

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. 43

Tuesday, April 28, 1998

Forty-third Day

The House of Representatives meets at the State House in Providence, Tuesday, April 28, 1998, and is called to order at 5:18 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 94 members present and 6 members absent as follows:

PRESENT - 94: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, 5., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, 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, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson, Williamson, Winfield.

ABSENT - 6: Representatives Carpenter, Carroll, Farrell, Mesolella, San Bento, Williamson.

INVOCATION

The Honorable Speaker presents Representative Moura, 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, April 23, 1998, is approved as printed.

ANNOUNCEMENT

Representative Lally will be out of state and unable to attend session on April 28, 29 and 30.

COMMUNICATION FROM THE SENATE

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

(98-S 2840) An Act relating to businesses and professions.

Read and referred to the Committee on Labor. (98-52344 as amended) An Act relating to towns and cities- Police officers.

Read and referred to the Committee on Finance.

(98-S 2376) (Substitute "A") An Act relating to correctional institutions - parole.

Read and referred to the Committee on Judiciary.

(98-S 2415) (Substitute "A") An Act relating to labor and labor relations - fair employment practice.

Read and referred to the Committee on Labor.

(98-S 2335) An Act relating to taxation personal income tax.

Read and referred to the Committee on Finance.

(98-S 2577 as amended) An Act relating to commercial laws- unfair sales practices.

Read and referred to the Committee on Corporations.

(98-S 2208) (Substitute "A" as amended) An Act relating to public officers and employees.

Read and referred to the Committee on Labor.

(98-S 2645) An Act relating to fire detection systems.

Read and referred to the Committee on Corporations.

(98-S 2793) An Act relating to telocommunications.

Read and referred to the Committee on Corporations.

(98-S 2549) An Act relating to fire detectors.

Read and referred to the Committee on Corproations.

(98-S 2591) An Act relating to arbitration of school teacher disputes.

Read and referred to the Committee on Labor.

(98-S 2383) (Substitute "A") An Act relating to education- curriculum.

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

(98-S 3029) An Act relating to the Harrisville fire district.

Read and referred to the Committee on Corproations.

(98-S 2748) An Act relating to motor and other vehicles - mobile and manufactured homes.

Read and referred to the Committee on Corproations.

(98-S 2484) (Substitute "A") An Act relating to state retirement systems - definition of active member.

Read and referred to the Committee on Judicairy. (98-52518) (Substitute "A" as amended) An Act relating to causes of action.

Read and referred to the Committee on Judiciary. (98-52516) (Substitute "A" as amended) An Act relating to property - manufacturer's mold lien.

Read and referred to the Committee on Judiciary. (98-52754) (Substitute "A" as amended) An Act relating to proceeding in family court.

Read and referred to the Committee on Judciary.

(98-S 2827 as amended) An Act relating to insurance,

Read and referred to the Committee on Corproations.

GUESTS

Representative Giannini welcomes to the House as guests Susan Eleoff, Daniel Calabro, Deb Marshall and John Kelly from the Rhode Island Amputee Coalition.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Representative Pires, for the Committee on Finance, reports back the following measures, with recommendation of passage:

(98-H 8895) Joint Resolution memorailizing congress to amend title ten, United States Code relating to the compensation of retired military.

Received and ordered to be placed on the Calendar.

NOTICE OF BILL/RESOLUTION INTRODUCTION

Representative Kilmartin gives notice that on the next legislative day he will introduce a measure concerning vacate of corporate charters. This notice is given in compliance with House Rule 41.

PETER F. KILMARTIN
Representative, District 80

Received and ordered to be placed on file.

NEW BUSINESS

Representative Kilmartin introduces (98-H 9025) An Act relating to labor and labor relations - hoisting engineers.

Read and referred to the Committee on Finance.

Representatives Malik and Millard introduces (98-H 9026) Joint Resolution making an appropriation of \$3,000 for Warren Police Department.

Read and referred to the Committee on Finance.

Representative Simonian introduces (98-H 9027) Joint Resolution making an appropriation of \$500 for Auburn Neighborhood Watch.

Read and referred to the Committee on Finance.

Representatives Beirman, Lanzi, Pisatauro, Montanaro and Palumbo introduce (98-H 9028) Joint Resolution making an appropriation of \$25,000 for Cranston Historical Society.

Read and referred to the Committee on Finance.

Representatives Pisaturo, Palangio, Lanzi, Lima and Smith introduce (98-H 9029) House Resolution congratulating Ronald A. Tagliaferri for receiving the 1998 Silver Lake Community Center Achievement Award.

Representative Pisaturo requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Pisaturo, seconded by the entire House of Representatives and by unanimous consent, on a voice vote.

Representatives Menard, Pires, Sherlock, Caruolo and Henseler introduce (98-H 9030) An Act relating to establishment and extension of gambling.

Read and referred to the Committee on Finance.

Representatives Menard, Pires, Sherlock, Caruolo and Henseler introduce (98-H 9031) An Act relating to gambling activities and other facilities.

Read and referred to the Committee on Finance.

CALENDAR

From the Calendar are taken:

1. (98-H7871) (Substitute "A") An Act relating to businesses and professions.

Committee on Health, Education and Welfare 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 Cambio, seconded by Representatives Henseler, Anzeveno, Palangio, Ginaitt, Giannini, Hetherington, Benoit and Lima, on a roll call vote, 83 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 83: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Levesque, C., Levesque, 6., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munsch, Palangio, Palumbo, Panciera, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Scott, Shavers, Sherlock, Simonian, Smith, Walter, Wasylyk, Williamson, Winfield.

NAYS -0.

2. (98-H8793) (Substitute "A") An Act relating to health insurance coverage.

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

Representative Martineau moves passage of the act, seconded by Representatives Giannini, Rose, Henseler, Faria, McNamara, Pisaturo, Cambio, Benson, Reilly, Picard, Lowe, Iwuc, Metts, Hetherington, Inman, Walter, Scott, Kennedy, Kelley, Little and Coderre.

Representatives Salisbury, Martineau and Giannini discuss the act. The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 86 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 86: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, 6., Lima, Little, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Metts, Montalbano, Montanaro, Moura, Munsch, Murphy, Naughton, Palangio, Palumbo, Panciera, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Williamson, Winfield.

NAYS -0.

3. (98-H8056) (Substitute "A") An Act relating to telecommunications.

Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute "A". Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 6, 1998.

4. (98-H7980) (Substitute "A") An Act relating to health and safety - lead paint.

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

Representative Martineau moves passage of the act, seconded by Representatives Cambio, Faria, Coelho, Reilly, Picard,

Fox, Shavers, Dennigan, Munschy, Benoit, Menard, Giannini, Slater, Metts, Burlingame, Hetherington, Palangio, Walter, Montanaro, Moura, Amaral and Kilmartin.

Representatives Lopes, Metts and Moura discuss the act.

Representative Long rises on a point of order for Representative Moura to speak germane to the act.

The Honorable Speaker rules for Representative Moura to speak germane to the act.

Representative Moura continues to discuss the act. The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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., Anzeveno, Barone, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Castro, Cicilline, Coelho, Costantino, Lennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, 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, Fires, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williamson, Winfield.

NAYS -0.

5. (98-H8250) An Act relating to HMO's.

Committee on Corporations recommends passage.

Read and passed, on motion of Representative Salisbury, seconded by Representatives Henseler, Costantino, Picard, Cambio, Benson, Coelho, Dennigan, Cicilline, Kelley, Amaral, Little, Walter, Shavers and several other members of the House, on a roll call vote, 88 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 88: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, 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, Fires, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Winfield.

NAYS -0.

6. (98-H7831) An Act relating to public utilities and carriers- community antenna television systems.

Committee on Corporations recommends passage.

Representative Kilmartin moves passage of the act, seconded by Representative Martineau.

Representatives Metts, Kilmartin and Lopes discuss the act.

Read and passed, on a roll call vote, 85 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 85: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, 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, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Levesque, C., Levesque, G., Lima, Little, Lopes, Lowe, Malik, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Palumbo, Fanciera, Picard, Fisaturo, Quick, Rabideau, Reilly, Rose, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williamson, Winfield.

NAYS -0.

7. (98-H7911) (Substitute "A") An Act relating to state affairs and government - open meetings.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A". Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 5, 1998.

8. (98-H7888) (Substitute "A") An Act relating to access to public records.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute "A". Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 5, 1998.

9. (98-H8706) (Substitute "A") An Act relating to proceedings in Family Court.

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

Representative Benoit moves passage of the act, seconded by Representatives Slater, Coderre, Palumbo, Walter, Kelley and Montanaro.

Representatives Lopes, Benoit, Metts and Benson discuss the act. The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 86 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 86: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Palangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williamson, Winfield.

NAYS -0.

10. (98-H 8789 as amended) An Act relating to criminal offenses.

Committee on Judiciary recommends passage as amended.

Representative Montanaro moves passage of the act, seconded by Representatives Ferguson, Pires, Murphy, Faria, Reilly, Simonian, Palumbo, Kilmartin, Slater, Moura, McNamara, Malik and Scott.

Representatives Cicilline and Montanaro discuss the act.

Read and passed, as amended, on a roll call vote, 70 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Coderre, Coelho, Crowley, DeSimone, Faria, Flaherty, Fleury, Fox, Garvey, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Levesque, C., Lima, Little, Lopes, Lowe, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Fanciera, Fires, Quick, Rabideau, Reilly, Rose, Scott, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Williamson, Winfield.

NAYS - 8: Representatives Ajello, Cicilline, Costantino, Dennigan, Levesque, G., Ficard, Fisaturo, Shavers.

11. (98-H 8952 as amended) An Act relating to motor and other vehicles - operation of bicycles.

Committee on Judiciary recommends passage as amended.

Representative McNamara moves passage of the act, seconded by Representatives Cambio, Garvey, Coelho, Benson, Reilly, Castro, Wasylyk, Malik, Dennigan, Munschy, Kelley and several other members of the House.

By unanimous consent, Representative McNamara, seconded by Representative Anzeveno, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 8952 as amended)

Mr. Speaker:

I hereby move to amend (98-H 8952 as amended) entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES OPERATION OF BICYCLES" as follows: On page 1, lines 9 and 10, by deleting the following language, "American National Standards Institute (ANSI Z 90.4) or subsequent standards or the".

Respectfully submitted,

JOSEPH McNAMARA
Representative, District 29

Representatives 5, Anderson and McNamara discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 80 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 80: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox,

Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Levesque, C., Levesque, G., Lima, Long, Lowe, Malik, Martineau, McCauley, McNamara, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Williamson, Wintfield.

NAYS - 1: Representative Lopes.

Representatives Moura, McNamara, Lima, Metts, Cicilline, Lopes, McGowan and Burlingame discuss the act.

Read and passed, as amended, on a roll call vote, 61 members voting in the affirmative and 28 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Cambio, Carter, Caruolo, Coderre, Coelho, Costantino, Crowley, Dennigan, Ferguson, Flaherty, Fox, Garvey, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Inman, Iwuc, Kelley, Kelso, Kennedy, Lanzi, Levesque, C., Levesque, G., Long, Martineau, McNamara, Menard, Metts, Montalbano, Murphy, Naughton, Falangio, Falumbo, Fanciera, Ficard, Fires, Quick, Reilly, Russo, Scott, Shavers, Sherlock, Slater, Voccola, Wasylyk, Williamson, Winfield.

NAYS - 28: Representatives Aken-Salandria, Ajello, Callahan, Campbell, Castro, Cicilline, DeSimone, Faria, Fleury, George, Iannitelli, Kilmartin, Lima, Little, Lopes, Lowe, Malik, McGowan, Millard, Montanaro, Moura, Fisaturo, Rabideau, Rose, Simonian, Smith, Walter, Watson.

12. (98-H 7898) An Act relating to alcoholic beverages - identification cards.

Committee on Judiciary recommends passage.

Read and passed, on motion of Representative Flaherty, seconded by Representatives Faria, Russo, Pisaturo, Slater, Iwuc, Malik, Shavers and Kelso, on a roll call vote, 61 members voting in the affirmative and 21 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anzeveno, Barone, Benoit, Benson, Cambio, Carter, Caruolo, Cicilline, Coelho, Costantino, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Inman, Iwuc, Kelley, Kelso, Kennedy, Levesque, C., Long, Malik, McCauley, McGowan, McNamara, Menard, Montalbano, Moura, Munschy, Murphy, Palangio, Falumbo, Fanciera, Fisaturo, Quick, Rabideau, Reilly, Rose, Russo, Shavers, Sherlock, Slater, Smith, Voccola, Wasylyk, Williamson, Winfield.

NAYS - 21: Representatives Anderson, M., Anderson, S., Bierman, Bramley, Burlingame, Callahan, Campbell, Castro, Coderre, Iannitelli, Kilmartin, Lanzi, Lima, Little, Lowe, Montanaro, Ficard, Scott, Simonian, Walter, Watson.

13. (98-H 7894) An Act relating to motor vehicles - motor vehicles reparations act.

Committee on Judiciary recommends passage.

Read and passed, on motion of Representative Murphy, seconded by Representatives Ajello, C. Levesque, Slater, Metts, Fox, Costantino, McNamara, Ferguson, Ginaitt, Russo, Cicilline DeSimone, Watson and M. Anderson, on a roll' call vote, 83 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 83: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy,

Kilmartin, Lanzi, Levesque, C., Levesque, G., Lima Little, Long, Lowe, Malik, Martineau, McGowan, McNamara', Metts, Millard, Montalbano, Montanaro, Moura, Murphy, Falangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Quick, Rabideau, Rose, Russo, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson, Williamson, Winfield.

NAYS - 2: Representatives Menard, Reilly.

14. (98-H 8233) An Act relating to weapons.

Committee on Judiciary recommends passage.

Representative Flaherty moves passage of the act, seconded by Representatives Montanaro, Simonian and Bierman.

Representatives Costantino, Bierman and Cicilline discuss the act. Read, and by unanimous consent, ordered to be placed on the top of the Calendar for Wednesday, April 29, 1998.

15. (98-H 7469) An Act relating to partial birth abortions.

Committee on Judiciary recommends passage.

Representative Anzeveno moves passage of the act, seconded by Representatives Faria, Simonian, Henseler, Garvey, Cambio, Reilly, Flaherty, Murphy, Watson, Slater, Picard, Menard, Giannini, George, Palumbo, Iannitelli, Kelley, Walter, Amaral, M. Anderson and Wasylyk.

By unanimous consent, Representative C. Levesque, seconded by Representatives Ajello, Pisaturo, 6. Levesque and Barone, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7469)

Mr. Speaker:

I hereby move to amend (98-H 7469) entitled "AN ACT RELATING TO PARTIAL BIRTH ABORTIONS" as follows:

1. On page 1, line 8 by adding after "Sections 23-4.12-1" a comma and the number "23-4.12-3";

2. On page 1, immediately after line 11, by adding the following language:

"23-4.12-3. Life **and health** of the mother exception. -- Section 23-4.12-2 shall not apply to a partial birth abortion that is necessary to save the life **or health** of a mother ~~because her life is endangered by a physical disorder, physical illness, or physical injury, including a life endangering condition caused by or arising from the pregnancy itself; provided, that no other medical procedure would suffice for that purpose.~~"

Respectfully submitted,

CHARLES J. LEVESQUE
Representative, District 93

Representatives C. Levesque, Anzeveno and Barone discuss the amendment.

The motion to amend is read and fails on a roll call vote, 29 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 29: Representatives Aiken-Salandria, Ajello, Anderson, S., Barone, Barr, Benson, Bramley, Burlingame, Callahan, Campbell, Carter, Cicilline, Coderre, Dennigan, Fox, Heffner, Hetherington, Levesque, C., Levesque, G., Lima, Little, Lopes, Lowe, Moura, Fanciera, Fisaturo, Russo, Williamson, Winfield.

NAYS - 52: The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anzeveno, Benoit, Bierman, Cambio, Caruolo, Castro, Coelho, Costantino, Crowley, Faria, Ferguson, Flaherty, Fleury, Garvey, George, Giannini, Ginaitt, Henseler, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Long, Malik, McNamara, Menard, Metts, Millard, Montalbano, Munschy, Murphy, Falangio Falumbo, Ficard, Fires, Quick, Reilly, Rose, Scott, Shavers, Simonian, Slater, Voccola, Walter, Wasylyk, Watson.

Representatives Cicilline, Anzeveno, Moura, Lopes, Kelley, Burlingame and Ajello discuss the act.

By unanimous consent, Representative Barone, seconded by Representatives Cicilline, Heffner, Ajello, C. Levesque, G. Levesque, Pires, Bramley, Hetherington and Moura, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7469)

Mr. Speaker:

I hereby move to amend (98-H 7469) entitled "AN ACT RELATING TO PARTIAL BIRTH ABORTIONS" as follows:

On page 1, line 5, by inserting the word "viable" immediately before the word "living".

On page 1, line 8, by inserting the word "viable" immediately before the word "living".

On page 1, line 9, by inserting the word "viable" immediately before the word "living".

Respectfully submitted,

SANDRA M. BARONE
Representative, District 87

Representatives Barone and Anzeveno discuss the amendment.

The motion to amend is read and fails on a roll call vote, 28 members voting in the affirmative and 56 members voting in the negative as follows:

YEAS - 28: Representative Aiken-Salandria, Ajello, Barone, Barr, Benson, Bramley, Burlingame, Callahan, Campbell,

Carter, Cicilline, Coderre, Dennigan, Fox, Heffner, Hetherington, Levesque, C., Levesque, G., Lowe, Millard, Montanaro, Moura, Fanciera, Fisaturo, Rabideau, Russo, Shavers, Watson.

NAYS - 56: The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Anzeveno, Benoit, Bierman, Cambio, Caruolo, Castro, Coelho, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Garvey, Giannini, Ginaitt, Henseler, Iannitelli, Inman, Iwuc, Kelley, Kennedy, Kilmartin, Lima, Little, Long, Lopes, Malik, McCauley, McGowan, McNamara, Menard, Metts, Montalbano, Munschy, Murphy, Falangio, Falumbo, Ficard, Fires, Quick, Reilly, Rose, Salisbury, Scott, Sherlock, Slater, Smith, Voccola, Walter, Wasylyk, Wintfield.

Read and passed, as amended, on a roll call vote, 58 members voting in the affirmative and 26 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Anzeveno, Benoit, Bierman, Cambio, Carter, Caruolo, Castro, Coelho, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Garvey, George, Giannini, Ginaitt, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Lima, Little, Long, Malik, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Munschy, Murphy, Falangio, Falumbo, Ficard, Fires, Quick, Reilly, Rose, Salisbury, Scott, Sherlock, Slater, Smith, Voccola, Walter, Wasylyk.

NAYS - 26: Representatives Aiken-Salandria, Ajello, Barone, Barr, Benson, Bramley, Burlingame, Callahan, Campbell, Cicilline, Coderre, Dennigan, Fox, Heffner, Hetherington, Levesque, C., Levesque, G., Lopes, Lowe, Moura, Fanciera, Fisaturo, Rabideau, Russo, Shavers, Watson. On suggestion of the Honorable Speaker, and by unanimous consent, the Calendar for today is continued to Wednesday, April 29, 1998.

ANNOUNCEMENT

Representative Sherlock announces that the Committee on Finance will reconvene 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 6:43 o'clock P.M. on motion of Representatives Anzeveno and Kelley, and as a further mark of respect to the memory of Anna Sullivan, seconded by the entire House of Representatives, the House adjourns, on a unanimous rising vote.

LINDA McELROY
Recording Clerk

Appendix

INVOCATION

REPRESENTATIVE PAUL E.MOURA

Today is Natonal "Workers Memorial Day" each day 137 workers die from work related disease and every 10 seconds a worker is disabled. Let us have a moment of silence in their honor.

TRANSMITTED TO THE GOVERNOR

(98-S 2014) An Act relating to the Westerly Fire District.

Appendix

CALENDAR

In order for Wednesday, April 29, 1998:

1. (98-H 8233) An Act relating to weapons.

Committee on Judiciary recommends passage.

2. (98-H7657) An Act relating to criminal offenses - mandatory community restitution.

Committee on Judiciary recommends passage.

3. (98-H8797) An Act relating to civil and criminal procedure.

Committee on Judiciary recommends passage.

4. (98-H8223) An Act relating to the administrative procedures act.

Committee on Judiciary recommends passage.

5. (98-H8659) An Act relating to insurance -reporting of health care fraud.

Committee on Judiciary recommends passage.

6. (98-H8033) An Act relating to businesses and professions- shows and exhibitions.

Committee on Judiciary recommends passage.

7. (98-H8031) An Act relating to domestic violence prevention act.

Committee on Judiciary recommends passage.

8. (98-H7905) An Act relating to open meetings.

Committee on Judiciary recommends passage.

9. (98-H7313) An Act relating to interception of wire and oral communications.

Committee on Judiciary recommends passage.

10. (98-H 7913) An Act relating to motor vehicles.

Committee on Judiciary recommends passage.

11. (98-H 8364) An Act relating to real estate -titles.

Committee on Judiciary recommends passage.

12. (98-H 8282) An Act relating to businesses and professions electricians.

Committee on Labor recommends passage.

13. (98-H 7593) Joint Resolution creating a special legislative commission to study the feasibility of allowing unionized classified employees at all higher education institutions to be able to negotiate directly with the Rhode Island Board of Governors.

Committee on Labor recommends passage.

14. (98-H 7752) An Act relating to labor wages.

Committee on Labor recommends passage.

15. (98-H 7202) An Act relating to labor.

Committee on Labor recommends passage.

16. (98-H 7506) An Act relating to motor vehicle offenses - driving under the influence.

Committee on Judiciary recommends passage.

17. (98-H 8221) An Act relating to business and professions- manicurist.

Committee on Health, Education and Welfare recommends passage.

18. (98-H 8083) (Substitute "A") An Act relating to the Rhode Island school-to-work transition act of 1996.

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

19. (98-H 7799) (Substitute "A") An Act relating to health care.

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

20. (98-H 8352) An Act relating to motor and other vehicles- parking facilities and privileges.

Committee on Health, Education and Welfare recommends passage.

21. (98-H 8081) (Substitute "A") An Act relating to health insurance coverage mandated hearing aid coverage.

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

22. (98-H 7123) (Substitute "A" as amended) An Act relating to health and safety - human cloning.

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

23. (98-H 7284) (Substitute "A") An Act relating to aeronautics- permanent noise monitoring act.

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

24. (98-H 7545) (Substitute "A") An Act relating to businesses and professions - nurses.

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

25. (98-H 8158) (Substitute "A") An Act relating to state affairs and government - DCYF records confidentiality of records.

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

26. (98-H 7732) (Substitute "A") An Act relating to health and safety - cemeteries -scattering of ashes.

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

27. (98-H 7516) An Act relating to labor and labor relations.

Committee on Labor recommends passage.

28. (98-H 8042) (Substitute "A") An Act relating to labor and labor relations.

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

29. (98-H 7479) (Substitute "A") An Act relating to workers' compensation general provisions.

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

30. (98-H 7820) An Act relating to workers' compensation insurance.

Committee on Labor recommends passage.

31. (98-H 8799) (Substitute "A" as amended) An Act relating to labor and labor relations -workers' compensation.

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

32. (98-H 8043) (Subsh'tute "A") House Resolution creating a special House commission to study the impact of nursing staff overtime in hospitals in Rhode Island.

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

33. (98-H 8325 as amended) An Act relating to employment security- reasonable assurance.

Committee on Labor recommends passage as amended.

34. (98-H 8339) (Substitute "A") An Act relating to apprenticeship.

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

35. (98-H 7810) (Substitute "A") An Act relating to businesses and professions -requiring the registration of roofing contractors. Committee on Labor recommends indefinite postponement of the original bill and passage of Substitute "A".

36. (98-H 7675) An Act relating to labor and labor relations- arbitration of school teacher disputes.

Committee on Labor recommends passage.

37. (98-H 8330 as amended) An Act relating to criminal procedure- domestic abuse.

Committee on Labor recommends passage as amended.

38. (98-H 7310) (Substitute "A") An Act relating to labor and labor relations.

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

39. (98-H 7736) (Substitute "A") An Act relating to workers' compensation.

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

40. (98-H 7981) An Act relating to public utilities and carriers- the towing storage act.

Committee on Corporations recommends passage.

41. (98-H 7977 as amended) An Act relating to public utilities and carriers - duties of utilities and carriers.

Committee on Corporations recommends passage as amended.

42. (98-H 7974) An Act relating to businesses and professions.

Committee on Corporations recommends passage.

43. (98-H 7751) An Act relating to the Rhode Island Resource Recovery Agency.

Committee on Corporations recommends passage.

44. (98-H 7879) (Substitute "A" as amended) An Act relating to public utility companies.

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

45. (98-H 7599) House Resolution memorializing U.S. Congress to investigate cable television rates.

Committee on Corporations recommends passage.

46. (98-H 7558) An Act relating to property taxes and persons who are permanently and totally disabled.

Committee on Corporations recommends passage.

47. (98-H 7504) An Act relating to barbers, hairdressers, cosmeticians.

Committee on Corporations recommends passage.

48. (98-H 7436) An Act relating to public utilities and carriers- motor passenger carriers.

Committee on Corporations recommends passage.

49. (98-H 7120) (Substitute "A") An Act relating to towns and cities - low and moderate income housing.

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

50. (98-H 7555) An Act relating to food and drugs - uniform controlled substances act.

Committee on Health, Education and Welfare recommends passage.

51. (98-H 8073) An Act relating to nurses.

Committee on Health, Education and Welfare recommends passage.

52. (98-H 8065) An Act relating to food markets.

Committee on Health, Education and Welfare recommends passage.

53. (98-H 8060) An Act relating to businesses and professions- Board of Medical Licensure and Discipline.

Committee on Health, Education and Welfare recommends passage.

54. (98-H 7363) An Act relating to education.

Committee on Health, Education and Welfare recommends passage.

55. (98-H 8079) An Act relating to food, drugs and cosmetics act.

Committee on Health, Education and Welfare recommends passage.

56. (98-H 7873 as amended) An Act relating to education - school employees.

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

57. (98-H 7697) (Substitute "A") An Act relating to confidentiality of health care communications and information act.

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

58. (98-H 8066) (Substitute "A" as amended) An Act relating to licensing of health care facilities.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of

Substitute "A" as amended.

59. (98-H 8072) (Substitute "A") House Resolution respectfully requesting the Department of Education to develop continuing education relating to homosexuality and matters relating thereto.

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

60. (98-H 7718) An Act relating to businesses and professions- architects.

Committee on Corporations recommends passage.

61. (98-H 8247) An Act relating to relief of injured and deceased fire fighters and police officers.

Committee on Corporations recommends passage.

Appendix

CALENDAR

In order for Thursday, April 30, 1998:

1. (98-H 7689) An Act relating to public property and works authorizing the transfer of property in the town of North Kingstown to the Rhode Island Economic Development Corporation.

Committee on Corporations recommends passage.

2. (98-H7750) An Act relating to trusts for minors.

Committee on Judiciary recommends passage.

3. (98-H7995) An Act relating to alcoholic beverages - retail licenses.

Committee on Special Legislation recommends passage.

4. (98-H7996) An Act relating to alcoholic beverages - general provisions.

Committee on Special Legislation recommends passage.

5. (98-H7585) An Act relating to criminal offenses - crime against nature.

Committee on Judiciary recommends passage.

Appendix

CALENDAR

In order for Friday, May 1, 1998:

1. (98-H 8895) Joint Resolution memorializing Congress to amend title ten, United States Code relating to the compensation of retired military.

Committee on Finance recommends passage.

Appendix

CALENDAR

In order for Tuesday, May 5, 1998:

1. (98-H 7911) (Substitute "A") An Act relating to state affairs and government - open meetings.

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

2. (98-H7888) (Substitute "A") An Act relating to access to public records.

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

Appendix

CALENDAR

In order for Wednesday, May 6, 1998:

1. (98-H 8056) (Substitute "A") An Act relating to telecommunications.

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

LOUIS D'ANTUONO

Reading Clerk

Tuesday, April 28, 1998

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

Thank you for stopping by!

