

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. 59 Wednesday, June 10, 1998 Fifty-ninth Day

The House of Representatives meets at the State House in Providence, Wednesday, June 10, 1998, and is called to order at 3:06 o'clock P.M., by the Honorable Frank J. Anzeveno, Jr., Deputy 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, Ajello, Amaral, Anderson, M., Anderson, 5., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Caruolo, Castro, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, 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, Meso Iella, Metts, Montanaro, Moura, Munschy, Murphy, Naughton, Palangio, Panciera, Picard, Fires, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 6; Representatives Cicilline, Ginaitt, Menard, Millard, Montalbano, Palumbo.

INVOCATION

The Honorable Deputy Speaker presents Representative Kelley, 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 Tuesday, June 9, 1998, is hereby corrected on page 2, column 1, by deleting line 11, "Read and ordered to be placed on the Calendar" and inserting "Read and referred to the Committee on Labor".

Also:

On page 7, column 2, line 1, by deleting "(98-H 7830)" and inserting "(98-H 7380)".

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, June 9, 1998, is approved as corrected.

GUEST

Representative Iannitelli welcomes to the House as a guest Brad Folsom.

ANNOUNCEMENT

Representative Ginaitt will be out of state and unable to attend session for the remainder of the week.

REPORTS OF COMMITTEES TRANSFER OF BILLS

Representative Benoit, for the Committee on Health, Education and Welfare, reports back the following measures, with recommendation of transfer to the Committee on Finance:

(98-S 2482) (Substitute "A" as amended) An Act relating to coordination of children's services pilot program.

Received and referred to the Committee on Finance.

(98-S 2481) (Substitute "A" as amended) An Act relating to education.

Received and referred to the Committee on Finance.

JOINT COMMITTEE ON HIGHWAY SAFETY

Representative Garvey, for the Joint Committee on Highway Safety, reports back the following measure, with recommendation of passage:

(98-H 8871) House Resolution respectfully requesting the Director of the Department of Transportation to construct a "flyover" to provide access to the Wampanoag Trail for motorists traveling north from Forbes Street.

Received and ordered to be placed on the Calendar.

JOINT COMMITTEE ON NAMING STATE CONSTRUCTIONS

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Representative Lally, for the Joint Committee on Naming State Constructions, reports back the following measures, with recommendation of passage:

(98-H 9007) An Act naming the Hunts River Bridge, in North Kingstown, in honor of Peter D'Abrosca.

Received and ordered to be placed on the Calendar.

(98-H 8906) An Act relating to the naming of state buildings.

Received and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

Representative Benoit, for the Committee on Health, Education and Welfare, reports back the following measure, with recommendation of passage:
(98-H 9118) (Substitute "A") House Resolution creating a special House commission to study issues affecting adults with learning disabilities.

Received and ordered to be placed on the Calendar.

NEW BUSINESS

Representative Iwuc introduces (by request) (98-H 9179) An Act authorizing suit against the town of Cumberland Thomas Pytko and Elaine Pytko.

Read and referred to the Committee on Judiciary.

Representative Martineau introduces (98-H 9180) An Act relating to Public Utilities Commission.

Read and referred to the Committee on Corporations.

Representative Malik introduces (98-H 9181) Joint Resolution making an appropriation of \$1,000 for the Warren Substance Abuse Task Force.

Read and referred to the Committee on Finance.

Representatives Kelley, Shavers, Watson and Bierman introduce (98-H 9182) An Act relating to cemeteries.

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

Representative Barr introduces (98-H 9183) House Resolution creating a special House commission to study the utilization review act.

Read and referred to the Committee on Special Legislation.

Representatives George, Inman, S. Anderson, Montanaro and Murphy introduce (98-H 9184) An Act relating to causes of action.

Read and referred to the Committee on Corporations.

Representative Kilmartin introduces (98-H 9185) An Act relating to weapons.

Read and referred to the Committee on Finance.

CALENDAR

From the Calendar are taken:

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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, June 17, 1998.

2. (98-H 7682) An Act relating to motor and other vehicles.

Committee on Finance recommends passage.

Read and passed, on motion of Representative Henseler, seconded by Representatives Faria, Coelho, Garvey, Lowe, Coderre, S. Anderson, M. Anderson, George, Kelley, Long, Scott, Amaral and Williams, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 58; Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Burlingame, Cambio, Carpenter, Caruolo, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Garvey, George, Giannini, Henseler, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Long, Lopes, Lowe, Malik, McGowan, McNamara, Metts, Montanaro, Munschy, Murphy, Palangio, Picard, Pisaturo, Rose, Russo, San Bento, Scott, Shavers, Slater, Walter, Wasyluk, Watson, Winfield.

NAYS -0.

3. (98-H 7781) An Act relating to taxation - motor vehicles - alternative fueled vehicle incentives.

Committee on Finance recommends passage.

Read and passed, on motion of Representative Henseler, seconded by Representatives Coderre, Slater, Barr and Bierman, on a roll call vote, 57 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 57; Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Burlingame, Cambio, Carpenter, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Garvey, George, Giannini, Henseler, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Long, Lopes, Lowe, Malik, McGowan, McNamara, Metts, Montanaro, Munschy, Murphy, Palangio, Picard, Pisaturo, Reilly, Rose, Russo, San Bento, Scott, Shavers, Slater, Wasyluk, Watson, Williams, Winfield.

NAYS - 1: Representative Iannitelli.

TRANSMITTAL

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

ANNOUNCEMENTS

Representative Martineau announces that the Committee on Corporations will meet today at the rise of the House in Room 203 of the State House.

Also:

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 Henseler announces that the picture for the members of the House of Representatives will be taken immediately after adjournment.

Also:

Representative Henseler announces that there will be a session tomorrow at regular time.

Also:

Representative Henseler requests the desk to be held open in order to receive committee reports.

REPORT OF COMMITTEE

COMMITTEE ON FINANCE

Representative Pires, for the Committee on Finance, reports back the following measure, with recommendation of the indefinite postponement of the original bill and passage of Substitute "A":
(98-H 8478) (Substitute "A") An Act making appropriations for the support of the state for the fiscal year ending June 30, 1999.

Received and ordered to be placed on the Calendar as a Special Order of Business for Thursday, June 18, 1998.

AT EASE

At 3:23 o'clock P.M. the Honorable Deputy Speaker declares the House to be at ease.

NOW PRESIDING

At 3:55 o'clock P.M. the Honorable Deputy Speaker yields the rostrum to the Honorable Speaker.

ORDER

At 3:55 o'clock P.M. the Honorable Speaker calls the House to order.

ADJOURNMENT

At 11:15 o'clock P.M. on motion of Representative Henseler, and as a further mark of respect to the memory of Trevor Penza; on motion of Representative Slater, and as a further mark of respect to the memory of Marion E. Stone, seconded

by Representatives Caruolo and Long, the House adjourns, on a unanimous rising vote.

LINDA McELROY
Recording Clerk

Appendix

INVOCATION

REPRESENTATIVE LEONA A. KELLEY

Thank you God for Your presence here with us and Your blessings on this Assembly and our constituents today and everyday.Amen.

Appendix

CONSENT CALENDAR

In order for Thursday, June 11, 1998:

1. (98-H 9023) An Act relating to levy and assessment of local taxes in the town of Jamestown.

Committee on Corporations recommends passage.

2. (98-H 9024) An Act relating to levy and assessment of local taxes in the town of Jamestown.

Committee on Corporations recommends passage.

Appendix

CONSENT CALENDAR

In order for Friday, June 12, 1998:

1. (98-H 8847) An Act relating to the collection of taxes generally.

Committee on Corporations recommends passage.

2. (98-S 3007) An Act relating to taxation.

Committee on Corporations recommends passage in concurrence.

3. (98-S 2168 as amended) An Act relating to taxation.

Committee on Corporations recommends passage as amended in concurrence.

4. (98-S 2790) An Act relating to taxation -town of Glocester.

Committee on Corporations recommends passage in concurrence.

5. (98-S 2789) An Act relating to the town of Glocester.

Committee on Corporations recommends passage in concurrence.

6. (98-S 2191) An Act providing for remodeling, renovating, equipping and furnishing and making certain additions and improvements to the existing Clayville Elementary School by the town of Scituate and authorizing the financing thereof, including the issue of not more then \$2,535,000 bonds therefor.

Committee on Corporations recommends passage in concurrence.

7. (98-S 2005) An Act relating to taxation -collection of taxes generally - municipal lien certificates.

Committee on Corporations recommends passage in concurrence.

8. (98-S 2886) An Act relating to taxation of real estate construction - Smith~eld.

Committee on Corporations recommends passage in concurrence.

9. (98-S 2807) An Act relating to Catholic cemeteries - increase holdings.

Committee on Corporations recommends passage in concurrence.

LOUIS D'ANTUONO

Reading Clerk

Wednesday, June 10, 1998

Appendix

CALENDAR

In order for Thursday, June 11, 1998:

1. (98H 8033) An Act relating to businesses and professions shows and exhibitions.

Committee on Judiciary recommends passage.

2. (98-H 8283) (Substitute "A") An Act relating to labor and labor relations - temporary employee protection act.

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

3. (98-H 7181) An Act relating to special stops required.

Joint Committee on Highway Safety recommends passage.

4. (98-H 7482) (Substitute "A") An Act relating to taxation- small business tax credit.

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

5. (98-S 2343) (Substitute "A") An Act relating to taxation- small business tax credit.

Committee on Finance recommends passage in concurrence.

6. (98-S 2885) An Act making an appropriation of \$5,000 to Laura A. Hoxsie.

Committee on Finance recommends passage in concurrence.

Appendix

CALENDAR

In order for Friday, June 12, 1998:

1. (98-H 9117) An Act relating to businesses and professions real estate appraiser certification act.

Committee on Finance recommends passage.

2. (98-H 7380) Joint Resolution creating a special legislative commission to study alternate funding sources for the Rhode Island Crime Victim Compensation Program and to make recommendations therefor.

Committee on Finance recommends passage.

3. (98-H 9014) An Act relating to towns and cities - general powers.

Committee on Judiciary recommends passage.

4. (98-H 8967) An Act relating to days of special observance.

Committee on Special Legislation recommends passage.

5. (98-H 7556) An Act relating to divorce and separation- child support.

Committee on Judiciary recommends passage.

6. (98-S 2963) An Act relating to agriculture and forestry.

Committee on Finance recommends passage in concurrence.

7. (98-S 3143) An Act relating to taxation -business corporation tax.

Ordered on the Calendar.

8. (98-S 3051 as amended) An Act relating to the University of Rhode Island.

Ordered on the Calendar.

9. (98-S 3064) An Act relating to the naming of state buildings.

Ordered on the Calendar.

10. (98-S 2599) (Substitute "A") An Act relating to state affairs and government -economic development.

Ordered on the Calendar.

11. (98-S 2450) An Act relating to professional service corporation.

Committee on Corporations recommends passage in concurrence.

12. (98-S 2794) An Act relating to enterprise zones.

Committee on Corporations recommends passage in concurrence.

13. (98-S 2282) (Substitute "A") An Act relating to health and safety - establishing the Rhode Island Health Care Quality Program.

Committee on Health, Education and Welfare recommends passage in concurrence.

14. (98-S 2307 as amended) An Act relating to health and safety - home care patient/client rights.

Committee on Health, Education and Welfare recommends passage in concurrence.

15. (98-S2716) (Substitute "A" as amended) An Act relating to education - establishing a right to a safe school for higher education.

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

16. (98-S 2768 as amended) An Act relating to health and safety - long term health care goal and values.

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

17. (98-S 2400) An Act relating to health and safety.

Committee on Health, Education and Welfare recommends passage in concurrence.

18. (98-S 2533) (Substitute "A") An Act relating to the Department of Elderly Affairs.

Committee on Health, Education and Welfare recommends passage in concurrence.

19. (98-S 2263) An Act relating to state affairs and government- Children's Cabinet.

Committee on Health, Education and Welfare recommends passage in concurrence.

20. (98S 2837) An Act relating to handicapped children.

Committee on Health, Education and Welfare recommends passage in concurrence.

21. (98-S 2313 as amended) An Act relating to health and safety - residential care and assisted living facility act.

Committee on Health, Education and Welfare recommends passage in concurrence.

22. (98-S 2532 as amended) An Act relating to health and safety.

Committee on Health, Education and Welfare recommends passage in concurrence.

23. (98-S 3096) (Substitute "A" as amended) An Act relating to miscellaneous fines.

Committee on Judiciary recommends passage in concurrence.

24. (98-S 2802) An Act relating to health care.

Committee on Judiciary recommends passage in concurrence.

25. (98-S 2626 as amended) An Act relating to taxation.

Committee on Judiciary recommends passage in concurrence.

26. (98-S 2471) (Substitute "A") An Act relating to proceedings in Family Court.

Committee on Judiciary recommends passage in concurrence.

27. (98-S 2421) An Act relating to health and safety - State Fire Marshal.

Committee on Judiciary recommends passage in concurrence.

28. (98-S 2401) (Substitute "A" as amended) An Act relating to waters and navigation - oil spill response fund.

Committee on Judiciary recommends passage in concurrence.

29. (98-S 2280) An Act relating to criminal offenses - arrest.

Committee on Judiciary recommends passage in concurrence.

30. (98-S 2151) (Substitute "A"as amended) An Act relating to motor vehicles.

Committee on Judiciary recommends passage in concurrence.

31. (98-S 2070) An Act relating to corporations - associations and partnerships.

Committee on Judiciary recommends passage in concurrence.

32. (98-S 2276) (Substitute "A") An Act relating to identification and apprehension of criminals.

Committee on Judiciary recommends passage in concurrence.

33. (98-S 2466) An Act relating to domestic violence.

Committee on Judiciary recommends passage in concurrence.

34. (98-S 2516) (Substitute "A" as amended) An Act relating to property - manufacturer's mold lien.

Committee on Judiciary recommends passage in concurrence.

35. (98-S 2296) An Act relating to death by wrongful act.

Committee on Judiciary recommends passage in concurrence.

36. (98-S 2803 as amended) An Act relating to evidence.

Committee on Judiciary recommends passage in concurrence.

37. (98-S 2795) An Act relating to businesses and professions- electricians.

Committee on Labor recommends passage in concurrence.

38. (98-S 2840) An Act relating to businesses and professions.

Committee on Labor recommends passage in concurrence.

Appendix

CALENDAR

In order for Tuesday, June 16, 1998:

1. (98-H 8099) An Act relating to waters and navigation- Coastal Resources Management Council.

Joint Committee on Environment and Energy recommends passage.

2. (98-H 9118) (Substitute "A") House Resolution creating a special House commission to study issues affecting adults with learning disabilities.

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

3. (98-H 8871) House Resolution respectfully requesting the Director of the Department of Transportation to construct a "ilyover" to provide access to the Wampanoag Trail for motorists traveling north from Forbes Street.

Joint Committee on Highway Safety recommends passage.

4. (98-H 9007) An Act naming the Hunts River Bridge, in North Kingstown, in honor of Peter D'Abrosca.

Joint Committee on Naming State Constructions recommends passage.

5. (98-H 8906) An Act relating to the naming of state buildings.

Joint Committee on Naming State Constructions recommends passage.

Appendix

CALENDAR

In order for Wednesday, June 17, 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.

Appendix

CALENDAR

Special Order of Business in order for Thursday, June 18, 1998:

1. (98-H 8478) (Substitute "A") An Act making appropriations for the support of the state for the fiscal year ending June 30, 1999.

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

LOUIS D'ANTUONO

Reading Clerk

Wednesday, June 10, 1998

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

Thank you for stopping by!

