

State of Rhode Island and Providence Plantations

JOURNAL
-OF THE-
HOUSE OF REPRESENTATIVES

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the sixth day of January in the year of Our Lord one thousand nine hundred and ninety-eight.

Volume 125, No. 34 Tuesday, March 31, 1998 Thirty-fourth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 31, 1998, and is called to order at 5:31 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 96 members present and 4 members absent as follows:

PRESENT 96: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, 5., Barone, Barr, Benoit, Benson, Bierman, Bramley, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Palangio, Palumbo, Panciera, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 4; Representatives Anzeveno, Burlingame, Mesoilella, Pires.

INVOCATION

The Honorable Speaker presents Representative Fleury, who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, March 26, 1998, is approved as printed.

COMMUNICATION FROM THE SENATE

A message from the Honorable Senate transmits with announcement of passage, of the following measures:

(98-S2495 as amended) An Act relating to motor and other vehicles;

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

(98-S 2835) An Act relating to businesses and professions.

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

(98-S 3034) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and referred to the Committee on Finance.

(98-S2239) (Substitute "A" as amended) An Act relating to health and safety.

Read and referred to the Committee on Finance.

(98-S2865) (Substitute "A" as amended) An Act relating to businesses and professions.

Read and referred to the Committee on Corporations.

ANNOUNCEMENT

Representative Barbara Burlingame will be unable to attend session today, Tuesday, March 31, 1998. She will be presiding over the 75th Anniversary Celebration of the YWCA of Rhode Island.

NOTICES OF BILL/RESOLUTION

INTRODUCTION

Representative Kilmartin gives notice that on the next legislative day he will introduce a measure concerning drug dealer's liability act. This notice is given in compliance with House Rule 41.

PETER F. KILMARTIN Representative, District 80

Received and ordered to be placed on file.

Representative Bramley gives notice that on the next legislative day he will introduce a measure concerning DUI refusal. This notice is given in compliance with House Rule 41.

RUSSELL BRAMLEY
Representative, District 36

Received and ordered to be placed on file.

NEW BUSINESS

Representatives Kilmartin and Montanaro introduce (98-H 8914) An Act relating to taxation - personal income tax.

Read and referred to the Committee on Finance.

Representatives Fox, Moura, Montanaro, Voccola and Costantino introduce (98-H 8915) An Act relating to

maintenance of town highways.

Read and referred to the Committee on Finance.

Representatives Sherlock, Naughton, Ginaitt, Flaherty, McNamara and several other members of the House introduce (98-H 8916) An Act relating to the city of Warwick - sewer authority.

Read and referred to the Committee on Finance.

Representatives Rabideau and Lowe introduce (98-H 8917) An Act relating to the Harrisville Fire District.

Read and referred to the Committee on Corporations.

Representatives Barr and Menard introduce (98-H 8918) An Act relating to taxation - state affairs and government.

Read and referred to the Committee on Finance.

Representative Carroll introduces (98-H 8919) Joint Resolution making an appropriation of \$15,000 for the town of Glocester.

Read and referred to the Committee on Finance.

Representative Lowe introduces (98-H 8920) Joint Resolution making an appropriation of \$2031.93 to pay the claim of James Rydberg of 21 Hillside Drive, Mapleville, Rhode Island 02839.

Read and referred to the Joint Committee on Accounts and Claims.

Representatives Henseler, Benson and Carter introduce (98-H 8921) An Act authorizing the town of North Kingstown to finance new construction, expansion, remodeling, demolition, renovations,

There is no objection.

CALENDAR

3. (98-H7464) (Substitute "A") An Act relating to motor vehicles.

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

Representative McNamara moves passage of the act, seconded by Representatives Castro, Garvey, Henseler, Farrell, Kelley, Inman, Levesque, Amaral, Reilly and Picard.

Representative C. Levesque offers a motion to amend.

Representatives Crowley, C. Levesque, Cicilline, Garvey, Flaherty, McNamara, Williams and Moura discuss the amendment.

Representatives Moura and Benson request to hold the bill for tomorrow's Calendar.

There is no objection. Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, April 1, 1998, as item number 1.

4. (98-H7720) (Substitute "A") An Act relating to towns and cities - Central Falls Municipal Court.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A". The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on motion of Representative Flaherty, seconded by Representatives Farrell, Faria, M. Anderson and Coderre, on a roll call vote, 87 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 87; The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Bierman, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Palumbo, Panciera, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Slater, Walter, Wasylyk, Watson, Williams, Williamson, Wintfield.

NAYS-0.

5. (98-H8034) (Substitute "A") An Act relating to domestic violence.

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

Representative Flaherty moves passage of the act, seconded by Representatives Cambio, Simonian, Williamson, Carter, Reilly, Martineau, Winfield, Lima, Coderre, Barone, Williams, Carpenter, Aiken-Salandria, Kelley, Walter, Montanaro, San Bento and Kilmartin.

Representatives Metts and C. Levesque discuss the act. The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 90 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 90; The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Henner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Palumbo, Panciera, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS 1: Representative Lopes.

6. (98-H7118) (Substitute "A") An Act relating to domestic relations - denial of visitation rights.

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

Representative Giannini moves passage of the act, seconded by Representatives Carpenter, Palumbo, Quick and Metts.

Representatives Cicilline, Rabideau, Lopes, Giannini and Bramley discuss the act.

Representative Cicilline requests to hold the bill for an amendment.

Representative Giannini objects. The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 61 members voting in the affirmative and 25 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Barr, Benson, Bierman, Callahan, Cambio, Carpenter, Carter, Caruolo, Castro, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Garvey, George, Giannini, Heffner, Henseler, Iannitelli, Inman, Iwuc, Kennedy, Kilmartin, Lally, Lanzi, Little, Lopes, Martineau, McCauley, McGowan, McNamara, Menard, Metts, Montalbano, Montanaro, Moura, Munschy, Naughton, Palumbo Picard, Quick, Reilly, Rose, Russo, Salisbury, San Bento' Shavers, Sherlock, Simonian, Slater, Smith, Williamson.

NAYS - 25: Representatives Aiken-Salandria, Ajello, Barone, Benoit, Bramley, Campbell, Carroll, Cicilline, Coderre, Fox, Ginaitt, Hetherington, Kelley, Lima, Long, Lowe, Malik, Millard, Panciera, Pisaturo, Rabideau, Scott, Walter, Watson, Williams.

The Honorable Speaker called for a vote on (98-H 7118) (Substitute "A").

Representative Cicilline rises to request that he be allowed to offer his amendment which had just arrived and was being distributed.

Representative Caruolo objects to the offering of Representative Cicilline's amendment on the grounds that the machine had already been opened for a vote on (98-H 7118) and that the offering of the amendment was therefore not timely.

The Honorable Speaker rules that Representative Caruolo is correct and that the amendment is not timely.

Representative Cicilline appeals the ruling of the Chair. The House upholds the ruling of the Chair, on a roll call vote, 62 members voting in the affirmative and 19 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Harwood and Representatives Aiken.Salandria, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Callahan, Cambio, Campbell, Carpenter, Carter, Caruolo, Castro, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fox, Garvey, George, Giannini, Heffner, Henseler, Iannitelli, Inman, Iwuc, Kennedy, Kilmartin, Lally, Little, Lopes, Lowe, Malik, Martineau, McNamara, Menard, Metts, Montalbano, Moura, Munschy, Naughton, Palangio, Palumbo, Panciera, Picard, Quick, Reilly, Rose, Russo, San Bento, Sherlock, Simonian, Slater, Watson, Williamson.

NAYS - 19: Representatives Ajello, Bierman, Bramley, Cicilline, ~eSimone, Hetherington, Kelley, Levesoue, G., Lima, Long, McCauley, Montanaro, Pisaturo, Rabideau, Salisbury, Scott, Shavers, Walter, Williams. On suggestion of the Honorable Speaker, and by unanimous consent, the Calendar for today is continued to tomorrow, Wednesday, April 1, 1998.

PERSONAL PRIVILEGE

By unanimous consent, Representative Kennedy addresses the members of the House on a point of personal privilege in regard to a newspaper article in the Providence Journal.

ANNOUNCEMENTS

Representative Benoit announces that the Committee on Health, Education and Welfare will meet today at the rise of the House in Room 135 of the State House.

Also:

Representative Martineau announces that the Committee on Corporations will meet today, tomorrow and Thursday at

the rise of the House.

Also:

Representative Faria announces that the Committee on Labor will meet today at the rise of the House in Room 35 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, and to the Honorable Senate forthwith.

ADJOURNMENT

At 6:32 o'clock P.M. on motion of Representative Faria, and as a further mark of respect to the memory of Rocco Parente, seconded by Representatives Caruolo, Salisbury and Walter, the House adjourns, on a unanimous rising vote.

LINDA McELROY
Recording Clerk

Appendix

INVOCATION

REPRESENTATIVE RICHARD E. FLEURY

Dear God, make us mindful what a privilege it is to serve in this House.

Appendix

CALENDAR

In order for Wednesday, April 1, 1998:

1. (98-H 7464) (Substitute "A") An Act relating to motor vehicles.

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

2. (98-H7390) An Act relating to payment of fines.

Committee on Judiciary recommends passage.

3. (98-H7117) An Act relating to motor and other vehicles- special stops required.

Committee on Judiciary recommends passage.

4. (98-H7890) An Act relating to courts and civil procedure- courts.

Committee on Judiciary recommends passage.

5. (98-H7541) An Act relating to criminal procedure - victim's rights.

Committee on Judiciary recommends passage.

6. (98-H7744) An Act relating to judicial selection.

Committee on Judiciary recommends passage.

7. (98-H7499) An Act relating to criminal procedure - bounty hunters.

Committee on Judiciary recommends passage.

8. (98-H8310) An Act relating to judicial selection.

Committee on Judiciary recommends passage.

9. (98-H7184) An Act relating to identification and apprehension of criminals.

Committee on Judiciary recommends passage.

Appendix

CALENDAR

In order for Thursday, April 2, 1998:

1. (98-H 8738 as amended) An Act authorizing the establishment of a Municipal Court in East Greenwich.

Committee on Judiciary recommends passage as amended.

2. (98-H7818) An Act relating to residency -Woonsocket.

Committee on Special Legislation recommends passage.

3. (98-H8252) An Act relating to insurance.

Committee on Corporations recommends passage.

4. (98-H8088 as amended) An Act relating to health and safety- long term care.

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

5. (98-H8304 as amended) An Act relating to the Health and Educational Building Corporation.

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

6. (98-H7728) An Act relating to education -curriculum.

Committee on Health, Education and Welfare recommends passage.

7. (98-H7386) (Substitute "A") An Act relating to health and safety - vital records.

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

8. (98-H7628) An Act relating to health and safety.

Committee on Health, Education and Welfare recommends passage.

9. (98-H831 1) (Substitute "A") An Act relating to state affairs and government - confidentiality of records.

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

LOUIS D'ANTUONO

Reading Clerk

Tuesday, March 31, 1998

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

Thank you for stopping by!

