Senate thereto:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

May 16, 2001

To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

William Howe of East Greenwich
(Fire Interests)

for a term expiring May 1, 2004.

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

COMMITTEE ON JUDICIARY

Senator Montalbano, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

(01-S 755) (Substitute "A") An Act relating to motor and other vehicles - registration of vehicles.

Read and ordered to be placed on the Calendar.

(01-H 5860) (Substitute "A") An Act relating to elections.

Read and ordered to be placed on the Calendar.

COMMITTEE ON CORPORATIONS

Senator Celona, from the Committee on Corporations, reports back, with recommendation of passage of the following measures:

(01-S 36) An Act relating to fish and wildlife general provisions.

Read and ordered to be placed on the Calendar.

(01-S 966) An Act authorizing the town of East Greenwich to finance the acquisition of open space and/or recreation development projects and to issue not more than \$1,000,000 bonds and/or notes therefor.

Read and ordered to be placed on the Calendar.

(01-S 967) An Act relating to the town of North Kingstown.

Read and ordered to be placed on the Calendar.

(01-S 971) An Act amending the Charter of the Hope Valley/Wyoming Fire District.

Read and ordered to be placed on the Calendar.

(01-H 5358) (Substitute "A") An Act relating to the Board of Dental Examiners.

Read and ordered to be placed on the Calendar.

(01-H 5505) An Act relating to corporations, associations and partnerships.

Read and ordered to be placed on the Calendar.

(01-H 5727) (Substitute "A" as amended) An Act relating to public utilities and carriers - CATV.

Read and ordered to be placed on the Calendar.

(01-H 5752) (Substitute "A") An Act relating to financial institutions - creation and expansion.

Read and ordered to be placed on the Calendar.

(01-H 5804) An Act relating to taxation -property tax classification- Providence.

Read and ordered to be placed on the Calendar.

(01-H 5810 as amended) An Act relating to state affairs and government - expedited permit process.

Read and ordered to be placed on the Calendar.

(01-H 5954 as amended) An Act relating to public utilities and .carriers - public transit authority.

Read and ordered to be placed on the Calendar.

(01-H 5992) (Substitute "A") An Act relating to waters and navigation.

Read and ordered to be placed on the Calendar.

(01-H 6418) An Act relating to the town of North Kingstown,

Read and ordered to be placed on the Calendar.

REPORT OF COMMITTEE

TRANSFER OF BILL

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

(01-H 5320) An Act relating to commission on the deaf and hard of hearing.

Read and referred to the Committee on Special Legislation.

NEW BUSINESS

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

Senators Parella, Felag, Perry, Bates, Enos and others present (01-S 983) Senate Resolution extending condolences on the passing of Anthony Quinn.

Senator Parella requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Lenihan and Sheehan present (01-S 984) Senate Resolution creating a special Senate commission to study the steam plant at Quonset Point and any viable alternatives to steam plants.

Read and referred to the Committee on Special Legislation,

CALENDAR

In order for the day is taken up as follows:

1. (99-S268) (Substitute "A" as amended) An Act relating to state affairs and government -Department of Environmental Management.

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

Senator Blais moves passage, seconded by Senators Polisena, Breene, Gibbs, Roney, Lenihan and others.

Senators Cicilline, Blais, Montalbano, Roney, Polisena, Sheehan and Igliazzi discuss the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon a roll call vote with 47 Senators voting in the affirmative and 1 Senator 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, Hunter, Igliazzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Parella, Perry, Polisena, Revens, Roberts, Roney, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska, Walsh, Walton.

NAYS - 1: Senator Graziano.

2. (99-S35) An Act relating to military affairs and defense- extension of veterans' benefits.

Joint Committee on Veterans Affairs recommends passage.

Upon suggestion of Senator Coderre, and without objection, ordered to be placed on the Desk.

3. (99-S212) (Substitute "A") An Act relating to veterans exemptions.

Joint Committee on Veterans Affairs 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 Desk.

4. (99-S728) (Substitute "A") An Act relating to recording of instruments.

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

Senator Kells moves passage, seconded by Senators Walton, Perry, Ruggerio and others.

Senators Kelly, Celona, Montalbano, Cote, Garabedian, Felag, Parella, Issa, Kells and Breene discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 36 Senators voting in the affirmative and 11 Senators voting in the negative as follows:

YEAS - 36: Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Celona, Coderre, Damiani, DaPonte, Donelan, Felag, Gallo, Gibbs, Goodwin, Graziano, Hunter, Igliazzi, Irons, Issa, Kells, McBurney, McCaffrey, McDonald, Montalbano, Paiva Weed, Perry, Polisena, Revens, Roberts, Roney, Ruggerio, Sheehan, Tassoni, Walaska, Walton.

NAYS - 11: Senators Breene, Cicilline, Cote, Enos, Fogarty, Garabedian, Izzo, Kelly, Lenihan, Parella, Walsh.

5. (99-S662) (Substitute "A") An Act relating to teacher assistants.

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

Senator Gallo moves passage, seconded by Senators Polisena, Hunter, Perry, Roney and Damiani.

The bill marked Substitute "A" is 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, 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, Polisena, Revens, Roberts, Roney, Ruggerio, Sheehan, Tassoni, Walaska, Walton.

NAYS -0.

ANNOUNCEMENTS

Senator Damiani announces that the Committee on Corporations will meet on Thursday, June 7, 2001, at the rise of the Senate in Room 212 of the State House.

Also:

Senator Montalbano announces that the Committee on Judiciary will meet on Thursday, June 7, 2001, at the rise of the Senate in Room 313 of the State House.

Also:

Senator Goodwin announces that the Committee on Special Legislation will meet today at the rise of the Senate in Room 211 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 Senator Coderre, seconded by Senator Algiere, and upon suggestion of Senator Parella, the Senate adjourns at 5:25 o'clock P.M., on a unanimous rising vote, as a further mark of respect to the memory of Anthony Quinn of Bristol.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR PAUL W. FOGARTY

Accept our dedication, Lord, which we offer to the people of our State. Fill us with the sense of Your presence and guide us in our ministry. Amen.

Appendix

CALENDAR

In order for Thursday, June 7, 2001:

1. (99-S935 as amended) An Act relating to state affairs and government - notaries public and justices of the peace.

Committee on Judiciary recommends passage as amended.

2. (01-H5592) (Substitute "A") An Act relating to statutes and statutory construction.

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

3. (01-H5602) (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".

4. (99-S262) An Act relating to sovereign immunity.

Committee on Judiciary recommends passage.

5. (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".

Appendix

CALENDAR

In order for Tuesday, June 12, 2001:

1. (99-S36) An Act relating to fish and wildlife - general provisions.

Committee on Corporations recommends passage.

2. (01-S 966) An Act authorizing the town of East Greenwich to finance the acquisition of open space and/or recreation development projects and to issue not more than \$1,000,000 bonds and/or notes therefor.

Committee on Corporations recommends passage.

3. (99-S967) An Act relating to the town of North Kingstown.

Committee on Corporations recommends passage.

4. (99-S971) An Act amending the charter of the Hope Valley/Wyoming Fire District.

Committee on Corporations recommends passage.

5. (01-H5358) (Substitute "A") An Act relating to the Board of Dental Examiners.

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

6. (01-H5505) An Act relating to corporations, associations and partnerships.

Committee on Corporations recommends passage in concurrence.

7.(01-H 5727) (Substitute "A" as amended) An Act relating to public utilities and carriers - CATV.

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

8. (01-H5752) (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" in concurrence.

9. (01-H5804) An Act relating to taxation -property tax classification- Providence.

Committee on Corporations recommends passage in concurrence.

10. (01-H5810 as amended) An Act relating to state affairs and government - expedited permit process.

Committee on Corporations recommends passage as amended in concurrence.

11. (01-H5954 as amended) An Act relating to public utilities and carriers - public transit authority.

Committee on Corporations recommends passage as amended.

12. (01-H5992) (Substitute "A") An Act relating to waters and navigation.

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

13. (01-H6418) An Act relating to the town of North Kingstown.

Committee on Corporations recommends passage in concurrence.

14. (99-S755) (Substitute "A") An Act relating to motor and other vehicles - registration of vehicles.

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

15. (01-H5860) (Substitute "A") An Act relating to elections.

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

RAYMOND T. HOYAS, JR.

Secretary of the Senate

Wednesday, June 6, 2001

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

Thank you for stopping by!

