

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. 52 Tuesday, May 19, 1998 Fifty-second Day

The House of Representatives meets at the State House in Providence, Tuesday, May 19, 1998, and is called to order at 5:10 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 91 members present and 9 members absent as follows:

PRESENT - 91.- The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, 5., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carroll, Carter, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, 6., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Panciera, Picard, Fires, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Sherlock Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson', Williams, Williamson, Winfield.

ABSENT - 9: Representatives Campbell, Carpenter, Caruolo, Hetherington, McGowan, Mesolella, Murphy, Palumbo, Russo.

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

CORRECTION

By unanimous consent, the House Journal of Thursday, May 14, 1998, is hereby corrected on page 2, column 1, after line 31, by inserting the following:

(98-S 3089) An Act authorizing the town of South Kingstown to finance public works capital improvement projects and to issue not more than \$500,000 bonds therefor.

Read and referred to the Committee on Corporations. On page 8, column 2, line 1 by deleting "Benson" and inserting "Barone

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, May 14, 1998, is approved as corrected.

ANNOUNCEMENTS

Representative Henseler will be out of state on Thursday, May 21, 1998 and will be unable to attend legislative session.

Also:

Representative Palumbo will be unable to attend session during the weeks of May 18 and 25.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Representative Pires, for the Committee on Finance, reports back the following measures, with recommendation of passage: (98-H 9031) (Substitute "A") An Act relating to gambling activities and other facilities.

Received and ordered to be placed on the Calendar. (98-H 8114) (Substitute "A") An Act relating to personal income tax.

Received and ordered to be placed on the Calendar. (98-H 8132) An Act relating to the sales and use taxes -- exemption for sales by writers, composers and artists.

Received and ordered to be placed on the Calendar.

TRANSFER OF BILLS

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of transfer to the Committee on Finance: (98-H 7826) An Act relating to education. Received and referred to the Committee on Finance. (98-H 7830) An Act relating to franchises. Received and referred to the Committee on Finance.

NOTICES OF BILL/RESOLUTION

INTRODUCTION

Representative Kilmartin gives notice that on the next legislative day he will introduce a measure concerning real estate appraisers. 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 Barr gives notice that on the next legislative day he will introduce a measure concerning taxation. This notice is given in compliance with House Rule 41.

JOHN DOUGLAS BARR, II
Representative, District 59

Received and ordered to be placed on file.

Representative Ferguson gives notice that on the next legislative day he will introduce a measure concerning Administrative Adjudication Court. This notice is given in compliance with House Rule 41.

LAWRENCE J. FERGUSON
Representative, District 91

Received and ordered to be placed on file.

NEW BUSINESS

Representative Carroll introduces (98-H 9106) Joint Resolution making an appropriation of \$100,000 for Gloucester Senior Citizens Association.

Read and referred to the Committee on Finance.

Representative Shavers introduces (98-H 9107) House Resolution congratulating George Andrade on being named Middletown Rotary Club's Business Person of the Year.

Representative Shavers requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Kelley, Carter, Iannitelli, Benson and Scott introduce (98-H 9108) Joint Resolution making an appropriation of \$5,000 for Envirothon Program.

Read and referred to the Committee on Finance.

Representatives Ferguson, Millard and C. Levesque introduce (98-H 9109) An Act authorizing the town of Bristol to issue general obligation bonds and notes in anticipation thereof in an amount not to exceed \$1,500,000 for the purpose of acquiring, preserving, making improvements to, and restoring certain improved and unimproved property in Bristol, Rhode Island known as Mount Hope.

Read and ordered to be held on the desk.

Representatives Ferguson, Millard and C. Levesque introduce (98-H 9110) An Act authorizing the town of Bristol to issue general obligation bonds and notes in anticipation thereof in an amount not to exceed \$1,830,000 for the purpose of financing construction of additions, renovations and repairs to existing fire stations, the acquisition of fire and rescue equipment, including rescue and special hazard vehicles and fire engines, and the provision of architectural,

engineering, surveying and other services necessary or appropriate therefore.

Read and ordered to be held on the desk.

Representatives Anzeveno and Henseler introduce (98-H 9111) House Resolution extending the reporting date of the special House commission to study all aspects of the Health Department of the state of Rhode Island and all matters relating thereto and to make recommendations therefor.

Representative Anzeveno requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives M. Anderson, Kilmartin, Coderre, Montalbano, San Bento and several other members of the House introduce (98-H 9112) House Resolution memorializing Congress to nominate the Blackstone River as a National American Heritage River.

Representative M. Anderson requests unanimous consent for immediate consideration.

There is no objection.

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

CALENDAR

From the Calendar are taken:

1. (98-H 7979) An Act relating to health and safety.

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Wasylyk, Palangio, Henseler, Benson and Lima.

By unanimous consent, Representative Wasylyk, seconded by Representative Moura, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7979)

Mr. Speaker:

I hereby move to amend (98-H 7979) entitled "AN ACT RELATING TO HEALTH AND SAFETY" as follows:

1. On page 1, lines 5 and 6, by deleting the words "health care facility licensed pursuant to the provisions of this

chapter." and inserting in place thereof the words, "hospital, whether profit or non-profit, licensed pursuant to the provisions of any general or public law."

Respectfully submitted,

PETERN.WASYLYK
Representative, District 10

The motion to amend is read and prevails on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 71: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Carter, Castro, Coderre Coelho, Costantino, Dennigan, DeSimone, Farrell, Fox, George, Giannini, Henseler, Iannitelli, Iwuc, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, McCauley, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Panciera, Picard, Fires, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Winfield.

NAYS -0.

Read and passed, as amended, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Carter, Coderre, Coelho, Costantino, ~ennigan, DeSimone, Farrell, Ferguson, Fox, George, Giannini, Iannitelli, Iwuc, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, McCauley, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Panciera, Picard, Fires, Pisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Winfield.

NAYS -0.

2. (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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 26, 1998.

3. (98-S 2094) An Act relating to businesses and professions- public accountancy.

Committee on Corporations recommends passage in concurrence.

Representative Kennedy requests the act be placed on the Speaker's desk.

Representatives S. Anderson, Kennedy, Simonian and the Honorable Speaker discuss the procedure.

There is no objection.

4. (98-S 2013) An Act relating to insurance -continuing education requirements.

Committee on Corporations recommends passage in concurrence.

Read and passed, in concurrence, on motion of Representative Kennedy, seconded by Representatives Coelho, Rose and Coderre, on a roll call vote, 73 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 73: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fox, George, Giannini, Henseler, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, McCauley, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Panciera, Picard, Fisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

5. (98-S 2284) An Act relating to state purchases - architects- engineers - consulting and printing services.

Committee on Corporations recommends passage in concurrence.

Representative Coderre moves passage of the act, seconded by Representatives Ajello, AikenSalandria, Rose, Coelho, Kilmartin and Kelley.

Representatives Picard and Coderre discuss the act.

Read and passed, in concurrence, on a roll call vote, 76 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 76: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria Farrell, Flaherty, Fox, George, Giannini, Henseler, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, McCauley, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Falangio, Panciera, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

6. (98-H 8033) An Act relating to businesses and professions shows and exhibitions.

Committee on Judiciary recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 26, 1998.

7. (98-H 7820) An Act relating to workers' compensation insurance.

Committee on Labor recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 20, 1998.

REQUEST

Representative Reilly requests all Senate bills on today's Calendar be held on the desk.

There is no objection.

ANNOUNCEMENT

Representative Lopes announces that the Committee on Special Legislation will meet today at the rise of the House in Room 201 of the State House.

PERSONAL PRIVILEGE

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

ANNOUNCEMENTS

The Honorable Speaker announces, by unanimous consent, there will be no session on Thursday, May 21, 1998, so all can enjoy a long holiday weekend.

Also:

The Honorable Speaker announces the picture date is scheduled for Thursday, May 21, 1998, and will be rescheduled to a date to be announced.

CALENDAR

On suggestion of Representative Henseler, and by unanimous consent, the Calendar for Thursday, May 21, 1998, will be placed on the Calendar for Wednesday, May 20, 1998, with the exception of number 1 (98-H 8223), which will be placed on the Calendar for Thursday, May 28, 1998.

TRANSMITTAL

By unanimous consent, all House matters on the Clerk's desk are ordered to be transmitted to the Honorable Senate forthwith.

ADJOURNMENT

At 5:33 o'clock P.M. on motion of Representative San Bento, and as a further mark of respect to the memory of Marie Kareemo; on motion of Representative Watson, and as a further mark of respect to the memory of Darius Lee Goff,

former Mayor of Warwick; on motion of Representative Salisbury, and as a further mark of respect to the memory of Sabra Orton, seconded by Representatives Henseler and Quick, the House adjourns, on a unanimous rising vote.

LINDA McELROY
Recording Clerk

Appendix

INVOCATION

REPRESENTATIVE JOHN DOUGLAS BARR, II

Lord, we have been sent to these positions of responsibility by the people. Make us mindful that we are their servants. Give us the wisdom and energy to serve them honestly and well. Amen.

Appendix

CALENDAR

In order for Wednesday, May 20, 1998:

1. (98-H 7820) An Act relating to workers' compensation insurance.

Committee on Labor recommends passage.

2. (98-H 8223) An Act relating to the administrative procedures act.

Committee on Judiciary recommends passage.

3. (98-H 7312) Joint Resolution calling upon the governments of Kuwait, the United States of America and the state of Rhode Island to form a state relationship between Rhode Island and Kuwait.

Committee on Special Legislation recommends passage.

4. (98-H 9030) An Act relating to establishment and extension of gambling.

Committee on Finance recommends passage.

5. (98-H 8338) (Substitute "A") An Act relating to sales and use tax.

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

6. (98-H 8955) (Substitute "A") An Act relating to motor and other vehicles. Joint Committee on Highway Safety

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

7. (98-S 2257) An Act relating to regulation of sales and advertising price of malt beverages, wine and distilled liquor.

Committee on Special Legislation recommends passage in concurrence.

8. (98-S 2160) Joint Resolution creating a special legislative commission to study the various land trusts and open space projects in the state.

Committee on Special Legislation recommends passage in concurrence.

Appendix

CALENDAR

In order for Tuesday, May 26, 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-H 8033) An Act relating to businesses and professions- shows and exhibitions.

Committee on Judiciary recommends passage.

Appendix

CALENDAR

In order for Wednesday, May 27, 1998:

1. (98-H 9031) (Substitute "A") An Act relating to gambling activities and other facilities.

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

2. (98-H 8114) (Substitute "A") An Act relating to personal income tax.

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

3. (98-H 8132) An Act relating to the sales and use taxes - exemption for sales by writers, composers and artists.

Committee on Finance recommends passage.

LOUIS D'ANTUONO
Reading Clerk
Tuesday, May 19, 1998

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

Thank you for stopping by!

