

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. 69

Tuesday, June 30, 1998

Sixty-ninth Day

The House of Representatives meets at the State House in Providence, Tuesday, June 30, 1998, and is called to order at 3:14 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 93 members present and 7 members absent as follows:

PRESENT - 93; The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, 5., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Palangio, Palumbo, 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 - 7; Representatives Anzeveno, Barone, Barr, Caruolo, Castro, Iwuc, Metts.

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

CORRECTIONS

By unanimous consent, the House Journal of Monday, June 29, 1998 is hereby corrected on page 5, column 2, line 9 by inserting "in concurrence" after the words "as amended"; on page 25, column 1, line 16 by inserting the words "as amended" after (98-S 2193); on page 27, column 1, line 11, by inserting (Substitute "A") after (98-H 7628); on line 16 by deleting (Substitute "A") and inserting (Substitute "B").

APPROVAL OF RECORD

By unanimous consent, the House Journal of Monday, June 29, 1998, is approved as corrected.

ANNOUNCEMENTS

Representative Garvey will be unable to attend session today.

The Honorable Speaker wishes a Happy "75th" Birthday to his mother Helen Harwood, seconded by Representatives Lopes and Benson.

GUESTS

The Honorable Speaker welcomes to the chamber as an honored guest Congressman Patrick Kennedy.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

Representative Flaherty, for the Committee on Judiciary, reports back the following measures, with recommendation of passage:

(98-S 2779 as amended) An Act relating to redevelopment projects.

Received and ordered to be placed on the Calendar.

(98-S 3217 as amended) An Act relating to domestic relations- divorce and separation.

Received and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

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

(98-S 2123) An Act relating to state affairs and government- pharmaceutical assistance to the elderly.

Received and ordered to be placed on the Calendar.

(98-S2482) (Substitute "A" as amended) An Act relating to coordination of children's services pilot program.

Received and ordered to be placed on the Calendar.

(98-H 8203) (Substitute "A") An Act relating to Rhode Island tourism and development.

Received and ordered to be placed on the Calendar.

(98-H 8122) (Substitute "A") An Act relating to emotionally disturbed children.

Received and ordered to be placed on the Calendar.

COMMUNICATION FROM THE SENATE

A message from the Honorable Senate trans. mits with announcement of passage, of the following measure:

(98-S 2925) An Act relating to law enforcement officers' bill of rights.

Read and referred to the Committee on Judiciary.

NEW BUSINESS

Representatives Watson introduces (98-H 9243) Joint Resolution making an appropriation of \$4,000 for handicap access for Rocky Hill Grange in East Greenwich.

Read and referred to the Committee on Finance.

Representative Watson introduces (98-H 9244) Joint Resolution making an appropriation of \$5,000 for East Greenwich Recreation Program.

Read and referred to the Committee on Finance.

Representatives Henseler, Cambio, Flaherty and Naughton introduce (98-H 9245) An Act relating to criminal offenses - crimes against nature.

LEAVE OF THE HOUSE

Majority Whip Henseler requests leave of the House for immediate consideration of (98-H 9245).

Representative C. Levesque objects.

Minorty Leader Salisbury states objection is not debatable.

Read and referred to the Committee on Judiciary.

NEW BUSINESS

Representative G. Levesque introduces (98-H 9246) House Resolution repectfully requesting the Department of Environmental Management reassess the planned relocation of D.E.M. employees.

Representative G. Levesque requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative G. Levesque, seconded by Representatives Salisbury, and by unanimous consent, on a voice vote.

Representative Coderre introduces (98-H 9247) An Act relating to food markets.

Representative Coderre requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Coderre, seconded by Representatives Naughton, Amaral and Coelho, on a roll call vote with 51 voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 5L; The Honorable Speaker Harwood and Representatives Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bramley, Callahan, Cambio, Campbell, Carter, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Farrell, Flaherty, Fox, Giannini, Ginaitt, Henseler, Kennedy, Kilmartin, Lally, Lanzi, Little, Long, Malik, Martineau, McGowan, Menard, Montanaro, Moura, Munschy, Naughton, Palangio, Palumbo, Picard, Fires, Pisaturo, Rabideau, Salisbury, Shavers, Sherlock, Simonian, Slater, Watson, Williams, Winfield.

NAYS -0.

Representatives Cicilline, Fox, Williams and Ajello introduce (98-H 9248) An Act relating to health and safety - establishing freedom of access to clinic entrances.

Representative Cicilline requests unanimous consent for immediate consideration.

There is objection.

Read and referred to the Committee on Judiciary.

Representatives Williams, Burlingame, Carpenter and Benson introduce (98-H 9249) House Resolution creating a special House commission to study faculty racial diversity issues in elementary and secondary Rhode Island public schools including charter schools.

Representative Williams requests unanimous consent for immediate consideration.

There is objection.

Read and referred to the Committee on Judiciary.

Representative Fleury introduces (98-H 9250) An Act relating to insurance.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Martineau, seconded by Representatives Henseler and Fleury, on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 59; The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Coderre, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, Giannini, Ginaitt, Hefffler, Henseler, Hetherington, Iannitelli, Jacquard, Kelley, Lanzi, Levesque, C., Levesque, 6., Long, Lowe, Malik, Martineau, McGowan, McNamara, Montanaro, Munschy, Murphy, Naughton, Palangio, Palumbo, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Slater, Smith, Watson, Williams, Winfield.

NAYS -0.

Representatives Martineau, Murphy, Salisbury, Henseler, Cambio, Naughton, Simonian and Heffner introduce (98-H 9251) House Resolution congratulating Deputy Majority Leader Vincent Messoella Jr., for his 20 years of passionate and spirited service to the Rhode Island House of Representatives.

The entire House of Representatives requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Martineau, Salisbury, Henseler, Cambio, Heffner, Simonian, Benson, Naughton and several other members of the House introduce (98-H 9252) House Resolution congratulating Representative William McGowan for his six years of inspiring and dedicated service to the citizens of Rhode Island.

The entire House of Representative requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Martineau, Salisbury, Henseler, Cambio, Heftner, Naughton, Simonian and and several other members of the House introduce (98-H 9253) House Resolution Honoring Majority Leader George D. Caruolo, for his 18 years of dedicated, devoted and insipiring service to the citizens of Rhode Island.

The entire House of Representatives, requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Martineau, Salisbury, Henseler, Cambio, Heffner, Simonian and several other members of the House introduce (98-H 9254) House Resolution congratulating Representative David J. Panciera on his six years of dedicated service to the Rhode Island House of Representatives.

The entire House of Representatives requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Martineau, Salisbury, Henseler, Cambio, Heffner, Simonian and several other members of the House introduce (98-H 9255) House Resolution congratulating Deputy Speaker Frank J. Anzeveno, Jr. for his eighteen years of dedicated service to the Rhode Island House of Representatives.

The entire House of Representatives, requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of the entire House of

Representative, seconded by the Honorable Speaker, and by unanimous consent, on a voice vote.

Representatives Martineau, Salisbury, Henseler, Cambio, Heffner, Benson, Simonian and several other members of the House introduce (98-H 9256) House Resolution congratulating Representative Mark M. Montalbano on his eight years of dedicated service to the House of Representatives and the citizens of the state of Rhode Island.

The entire House of Representatives requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Salisbury, Long, Quick, Callahan, Scott, Amaral, Walter and several other members of the House introduce (98-H 9257) House Resolution congratulating Representative Hubert "Huck" E. Little on his six years of dedicated service to the Rhode Island House of Representatives and the citizens of Rhode Island.

The entire House of Representatives, requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Martineau, Salisbury, Henseler, Cambio, Benson Naughton and several other members of the House introduce (98-H 9258) House Resolution congratulating Representative Harold M. Metts on his 14 years of dedicated service to the Rhode Island House of Representatives.

The entire House of Representatives, requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Salisbury, Long, Quick, Callahan, Scott, Amaral, Walter and several other members of the House introduce (98-H9259) House Resolution congratulating Representative Susan B. Iannitelli on her six years of dedicated service to the Rhode Island House of Representatives.

The entire House Representatives, requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Salisbury, Long, Quick, Callahan, Scott, Amaral, and several other members of the House introduce (98-H 9260) House Resolution congratulating Representative Sandra J. Campbell on her eight years of dedicated service to the Rhode Island House of Representatives.

The entire House of Representatives requests unanimous consent for immediate consideration.

There is no objection.

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

The Honorable Speaker Harwood and Representatives Long, Quick, Callahan, Scott, Amaral, Kelly and several other members of the House introduce (98-H 9261) House Resolution congratulating Representative Wayne L. Salisbury on his twelve years of dedicated service to the Rhode Island House of Representatives.

The entire House of Representatives requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Salisbury, Long, Quick, Callahan, Scott, Amaral, Walter and several other members of the House introduce (98-H9262) House Resolution thanking Representative Brock Bier-man for his 4 years of inspiring service to the Rhode Island House of Representatives.

The entire House of Representatives requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Long and Henseler introduce (98-H 9263) House Resolution extending condolences.

Representative Long requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Long, seconded by Representative Henseler, and by unanimous consent, on a rising vote.

Representatives Long and Henseler introduce (98-H 9264) House Resolution extending condolences.

Representative Long requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Long, seconded by Representative Henseler, and by unanimous consent, on a rising vote.

Representatives Long and Henseler introduce (98-H 9265) House Resolution extending congratulations.

Representative Long requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Long, seconded by Representative Henseler, and by unanimous consent, on a voice vote.

Representative Salisbury introduce (98-H 9266) An Act relating to apprenticeship.

Representative Salisbury requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Salisbury, seconded by Representatives Long, the Act passes on a roll call vote with 64 members voting in the affirmative and 0 voting in the negative as follows:

YEAS - 64: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, S., Benoit, Bierman, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Crowley, Dennigan, Faria, Farrell, Ferguson, Flaherty, George, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, G., Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesoella, Millard, Montanaro, Moura, Munschy, Naughton, Palangio, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Slater, Smith, Walter, Watson, Williams, Williamson, Winfield.

NAYS -0.

Representative Salisbury introduce (98-H 9267) An Act relating to motor and other vehicles -parking facilities and privileges.

Representative Salisbury requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Salisbury, seconded by Representative Long, the Act passes on a roll call vote with 59 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 59 The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, George, Giannini, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Levesque, G., Long, Lopes, Malik, Martineau, McGowan, Mesoella, Millard, Montanaro, Moura, Munschy, Naughton, Palangio, Picard, Pisaturo, Quick, Rabideau, Rose, Salisbury, Scott, Shavers, Slater, Smith, Walter, Watson, Williams, Williamson, Winfield.

NAYS -0

TRANSMITTAL

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

CALENDAR

In order for the day are taken:

1. (98-S2577 as amended) An Act relating to commercial laws- unfair sales practices.

Committee on Corporations recommends passage as amended.

RECOMMIT

Representative Martineau moves to recommit (98-S 2577 as amended), seconded by Representative Henseler.

There is no objection.

The act is recommitted, by unanimous consent, on a voice vote.

Read and recommitted to the Committee on Corporations.

REQUEST

Representative Kelley requests the journal to reflect that is she had voted on (98-H 7736) #8 on yesterday's Calendar, she would have voted in the affirmative.

There is no objection.

CALENDAR

From the Calendar are taken:

2. (98-H 7779) (Substitute "A") An Act relating to elections - campaign contributions and expenditures reporting.

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

Read, received and by unanimous consent ordered to be placed on the Calendar for Wednesday, July 1, 1998.

AFFIDAVIT

I, Charles E. Millard, Jr., State
Representative, District 90, hereby under oath, depose and say:

1. I expect to be called upon, in my capacity as State
Representative, to participate in the consideration of, and vote upon: (98-S 2560).

2. I have the following interest in the matter listed under paragraph 1, above:

As contractor, subject to regulation.

3. In compliance with Section 36-14-6(1) & (2)A of the General Laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1, above.

CHARLES E. MILLARD, JR.,
Representative District 90
State of Rhode Island
County of Providence

Subscribed and sworn to before me this 25th day of February, 1998 A.D.

SUSAN IANNITELLI
Notary Public

Representative Millard is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

JOHNB.HARWOOD
Speaker of the House
of Representatives

CALENDAR

3. (98-S2560 as amended) An Act relating to businesses and professions requiring the registration of roofing contractors.

Committee on Labor recommends passage in concurrence.

Read and passed as amended, in concurrence, on motion of Representative Kennedy, seconded by Representatives Pires and Farrell, on a roll call vote, 54 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Anzeveno, Bramley, Campbell, Carpenter, Carter, Coderre, Coelho, Costantino, ~eSimone, Farrell, Ferguson, Fleury, Fox, George, Giannini, Ginaitt, Henseler, Hetherington, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Levesque, C., Lowe, Malik, Martineau, McCauley, McNamara, Montal(bano, Montanaro, Munschy, Murphy, Palangio, Palumbo, Panciera, Fires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Shavers, Sherlock, Slater, Wasylyk, Williams, Williamson.

NAYS - 9: Representatives Benson, Burlingame, Iannitelli, Little, McGowan, Picard, Quick, Salisbury, Walter.

REQUEST

Representative Amaral requests the Journal to reflect that if he had voted on (98-H 2560) he would have voted in the negative

There is no objection

CALENDAR

4. (98-H 7363) (Substitute "A" as amended) An Act relating to education.

Ordered on the Calendar. Read, Recieved and by unanimous consent, ordered to be placed on the bottom of page 3 of the Calendar as item number 15A.

5. (98-S2865) (Substitute "A" as amended) An Act relating to businesses and professions.

Committee on Corporations recommends passage in concurrence.

RECOMMIT

Representative Martineau moves to recommit (98-S 2865) (Substitute "A"), seconded by Representative Henseler.

There is no objection.

The Act is recommitted, by unanimous consent, on a voice vote.

Read and recommitted to the Committee on Corporations.

ANNOUNCEMENT

By agreement of the Majority and Minority, Thursday's Calendar will be taken up next.

There is no objection.

CALENDAR

1. (98-H 9165) An Act relating to the town of North Smithfield- Juvenile Hearing Board.

Committee on Judiciary recommends passage.

Read and passed, on motion of Representative Flaherty, seconded by Representatives Faria, Williams, Lowe and Burlingame, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Burlingame, Cambio, Carpenter, Carroll, Carter, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Levesque, C., Levesque, G., Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montalbano, Montanaro, Munschy, Murphy, Naughton, Falangio, Palumbo, Panciera, Picard, Pisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Shavers, Slater, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

2. (98-H 9025) An Act relating to labor and labor relations- hoisting engineers.

Committee on Finance recommends passage.

Read and passed, on motion of Representative Kilmartin, seconded by Representatives Carter, Montanaro and Faria, on a roll call vote, 73 members voting in the affirmative and 1 members voting in the negative as follows:

YEAS - 73: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Burlingame, Cambio, Campbell, Carpenter, Carroll, Carter, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Henseler, Hetherington, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Shavers, Sherlock, Slater, Smith, Walter, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Iannitelli.

3. (98-H 8206) (Substitute "A") An Act relating to public officers and employees.

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

Representative Moura, moves passage, seconded by Representatives S. Anderson and Kelley.

Representative Moura, Salisbury, Mesoella and Callahan discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 12 members voting in the negative as follows:

YEAS 69: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fox, George, Giannini, Ginaitt, Henseler, Hetherington, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesoella, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Palangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, San Bento, Shavers, Sherlock, Slater, Wasylyk, Williams, Winfield.

NAYS - 12: Representatives Amaral, Burlingame, Callahan, Fleury, Iannitelli, Levesque, G., Little, Long, Millard, Salisbury, Walter, Watson.

4. (98-H 8105) An Act relating to mental health, retardation and hospitals -- Department of Health.

Committee on Finance recommends passage.

Representative Sherlock, moves passage, seconded by Representatives Ajello, Henseler, Benson, Cambio, Picard, Cicilline, Costantino, C. Levesque and Coderre.

Representatives Sherlock, Salisbury, Costantino, Benson, Bramley, Long and Pires discuss the Act.

The Act is passed on a roll call vote, 65 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS 65: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benson, Bramley, Burlingame, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, IBeSimone, Faria, Flaherty, Fox, George, Giannini, Ginaitt, Henseler, Hetherington, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lanzi, Levesque, C., Levesque, G., Lima, Lowe, Malik, Martineau, McCauley, McGowan, Menard, Montalbano, Montanaro, Moura, Munschy, Murphy, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Quick, Reilly, Rose, San Bento, Shavers, Sherlock, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 13: Representatives Amaral, Bierman, Callahan, Fleury, Iannitelli, Little, Long, McNamara, Millard, Falangio, Rabideau, Salisburv, Scott.

REQUEST

Representative Lopes requests the Journal to reflect that if she had voted on (98-H 8105) she would have voted in the affirmative.

There is no objection.

5. (98-H 9071) An Act amending the city charter of the city of Newport by expanding the jurisdiction of the municipal court to authorize the court to lein real property of landowners upon final judgment for minimum housing and zoning violations.

Committee on Corporations recommends passage.

Read and passed, on motion of Representative Kennedy, seconded by Representatives Shavers and G. Levesque, on a roll call vote, 84 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 84: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Sherlock, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

6. (98-H 9207) An Act relating to the town of South Kingstown- condemnation authority.

Committee on Corporations recommends passage.

Read and passed, on motion of Representative Kennedy, seconded by Representatives Lally, Kelley, Quick, Carter and Benson, on a roll call vote, 80 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 80: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Hefner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Palumbo, Fanciera, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Slater, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

TRANSMITTAL

By unanimous consent, (98-H 9207) on the Clerk's desk is ordered to be transmitted to the Honorable Senate forthwith.

CALENDAR

7. (98-H 9061) An Act relating to taxation.

Committee on Corporations recommends passage.

Read and passed, on motion of Representative Kennedy, seconded by Representatives Walter, George, Scott, Carter and Henseler, on a roll call vote, 73 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 73: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S.,

Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, G., Lima, Little, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Ficard, Fisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Scott, Shavers, Slater, Smith, Walter, Williams, Williamson, Winfield.

NAYS - 3: Representatives Fleury, Montalbano, Montanaro.

TRANSMITTAL

By unanimous consent, (98-H 9061) on the Clerks desk is ordered to the Honorable Senate forthwith.

CALENDAR

8. (98-H 8315) An Act relating to merit system - unclassified service.

Committee on Finance recommends passage.

Read and passed, on motion of Representative Naughton, seconded by Representative Martineau, on a roll call vote, 82 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 82: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Shavers, Sherlock, Slater, Smith, Walter, Wasylyk, Watson, Winfield.

NAYS - 0.

9. (98-S3102) (Substitute "A" as amended) An Act relating to public officers and employees.

Committee on Finance recommends passage in concurrence.

Read and recieved and, by unanimous consent, ordered to be placed on the bottom of the page as item number 15B.

10. (98-S2397) (Substitute "A") An Act relating to holidays and days of specal observance - work permits on holidays and Sundays.

Committee on Labor recommends passage in concurrence.

Representative 5. Anderson, moves passage of Substitute "B" seconded by Representatives Lanzi, Lopes, Lima, Long, Malik, Picard, Shavers, McGowan, Reilly, Menard, M. Anderson, Burlingame and George.

Representatives Ferguson and S. Anderson discuss the Act.

Read and received and by unanimous consent ordered to be placed at the bottom of the next page of the Calendar as item number 24A.

11. (98-S2771) (Substitute "A") An Act relating to parks and recreational areas -persons with disabilities.

Committee on Special Legislation recommends passage in concurrence.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on motion of Representative Lopes, seconded by Representatives Martineau and Kelley, on a roll call vote, 81 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 81: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bramley, Burlingame, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, Garvey, George, Giannini, Ginaitt, Hefner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Mesolella, Millard, Montalbano, Montanaro, Moura, Munsch, Murphy, Naughton, Falangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

12. (98-S2213) An Act relating to motor and other vehicles-- registration of vehicles.

Committee on Special Legislation recommends passage in concurrence.

Read and passed, in concurrence, on motion of Representative Lopes, seconded by Representative Martineau, on a roll call vote, 71 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, DeSimone, Faria, Farrell, Flaherty, Fox, Giannini, Ginaitt, Henseler, Hetherington, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, G., Lima, Little, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montalbano, Moura, Munsch, Murphy, Falangio, Falumbo, Fanciera, Ficard, Fisaturo, Quick, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Sherlock, Slater, Smith, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 6: Representatives Fleury, Iannitelli, Montanaro, Fires, Rabideau, Walter.

13. (98-S2750) An Act relating to state affairs Rhode Island Greenways.

Committee on Special Legislation recommends passage in concurrence.

Read and passed, in concurrence on motion of Representative Lopes, seconded by Representative Martineau, on a roll call vote, 78 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 78: The Honorable Speaker Harwood and Representatives Aiken, Amaral, Anderson, M., Anderson, S., Benson, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, Fox, George, Giannini, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montalbano, Montanaro, Moura, Munsch, Murphy, Falangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Rose, San Bento, Scott, Shavers, Sherlock, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

14. (98-S2830) (Substitute "A" as amended) An Act relating to code of ethics.

Committee on Judiciary recommends passage in concurrence.

Representative Flaherty, moves passage, seconded by Representatives Benson, Martineau, Sklater, Shavers, Lopes, Palumbo, Salisbury and M.Anderson

Representatives C. Levesque, Long and Flaherty discuss the Act.

The bill marked Substitute "A" is read and passed as amended in concurrence, as amended, in concurrence and the original bill indefinitely postponed, on a roll call vote, 49 members voting in the affirmative and 32 members voting in the negative as follows:

YEAS - 49: The Honorable Speaker Harwood and Representatives Anderson, M., Benson, Callahan, Cambio, Campbell, Carpenter, Carter, Coderre, Coelho, Costantino, Crowley, Faria, Flaherty, Fleury, Fox, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelso, Kennedy, Kilmartin, Lima, Little, Lopes, Lowe, Martineau, McCauley, McNamara, Menard, Mesolella, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Fires, Rose, Salisbury, San Bento, Sherlock, Slater, Williams, Williamson.

NAYS 32: Representatives Aiken, Ajello, Amaral, Bramley, Burlingame, Carroll, Cicilline, Dennigan, DeSimone, George, Heffner, Kelley, Lally, Lanzi, Levesque, C. Levesque, G., Long, Malik, McGowan, Millard, Montanaro, Ficard, Fisaturo, Rabideau, Reilly, Scott, Shavers, Smith, Walter, Wasylyk, Watson, Winfield.

15. (98-S2825) An Act relating to family court.

Committee on Judiciary recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Iannitelli, seconded by Representatives Sherlock, Kelley, Rabideau and Naughton.

Representatives Lopes and Iannitelli discuss the Act.

On a roll call vote, 79 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 79: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McNamara, Mesolella, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 3: Representatives McGowan, Ficard, Walter.

TRANSMITTAL

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

AFFIDAVIT

I, Joseph McNamara, State
Representative, District 29, hereby under oath, depose and say:

1. I expect to be called upon, in my capacity as State
Representative, to participate in the consideration of, and vote upon: (98-H 7363).

2. I have the following interest in the matter listed under paragraph 1, above:

As health and Wellmness Coocrdinator for Pawtucket Schools, I control Federal and State grants which may be used to fund a charter school.

3. In compliance with Section 36-14-6(1) & (2)A of the General Laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1, above.

JOSEPH McNAMARA
Representative District 29
State of Rhode Island
County of Providence

Subscribed and sworn to before me this 29th day of June, 1998.

DONALD O. REILLY JR.
Notary Public

Representative McNamara is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

JOHNB.HARWOOD
Speaker of the House
of Representatives

CALENDAR

15A. (98-H 7363) (Substitute "A" as amended) An Act relating to education.

Ordered on the Calendar.

Representative Crowley moves passage of the act, seconded by Representatives Burlingame, Pires, Martineau, Cambio, Picard, Walter, Millard, Kelley, Long, Amaral and Little.

By unanimous consent, Representative Carroll, seconded by Representative G. Levesque, Martineau, Pisatauro, Moura and Fox, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7363) (Substitute "A" as amended)

Mr. Speaker:

I hereby move to amend (98-H 7363) (Substitute "A" as amended) entitled "AN ACT RELATING TO EDUCATION" as follows:

On page 12, by deleting the language on lines 13 through 17 and inserting in place thereof the following language:

"Section 2. The commissioner of elementary and secondary education shall develop a mechanism to support the funding of charter schools said mechenism for said schools established pursuant to section 16-77-4.2 shall be consistnt with the principle of full state funding. Said mechanism for schools established pursuant to section 16-77-4.1 shall be consistent with the terms and conditions of section 16-77-6. The funding mechanism shall be promelgated and shall be issued as a recommendation to the general assembly no later than December 31, 1998. No charter shall be granted for a newly created school established pursuant to section 16-77-4.2 until the funding mechanism is adopted by An Act of the General Assembly.

Respectfully submitted,

MARY ANN F. CARROLL
Representative, District 15

Representatives Moura, Smith, Crowley and Benson discuss the amendment.

POINT OF ORDER

Representative Moura rises on a point of order for Representative Crowley to speak germane to the amendement.

The Honorable Speaker rules Representative Crowley to speak germane to the amendement.

CALENDAR

Reresentatives Bramley, Montanaro, Moura, Pires and Smith continue discussion on the amendment.

The motion to amend is read and fails on a roll call vote, 40 members voting in the affirmative and 44 members voting in the negative as follows:

YEAS - 40: Representatives Anderson, M., Anderson, S., Benson, Bierman, Bramley, Carroll, Coderre, DeSimone, Faria, Farrell, Fox, Giannini, Ginaitt, Hetherington, Inman, Jacquard, Kennedy, Kilmartin, Lally, Lan:'i, Levesque, C., Levesque, G., Lima, Lopes, Malik, McCauley, McGowan, Menard, Montalbano, Montanaro, Moura, Naughton, Falumbo, Fisaturo, Shavers, Sherlock, Slater, Smith, Wasylyk, Williams.

NAYS - 44: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Burlingame, Cambio, Campbell, Carpenter, Carter, Coelho, Costantino, Crowley, Dennigan, Ferguson, Flaherty, Fleury, George, Hefner, Henseler, Iannitelli, Kelley, Kelso, Little, Long, Lowe, Martineau, Mesolella, Millard, Munschy, Murphy, Fanciera, Ficard, Fires, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Walter, Watson, Williamson, Wintfield.

By unanimous consent, Representative Williams, seconded by Representative Pisaturo, Carpenter, Bramley, Benson, McGowan, Lanzi, Carroll, Montanaro, Moura, Amaral, McCauley, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7363) (Substitute "A" as amended)

Mr. Speaker:

I hereby move to amend (98-H 7363) (Substitute "A" as amended) entitled "AN ACT RELATING TO EDUCATION" as follows:

(1) On page 6, line 31, by adding after the word "school." the following language: "The governing body of a proposed charter school shall develop and publish policies and procedures that guarantee efforts will be made in the recruitment of the faculty of said proposed charter school that will mirror the racial composition of the student body as closely as possible.

Respectfully submitted,

ANASTASIA P. WILLIAMS
Representative, District 9

Representatives Crowley, Ajello, Pisatauro, Benson, Costantino, Williams, and Lopes discuss the amendment.

Representative Williams requests to hold the amendment.

By unanimous consent, Representative Moura, seconded by Representatives Palumbo, Pisaturo and several members of the House offers the following written motion to amend.

FLOOR AMENDMENT

TO

(98-H 7363) (Substitute "A" as amended)

Mr. Speaker:

I hereby move to amend (98-H 7363) (Substitute "A" as amended) entitled "AN ACT RELATING TO EDUCATION" as follows:

By deleting all of the language following the enactment clause and inserting in place thereof the following:

SECTION 1. Sections 16-77-2, 16-77-3, 16-77-4.1, 16-77-4.2, and 16-77-8 of the General Laws in Chapter 16-77 entitled "Establishment of Charter Public Schools" are hereby amended to read as follows:

16-77-2. LEGISLATIVE PURPOSE. -

(a) The purpose of this chapter is to provide an alternative within the public education system by offering opportunities for existing public schools, groups of public school personnel, school districts, groups of school districts, school districts in collaboration with established Rhode Island nonprofit organizations which have existed for at least two (2) years and exist for a substantial reason other than to operate a school and school districts in collaboration with a public Rhode Island college or university, to establish and maintain a public school program according to the terms of its charter.

(b) Charter public schools are intended to be vanguards, laboratories, and an expression of the on-going and vital state interest in the improvement of schools. These charter public schools shall be vehicles for research and development in areas such as curriculum pedagogy, administration, materials, facilities, governance, parent relations and involvement, social development, instructor's and administrator's responsibilities, working conditions, and fiscal accountability. It is the intent of the general assembly to create within the public school system vehicles for innovative learning opportunities to be utilized and evaluated in pilot projects. The provisions of this chapter are to be interpreted liberally to support the purposes set forth herein and to advance a renewed commitment by the state to the mission, goals, and diversity of public education.

(c) It is the intent of the general assembly to provide opportunities for teachers, parents, pupils, and community members to establish and maintain public schools that operate independently but within the existing public school district structure

The purpose of a charter school is to:

(1) Improve pupil learning by creating schools with rigorous academic standards in all basic areas of instruction for pupil performance;

(2) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as educationally disadvantaged and at risk;

(3) Encourage the use of innovative teaching methods;

(4) Create opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;

(5) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system;

(6) Hold the schools established under this chapter accountable for meeting publicly promulgated, measurable, state and charter-based pupil academic results, and provide the schools with a method to implement performance based and/ or other student based accountability systems; and

(7) Encourage parental and community involvement with public schools.

16-77-3. COMMISSIONER OF ELEMENTARY AND SECONDARY EDUCATION AND LOCAL SCHOOL COMMITTEE AUTHORIZED TO RECOMMEND THE GRANTING OF A CHARTER. - (a) The commissioner of elementary and secondary education and/or the school committee where the charter public school is to be located are hereby authorized in response to an application to recommend to the board of regents for elementary and secondary education the granting of a revocable charter authorizing operation of a charter public school for up to five (5) years, subject to renewal for additional five (5) year periods.

(b) Charters shall be granted only to:

(1) existing public schools; or

(2) groups of public school personnel; or

(3) public school districts-; or

(4) groups of school districts; or

(6) school districts in collaboration with established Rhode Island nonprofit organizations which have existed for at least

two (2) years and exist for a substantial reason other than to operate a school; or

(6) school districts in collaboration with a public Rhode Island college or university.

(c) No existing public school shall be converted into a charter public school unless a majority of the parents and/or guardians of the students currently assigned to the school and two-thirds (2/3) of the certified teaching personnel currently assigned to the school approve the proposed charter, as provided in section 16-77-4.1.

(d) Each proposed charter for a newly created public school must demonstrate to the school committee, to the commissioner, and to the board of regents in the application that there are a number of certified teaching personnel equal to at least two-thirds (2/3) of the number of personnel that will be required to staff the proposed school who desire to participate in it and a number of parents of eligible children equal to at least one-half (1/2) of the number of students that would attend the proposed school who desire to have their children participate in it, as provided in section 16-77-4.2.

(e) No child shall be required to attend a charter public school nor shall any teacher be required to teach in a charter public school. The school committee shall make accommodations to facilitate the transfer of students who do not wish to participate in the charter public school into other public schools. It shall also make accommodations for those students who wish to participate to transfer into the charter public school as space permits. The school committee and the collective bargaining agent for teachers in the school district shall make accommodations to facilitate the transfer of teaching staff who do not wish to participate in the charter public school into other public schools, and to facilitate the transfer of those who wish to participate into the charter public school.

(f) The commissioner is hereby empowered to promulgate rules and regulations consistent with this chapter, in conformance with chapter 35 of title 42, for the creation and operation of charter public schools.

(g) All charter schools shall adhere to financial recordkeeping, reporting, auditing, requirements, and procedures, in the same manner as required of local public school districts and in accordance with federal and state laws and regulations.

(h) Any established Rhode Island nonprofit organization which seeks to collaborate with a school district to establish a charter school must submit its financial records and financial plan for operating the school to the auditor general, who shall review the records, the financial plan, and the financial integrity of the organization. No application for a charter school from a school district in collaboration with an established Rhode Island nonprofit organization may be considered by the board of regents until the auditor general has approved the financial plan and financial recordkeeping system and is satisfied that the nonprofit organization is financially responsible. The auditor general shall notify the board of regents, the commissioner of elementary and secondary education, and the speaker of the house of representatives of the findings. The auditor general shall have the authority to review charter schools on an annual basis or require the charter school to have an annual certified audit in accordance with the same federal and state standards that are applicable to local public school districts. If as a result of any annual audit the auditor general believes there are financial irregularities, the auditor general shall withdraw the original approval and the board of regents shall withdraw its approval for the charter school to continue operation.

(i) The board of regents for elementary and secondary education shall not approve a charter to a school whose overall operation or education program is managed by a for-profit entity.

16-77-4.1. ESTABLISHING A CHARTER PUBLIC SCHOOL AT AN EXISTING SCHOOL. - In those instances where a charter is being sought for an existing public school, the charter must receive the affirmative votes of two-thirds (2/3) of the teachers assigned to the school prior to implementation. If so approved by the faculty, the charter shall be voted on by the parents or legal guardians of each student assigned to the school, with one vote being cast for each student. To be adopted by the parents, the charter must receive the affirmative votes of parents or legal guardians representing a majority of all the students assigned to the school. The charter may then be presented by the commissioner of elementary and secondary education to the board of regents for elementary and secondary education for its approval. The charter shall set forth those provisions of state statute, regulation, which will not be applicable to that charter public school. By two-thirds (2/3) vote of the teachers as provided for herein, the teachers will be deemed to

have given their consent to the variances from those provisions of law, regulation, and school district rules. The charter shall set forth those provisions of the collective bargaining agreement which will not be applicable to that charter public school subject to agreement by the parties to the collectively bargaining agreement. Effective in the charter. By approval of the charter upon the recommendation of the commissioner of elementary and secondary education, the board of regents will be deemed to have authorized all necessary variances from law and regulation enumerated in the charter. Should the need for relief from the operation of additional provisions of law and/or contract become apparent subsequent to implementation of the charter, a variance may be obtained by an affirmative vote of two-thirds (2/3) of the teachers then assigned to the school, agreement by all parties to the collective bargaining agreement, and by an affirmative vote of the board of regents upon a recommendation of the commissioner of elementary and secondary education.

16-77-4.2. ESTABLISHING A CHARTER PUBLIC SCHOOL AT A NEWLY CREATED SCHOOL. - In those instances where a charter is being sought for a newly created public school, the charter must receive the affirmative support of a number of certified teachers employed within the school district at least equal to two-thirds (2/3) of the numbers of teachers that will be required to staff the proposed charter public school. The teachers must state their desire to transfer to the charter public school, once established, and to teach under the terms of the charter. To demonstrate parental support within the school district, the charter must receive the affirmative support of parents or legal guardians representing a number of students currently enrolled in the school district equal to at least one-half (1/2) of the number of students who would be needed to attend the proposed charter public school. The parents or guardians must state their desire to have their children transfer to the charter public school, once established, and to be educated under the terms of the charter. The charter may then be presented by the commissioner of elementary and secondary education to the board of regents for elementary and secondary education for its approval. The charter shall set forth those provisions of state statute, regulation, and school district rules, which will not be applicable to that charter public school. By two-thirds (2/3) vote of the teachers as provided for herein, the teachers will be deemed to have given their consent to the variances from those provisions of law, regulations and school district rules. The charter shall set forth those provisions of the collective bargaining agreement which will be not applicable to that charter public school subject to agreement by the parties to the collectively bargained agreement. By approval of the charter upon the recommendation of the commissioner of elementary and secondary education, the board of regents will be deemed to have authorized all necessary variances from law and regulation enumerated in the charter. Should the need for relief from the operation of additional provisions of law regulations, or school district rule become apparent subsequent to implementation of the charter, a variance may be obtained by an affirmative vote of two-thirds (2/3) of the teachers then assigned to the school, agreement by all parties to the collective bargaining agreement and by an affirmative vote of the board of regents upon a recommendation of the commissioner of elementary and secondary education.

16-77-8. OVERSIGHT BY COMMISSIONER. - (a) Individuals or groups may complain to a charter school's governing body concerning any claimed violation of the provisions of this chapter by the school. If, after presenting their complaint to the governing body, the individuals or groups believe their complaint has not been adequately addressed, they may submit their complaint to the commissioner of elementary and secondary education who shall hear and decide the issue pursuant to sections 16-39-1 and 16-39-2.

(b) Charter school approval for establishment or continuation shall be for up to a five (5) year period. In either case, board of regents approval is required. However, the charter may be revoked at any time if the school:

- (1) Materially violated provisions contained in the charter;
- (2) Fails to meet or pursue the educational objectives contained in the charter;
- (3) Fails to comply with fiscal accountability procedures as specified in the charter; or
- (4) Violates provisions of law that have not been granted variance by the board of regents.

(c) After denying or prior to nonrenewing or revoking a charter, the department of elementary and secondary education will hold a hearing on the issues in controversy under section 16-39-1.

(d) No more than ten (10) charters, serving no more than two percent (2%) of the state's school age population, shall be granted prior to July 1, 1996, and an additional ten (10) charters, serving no more than four percent (4%) of the state's school age population, by July 1, 1997. At least ten (10) of the twenty (20) total charters shall be reserved for charter school applications which are designed to increase the educational opportunities for at-risk pupils. In the first year, no more than two (2) charters may be granted in a single school district, except that if a district has more than twenty thousand (20,000) students then four (4) charters may be granted.

Respectfully submitted,

PAULE.MOURA
Representative, District 2

Representative Moura and Crowley discuss the amendment.

The motion to amend is read and fails passage on a roll call vote, 31 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 31: Representatives Anderson, M., Anderson, S., Bierman, Bramley, Carroll, DeSimone, Fox, Giannini, Ginaitt, Hetherington, Inman, Jacquard, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Lopes, McCauley, McGowan, Menard, Montalbano, Montanaro, Moura, Murphy, Falumbo, Fisaturo, Slater, Smith, Wasylyk, Williams.

NAYS - 52: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Benson, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carter, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Heffner, Henseler, Iannitelli, Kelley, Kelso, Kilmartin, Lima, Little, Long, Malik, Martineau, Mesolledo, Millard, Munschy, Naughton, Falangio, Fanciere, Ficard, Quick, Rabidaeu, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Walter, Watson, Williamson, Winfield.

Representative Williams rises to offer an oral amendment to her amendment.

Representative Cambio objects to the offering of an oral amendment.

Several members rise on points of order and to discuss Representative Cambio's objection. The Honorable Speaker rules Representative Cambio is entitled in her objection under the rules and that her objection is not debatable.

Representative Martineau asks the leave of the House for Representative Williams to offer her oral amendment. Without further objection it is so ordered.

By unanimous consent, Representative Williams, seconded by Representative McGowan, Shavers, Montanaro, Lopes, Pisatauro, offers an oral amendment to the amendment

Representatives Costantino, Williams, Bramley, C. Levesque, Hetherington, Smith, McGowan, Lopes and Burlingame discuss the oral amendment to the amendment.

The oral motion to amend the amendment is read and fails on a roll call vote with 30 members voting in the affirmative and 54 members voting in the negative as follows:

YEAS - 30: Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Carpenter, Carroll, DeSimone, Fox, Hetherington, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Lopes, McCauley, McGowan, Menard, Montanaro, Moura, Fisaturo, Rabideau, Russo, Slater, Smith, Wasylyk, Williams.

NAYS - 54: The Honorable Speaker Harwood and Representatives Amaral, Burlingame, Callahan, Cambio, Campbell, Carter, Coderre, Costantino, Crowley, Dennigan, Faria, Farrell, Flaherty, Fleury, George, Ginaitt, Heffner, Henseler, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Little, Long, Lowe, Malik, Martineau, Mesolleda, Millard, Montalbano, Munschy, Murphy, Naughton, Falangio, Fanciera, Ficard, Fires, Quick, Reilly, Rose, Salisbury,

San Bento, Scott, Shavers, Sherlock, Simonian, Walter, Watson, Williamson, Winfield.

FLOOR AMENDMENT

TO

(98-H 7363) (Substitute "A" as amended)

Mr. Speaker:

I hereby move to amend (98-H 7363) (Substitute "A" as amended) entitled "AN ACT RELATING TO EDUCATION" as follows:

(1) On page 6, line 31, by adding after the word "school." the following language: "The governing body of a proposed charter school shall develop and publish policies and procedures that guarantee efforts will be made in the recruitment of the faculty of said proposed charter school that will mirror the racial composition of the state as closely as possible.

Respectfully submitted,

ANASTASIA P. WILLIAMS

Representative, District 9

The amendment fails on a roll call vote, 33 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 33: Representatives Aiken, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Carpenter, Carroll, Cicilline, DeSimone, Fox, Hetherington, Inman, Lally, Lan'le Levesque, C., Levesque, G., Lima, Lopes, McCauley, McGo? wan, Menard, Montanaro, Moura, Fisaturo, Rabideau, Russo Shavers, Slater, Smith, Wasylyk, Williams, Williamson.

NAYS - 51: The Honorable Speaker Harwood and Representatives Ajello, Amaral, Burlingame, Callahan, Cambio, Campbell, Carter, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Ginaitt, Heffner, Henseler, Iannitelli, Jaquard, Kelley, Kelso, Kennedy, Kilmartin, Little, Long, Lowe, Malik, Martineau, Millard, Montalbano, Munschy, Murphy, Naughton, Falangio, Fanciera, Ficard, Fires, Quick, Reilly, Salisbury, San Bento, Scott, Simonian, Walter, Watson, Winfield.

Representatives Lima, Crowley, Amaral, Smith and Moura discuss the act.

The Act passes in concurrence, on a roll call vote, 49 members voting in the affirmative, and 39 members voting in the negative, as follows:

YEAS 49: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Benson, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carter, Cicilline, Coelho, Costantino, Crowley, Dennigan, Farrell, Ferguson, Flaherty, Fleury, George, Heffner, Henseler, Iannitelli, Kelso, Kelley, Little, Long, Lowe, Malik, Martineau, Mesolella, Millard, Munschy, Falangio, Fanciera, Ficard, Fires, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Slater, Walter, Watson, Winfield.

NAYS - 39: Representatives Anderson, M., Anderson, S., Beirman, Bramley, Carroll, Coderre, DeSimone, Faria, Fox, Gainnini, Hetherington, Inman, Jacquard, Kennedy, Kilmar(tin, Lally, Lanzi, Levesque, C., Levesque, G., McCauley, McGowan, Menard, Montalbano, Montanaro, Murphy, Naughton, Falumbo, Fisaturo, Russo, Shavers, Sherlock, Simoinian, Smith, Wasylyk, Williams, Williamson.

LEAVE OF THE HOUSE

Majority Whip Henseler requests leave of the House to take up bills recieved from the Senate as immediate consideration.

There is no objection.

COMMUNICATION FROM THE SENATE

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

(98-H 8793) (Substitute "B" as amended) Joint Resolution creation a special commision to study the prosthetic device delivery system.

Representative Henseler requests unanimous consent for immediate consideration.

The bill marked Substitute "B" as amended is read and passed in concurrence, and the original bill indefinitely postponed, on motion of Representative Henseler, seconded by Representatives George, Giannini, Kennedy, Cambio, Naughton, Coderre, Inman, Picard and Lowe. 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, Ajello, Amaral, Anderson, M., Anderson, S., Bierman, Bramley, Callahan, Cambio, Camp-bell, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Lally, Levesque, C., Levesque, G., Lima, Little, Long, Lowe, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Ficard, Fires, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Simonian, Slater, Smith, Watson, Williams, Williamson, Wintfield.

NAYS -0.

(98-H 8063) (Substitute "B',) Joint Resolution creating a special legislative commission to study utilization review of mental health providers.

Representative Henseler requests unanimous consent for immediate consideration.

The bill marked Substitute "B", is read and passed, in concurrence, and the original bill and the bill marked Substitute "A" are indefinitely postponed, on motion of Representative Henseler, seconded by Representatives Moura and Carter, is read and passes on a roll call vote with 74 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 74: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Cambio, Campbell, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Lally,' Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fanciera, Fires, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Sherlock, Simonian, Slater, Smith, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 3224) An Act revising the charter of the city of Warwick, and in amendment of chapter 1852 of the public laws, 1931, entitled "An Act to establish the city of Warwick," as amended.

Representative Henseler requests unanimous consent for immediate consideration.

Read and passed, in concurrence, on motion of Representative Henseler, seconded by Representatives Naughton, McNamara and Aiken, on a roll call vote with 74 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 74: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Lally, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Fires, Fisaturo, Rabideau, Reilly, Rose, Russo, San Bento, Scott, Shavers, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 3182) An Act authorizing the city of East Providence to finance the construction and installation of sanitary sewers and connector utilities in the city including the issue of not more than \$1,208,000 bonds therefor.

Representative Henseler requests unanimous consent for immediate consideration.

Read and passed, in concurrence, on motion of Representative Henseler, seconded by Representatives Lopes, Rose and Williams, on a roll call vote with 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Callahan, Cambio, Campbell, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Hellner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Lally, Levesque, C., Levesque, G., Lima, Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Wasylyk, Williams, Williamson, Winfield.

NAYS -0.

(98-S 3183) An Act authorizing the city of East Providence to finance the construction of an addition to the East Providence High School and the construction of improvements and the acquisition of equipment for various schools in the city including the issue of not more than \$5,097,000 bonds therefor.

Representative Henseler requests unanimous consent for immediate consideration.

Read and passed, in concurrence, on motion of Representative Henseler, seconded by Representatives Lopes, Coelho and Dennigan, on a roll call vote with 69 members voting in the affirmative and 1 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Callahan, Cambio, Campbell, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Lally, Levesque, C., Little, Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fires, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Sherlock, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Farrell.

(98-S 3184) An Act authorizing the city of East Providence to finance the construction of sanitary sewers, the construction (Representatives (98-H of storm drainage and electrical improvements and improvements to various buildings in the city and the acquisition and installation of a geographic information system including the issue of not more than \$6,175,000 bonds therefor.

Representative Henseler requests unanimous consent for immediate consideration.

Read and passed, in concurrence, on motion of Representative Henseler, seconded by Representatives Lopes and Coelho, on a roll call vote with 74 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 74: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Callahan, Cambio, Campbell, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, He:llher, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Lally, Levesque, C., Lima, Little, Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Menard Millard, Montanaro, Moura, Munschy, Murphy, Naughton', Falangio, Falumbo, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Wintfield.

NAYS -0.

(98-S 3185) An Act authorizing the city of East Providence to finance the construction and equipping of a fire station, the construction and equipping of an addition to the police station and a garage storage building for the Police Department and the acquisition of equipment including the issue of not more than \$1,685,000 bonds therefor.

Representative Henseler requests unanimous consent for immediate consideration.

Read and passed, in concurrence, on motion of Representative Henseler, seconded by Representatives Coelho and Lopes, on a roll call vote with 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 72: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Callahan, Cambio, Campbell, Carter, Caruolo, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Lally, Lan:'i, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Win~eld.

NAYS -0.

(98-S 3186) An Act authorizing the city of East Providence to finance the acquisition, construction and equipping of a recreation center, athletic fields and other recreational facilities in the city and the development of plans with respect to the acquisition and development and/or relocation of recreation, library and other sites in the city including the issue of not more than \$925,000 bonds therefor.

Representative Henseler requests unanimous consent for immediate consideration.

Read and passed, in concurrence on motion of Representative Henseler, seconded by Representatives Lopes, Coelho and Rose on a roll call vote with 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Callahan, Cambio, Campbell, Carter, Cicilline, Coderre, Coelho, Costantino, DeSimone,

Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Lally, Levesque, C., Lima, Little, Long, Lopes, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Wasylyk, Watson, Williamson, Winfield.

NAYS -0.

(98-S3223) An Act authorizing the town of East Greenwich to finance the construction, equipping and furnishing of a community center and/or an addition to the high school and to issue bonds and/or notes not to exceed \$6 million therefor.

Representative Henseler requests unanimous consent for immediate consideration.

Read and passed, in concurrence, on motion of Representative Henseler, seconded by Representatives Coelho, Lopes and McNamara, on a roll call vote with 71 members voting ion the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Bierman, Bramley, Callahan, Cambio, Campbell, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Lally, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Wasylyk, Watson, Williamson.

NAYS -0.

RECONSIDERATION

Representative Kennedy moves to reconsider (98-S2847) (Substitute "A" as amended), seconded by Representative Martineau.

There is no Objection.

The Act is reconsidered, by unanimous consent, on a voice vote.

Representative Kennedy moves passage, seconded by Representative Martineau.

By unanimous consent, Representative Kennedy, seconded by Representative Martineau, offers a written motion to amend.

FLOOR AMENDMENT

TO

(98-S2847) (Substitute "A")

Mr. Speaker:

I hereby move to amend 98 -- S 2847 SUBSTITUTE A, entitled "AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- THE HEALING ART OF ACUPUNCTURE", as follows:

By deleting all of the language following the enactment clause and inserting in place thereof the following:

"SECTION 1. Sections 5-37.2-7 and 5-37.2-12 of the General Laws in Chapter 5-37.2 entitled "The Healing Art of Acupuncture" are hereby amended to read as follows:

5-37.2-7. Powers of department. -- For the purpose of conducting its responsibilities under this chapter, the department shall:

(1) Engage such persons of established reputation and known ability in acupuncture as consultants to the department; **the Rhode Island Society of Acupuncture and Oriental Medicine is hereby designated as the appropriate body to which the department shall consult for referral of consultants and other assistance to the department.**

(2) Maintain an office in the state to carry out the provisions of this chapter;

(3) Promulgate rules and regulations, or either of them, not inconsistent with the provisions of this chapter. Such rules and regulations may include a code of ethics regulating the professional conduct of licensees; and

(4) Compel the attendance of witnesses and the production of evidence by subpoena and the department may administer oaths.

5-37.2-12. Issuance of licenses to practice acupuncture. -- (a) The department shall issue a license for the practice of acupuncture where the applicant ~~meets the requirements of 5-37.2-12.1 except as otherwise exempted.~~

~~(1) Has successfully completed an accredited course of study resulting in a certificate of satisfactory completion in the art of acupuncture at a foreign or domestic college or university satisfactory to the department, and, which certificate would grant the power or authority to practice the art of acupuncture;~~

~~(2) Has successfully completed and passed the national commission for the certification of acupuncturists certification process and examination; and~~

~~(3) Is of good moral character.~~

~~(b) Notwithstanding any of the provisions of this chapter, any person who is lawfully engaged in the practice of acupuncture in this state on July 1, 1987 shall not be subject to the requirements of subsection (a).~~

SECTION 2. Chapter 5-37.2 of the General Laws entitled "The Healing Art of Acupuncture" is hereby amended by adding thereto the following sections:

5-37.2-8.1 License required. -- (A) Unless licensed as a doctor of Acupuncture under this chapter, or exempt from licensure under the provisions of this chapter, no person shall practice or hold himself or herself out as practicing, or engaging in the practice of Acupuncture, either for compensation or gratuitously.

(B) This chapter shall not be construed to make unlawful the activities of persons involved in research performed under the auspices of a federal or state regulated research institution.

5-37.2-12.1 Examination requirements and issuance of license. -- (A) No person shall be licensed as a doctor of Acupuncture unless he or she has passed the examination by the National Commission of Certification of Acupuncture and Oriental Medicine.

(B) Before any applicant shall be eligible for licensure, he or she shall furnish satisfactory proof that he or she:

(1) is a United States citizen or legal alien;

(2) has demonstrated proficiency in the English language;

(3) is at least twenty one (21) years of age;

(4) is of good moral character;

(5) has completed an accredited program of at least thirty six (36) months and not less than twenty five hundred (2500) hours of training and has received a certificate or diploma from an institute approved by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine, according to the provisions of this chapter; provided, however, the provisions of this subsection shall not apply to anyone licensed to practice under chapter 5-37 who is qualified to take and pass the test by the National Commission for the Certification of Acupuncture and Oriental Medicine;

(6) has completed a clinical internship training as may be designated as appropriate by the National Commission for the Certification of Acupuncture and Oriental Medicine; and

(7) has three (3) letters of reference from reputable individuals other than relatives and at least two (2) of which shall be from licensed or registered doctors of Acupuncture.

5-37.2-12.2 Reciprocal licensing requirements. -- (A) The health department may, at its discretion, issue a license without examination to a doctor of acupuncture who has been licensed, certified, or otherwise formally legally recognized as an acupuncturist in any state or territory if all three of the following conditions are met to its satisfaction:

(1) the applicant meets the requirements of practice in the state or territory in which the applicant is licensed, certified or registered as an acupuncturist;

(2) the requirements for practice in the state or territory in which the applicant is licensed certified or registered as an acupuncturist are at least as stringent as those of this state; and

(3) the state or territory in which the applicant is licensed, certified, or legally recognized as an acupuncturist permits a practitioner licensed in this state to practice acupuncture in that jurisdiction.

5-37.2-12.3 Continuing education -- Establishment of standards. -- The health department shall establish, by regulation, mandatory continuing education requirements for a doctor of acupuncture licensed in this state, including, but not limited to the following:

(A) each person licensed under this chapter, whether or not residing within this state, shall complete twenty (20) hours of continuing education within each annual renewal period, except during the initial annual renewal period.

(B) continuing education hours will be accepted by the department for course work which has been presented, accepted or approved by a nationally recognized acupuncture organization or its local chapter, or any accredited school of acupuncture.

(C) at the time of license renewal, each licensee will be required to attest to the fact of having complied with the above requirements. Course descriptions, proof of attendance or other documentation of completion will be retained by the licensee for a minimum of three (3) years and is subject to random audit by the department. Failure to produce satisfactory documentation of completion upon request by the department constitutes grounds for disciplinary action under the provisions of 5-37.2.

(D) each person not obtaining the required number of hours of continuing education may have his or her license renewed for just cause, as determined by the department, so long as the department requires that the deficient hours of continuing education, and all unpaid fees, are made up during the following renewal period in addition to the current continuing education requirements for the renewal period. If any doctor of acupuncture fails to make up the deficient hours and complete the subsequent renewal period, or fail to make up unpaid fees, then his or her license shall not be renewed until all fees are paid and all the required hours are completed and documented to the department.

5-37.2-12.4. Licensure of previously licensed acupuncturists. -- (A) Any acupuncturist validly licensed, certified, or registered under prior law of this state shall be deemed as licensed under the provisions of this chapter.

(B) All acupuncturists licensed under this subsection shall not accept or perform professional responsibilities which the licensee knows or has reason to know that such person is not qualified by training, experiencing or certification to perform. Violation of this section shall subject the licensee to the revocation or suspension of his or her license. The department shall make regulations on such requirements and shall grant previously licensed, certified, or registered acupuncturists qualification on a case by case basis.

SECTION 3. This act shall take effect January 1, 1999."

Respectfully submitted,

GERARD M. MARTINEAU
Representative, District 63

The motion to amend is read and prevails on a roll call vote, 55 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 55: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Coderre, Coelho, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fox, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Kennedy, Kilmartin, Lally, Levesque, G., Little, Long, Malik, Martineau, McCauley, Menard, Millard, Montanaro, Moura, Munschy, Naughton, Falangio, Falumbo, Ficard, Fires, Salisbury, Shavers, Sherlock, Simonian, Slater, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative McGowan.

The act passed, as amended, on a roll call vote, 52 members voting in the affirmative, and 1 member voting in the negative, as follows:

YEAS 52: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bramley, Burlingame, Callahan, Cambio, Campbell, Carter, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Farrell, Flaherty, Fox, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Kennedy, Kilmartin, Lanzi, Levesque, G., Little, Long, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Falangio, Falumbo, Ficard, Fires, Salisbury, Shavers, Sherlock, Simonian, Slater, Wasylyk, Watson, Winfield.

NAYS - 1: Representative McGowan.

TRANSMITTAL

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

ANNOUNCEMENTS

Representative Cambio announces that the Committee on Health, Education and Welfare will meet today during the recess in room 135 of the State House.

Representative Kennedy announces that the Committee on Corporations will meet today during the recess in room 203 of the State House.

RECESS

At 6:10 o'clock P.M. the Honorable Speaker declares the House to be in recess for a period of 30 minutes.

ORDER

At 7:03 o'clock P.M. the Honorable Speaker calls the House to order.

REPORTS OF COMMITTEES

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

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

(98-S2849) (Substitute "A" as amended) An Act relating to education - school property.

Received and ordered to be placed on the Calendar.

(98-S 2596) (Substitute "B,") An Act relating to gambling and lotteries.

Received and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

Representative Flaherty, for the Committee on Judiciary, reports back the following measures, with recommendation of passage:

(98-S 9245 as amended) An Act relating to criminal offenses- crimes against nature.

Received and ordered to be placed on the Calendar.

(98-S 2477) (Substitute "A") An Act relating to food and drugs- uniform controlled substances act.

Received and ordered to be placed on the Calendar.

(98-S2744 as amended) An Act relating to courts and civil procedure - judicial selection.

Received and ordered to be placed on the Calendar.

POINT OF ORDER

Representative Cicilline rises on a piont of order relating to (98-H 7393) (Substitute "A" as amended), now in the possession of the Judiciary Committee. Said bill was voted upon by said Committee on June 29, 1998, the Committee recommending a vote of no passage. On June 29, on motion to reconsider duly made and seconded in the Committee, the Committee voted 5-6 against reconsideration. Subsequent thereto, Representative Cicilline requested, pursuant to rule 32 (IV), that the bill and the Committee's recommendation be reported to the floor. Still later, Representative Cicilline sought a further considertion of the bill in Committee which Chairman Flaherty ruled was not in order. The Honorable Speaker ruled that Representative Cicilline having triggered the reporting procedure specified in Rule 32 (IV) that the reporting process would have proceed and any alternative method of consideration would not be in order.

Representative Cicilline appeals the ruling of the Honorable Speaker. The ruling of the Honorable Speaker is upheld on a roll call vote with 42 members voting in the affermative and 14 members voting in the negative as follows:

YEAS 42: The Honorable Speaker Harwood and Representatives Anderson, M., Anderson, S., Bierman, Callahan, Cambio, Carpenter, Carter, Coderre, Coelho, Costantino, Crowley, Ferguson, Flaherty, Fleury, Fox, Giannini, Henseler, Iannitelli, Inman, Kennedy, Kilmartin, Lowe, Martineau, McNamara, Menard, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Rabideau, Rose, Russo, Salisbury, San Bento, Simonian, Slater, Walter, Williamson, Winfield.

NAYS - 14: Representatives Aiken, Ajello, Bramley, Burlingame, Carroll, Cicilline, Dennigan, Heffner, Hetherington, Levesque, G., McGowan, Montanaro, Fisaturo, Shavers.

By unanimous consent the House refers back to the Calendar.

CALENDAR

15B. (98-S 3102) (Substitute "A" as amended) An Act relating to public officers and employees.

Committee on Finance recommends passage in concurrence.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on motion of Representative Pires, seconded by Representatives San Bento and Martineau, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Callahan, Carpenter, Carroll, Carter, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelso, Kennedy, Kilmartin, Levesque, G., Lowe, Malik, Martineau, McGowan, McNamara, Menard, Millard, Montanaro, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Rose, Russo, San Bento, Shavers, Simonian, Slater, Walter, Williamson, Winiield.

NAYS -0.

16. (98-S2737 as amended) An Act relating to weapons.

Committee on Judiciary recommends passage in concurrence.

Representative Palumbo, motions passage seconded by Representatives Pisaturo and McNamara.

Representatives Ajello and Palumbo discuss the act.

Read and passed, in concurrence, on a roll call vote, 49 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS 49: The Honorable Speaker Harwood and Representatives Aiken, Anderson, M., Anderson, S., Benson, Bierman, Callahan, Cambio, Carpenter, Carter, Coderre, Coelho, Costantino, Crowley, IBennigan, Faria, Ferguson, Flaherty, Fleury, Giannini, Heffner, Henseler, Iannitelli, Kennedy, Kilmartin, Lowe, Malik, Martineau, McNamara, Metts, Millard, Montanaro, Murphy, Naughton, Falangio, Falumbo, Fires, Fisaturo, Rabideau, Rose, Russo, Salisbury, San Bento, Shavers, Simonian, Slater, Walter, Williamson, Winfield.

NAYS - 6: Representatives Ajello, Bramley, Fox, Hetherington, Levesque, C., McGowan.

17. (98-S2722) An Act relating to health and safety the Rhode Island Resource Recovery Corporation.

Committee on Judiciary recommends passage in concurrence.

Read and passed, in concurrence on motion of Representative Flaherty, seconded by Representatives Martineau, Russo, Salisbury, Long, Inman and Lowe, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 67: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kennedy, Kilmartin, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Murphy, Naughton, Falangio, Falumbo, Fires, Fisaturo, Rabideau, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Williamson, Winfield.

NAYS -0.

18. (98-S2578) (Substitute "A" as amended) An Act relating to motor and other vehicles.

Committee on Judiciary recommends passage in concurrence.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, on motion of Representative McNamara, seconded by Representatives Cambio, M. Anderson and Long, on a roll call vote, 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 72: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Williamson, Winfield.

NAYS -0.

19. (98-S2354) An Act relating to elections -campaign contributions.

Committee on Judiciary recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Flaherty, seconded by Representatives McNamara and Bierman, on a roll call vote, 67 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Williamson, Winfield.

NAYS - 3: Representatives Anderson, S., Cicilline, McGowan.

20. (98-S2319) An Act relating to disorderly conduct.

Committee on Judiciary recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Flaherty, seconded by Representative Martineau, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 69: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carter, Cicilline, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kilmartin, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Rose, Russo, Salisbury, San Bento, Scott, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Williamson, Winfield.

NAYS -0.

21. (98-S2179) An Act relating to appointment, qualification, and tenure of officers.

Committee on Judiciary recommends passage in concurrence.

Read and passed, in concurrence, on motion of Representative Flaherty, seconded by Representatives Maritneau and McNamara, on a roll call vote, 70 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS 70: The Honorable Speaker Harwood and Representatives Aiken, Amaral, Anderson, M., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Rose, Russo, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Williamson, Winfield.

NAYS - 2; Representatives Ajello, Anderson, S.

22. (98-S2025) (Substitute "A" as amended) An Act relating to sentence and execution.

Committee on Judiciary recommends passage in concurrence.

Representative Murphy, moves passage, seconded by Representatives Martineau, Benson, Carpenter and Pisaturo.

Representatives C. Levesque and Murphy discuss the act.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, on a roll call vote, 64 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Carpenter, Carroll, Carter, Coelho, Costantino, Dennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Hefner, Henseler, Hetherington, Inman, Kelley, Kelso, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lowe, Malik, Martineau, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Wasylyk, Williamson, Winfield.

NAYS - 5: Representatives Cambio, Cicilline, Iannitelli, Rabideau, Walter.

23. (98-S2821) (Substitute "A,") An Act relating to small estates.

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 Heffner, seconded by Representatives Russo and Palangio, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Coelho, Costantino, IBennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Giannini, Heffner, Henseler, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lowe, Malik, Martineau, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Picard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Winfield.

NAYS -0.

24. (98-S2393) (Substitute "B,.) An Act relating to public records.

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

Representative Henseler, moves passage of the bill marked Substitute "B", and the original bill and Substitute "A" are indefinitely postponed, seconded by Representatives Picard, Moura, Montanaro, Benson and Bierman.

Representative Kilmartin requests to vote in sections H-2, A-I vote separately.

Representatives Heftner, Burlingame and Scott discuss the act.

Section H-2, A-I fails passage, on a roll call vote 25 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 25: Representatives Aiken, Ajello, Anderson, M., Benoit, Bierman, Cicilline, Crowley, Dennigan, Fleury, Heffner, Hetherington, Iannitelli, Lally, Levesque, C., Levesque, G., Long, Montanaro, Moura, Falangio, Ficard, Fires, Rabideau, Smith, Wasylyk, Watson.

NAYS - 51: The Honorable Speaker Harwood and Representatives Amaral, Anderson, S., Benson, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Coelho, Costantino, DeSimone, Faria, Farrell, Ferguson, Flaherty, Giannini, Ginaitt, Henseler, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lanzi, Lopes, Lowe, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montalbano, Murphy, Naughton, Falumbo, Fanciera, Fisaturo, Quick, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Slater, Walter, Williamson, Wintfield.

The remainder of the act prevails, on a roll call vote, 77 members voting in the affirmative, and 1 member voting in the negative, as follows:

YEAS - 77: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, IBennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lan:'i, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesoella, Montanaro, Moura, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williamson, Winfield.

NAYS - 1: Representative Millard.

24A. (98-S 2397) (Substitute "A") An Act relating to holidays and days of special observance - Work permits on holidays and Sundays.

Committee on Labor recommends passage, in concurrence.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, on motion of Representative 5. Anderson, seconded by Representatives Burlingame, Martineau and M. Anderson, on a roll call vote, 72members voting in the affirmative and 2 members voting in the negative as follows:

YEAS 72: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Ferguson, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lan:'i, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesoella, Millard, Montanaro, Moura, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Watson, Williamson, Winfield.

NAYS - 2: Representatives Bramley, Walter.

25. (98-S2815) (Substitute "A" as amended) An Act relating to the environment.

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

HOLD ON THE DESK

Representative Kennedy requests to hold (98-2815) (Substitute "A" as amended) on the desk.

CALENDAR

26. (98-S2545) (Substitute "A" as amended) An Act relating to employment security issues.

Committee on Labor recommends passage in concurrence.

Representative S. Anderson, moves passage, seconded by Representatives Burlingame, Menard, Reilly and Martineau,

Representative Moura discusses the act.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, on a roll call vote 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 67: The Honorable Speaker Harwood and Representatives Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Murphy, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Wasylyk, Watson, Winfield.

NAYS -0.

27. (98-S3196) An Act relating to employment security - reasonable assurance.

Committee on Labor recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative S. Anderson, seconded by Representatives Martinbeau, Reilly and Moura, on a roll call vote, 70members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Winfield.

NAYS -0.

28. (98-S2208) (Substitute "A" as amended) An Act relating to public officers and employees.

Committee on Labor recommends passage in concurrence.

Representative S. Anderson, moves passage, seconded by Representatives McGowan and Lanzi.

Representatives C. Levesque, Lanzi, Lopes, Salisbury and Montanaro discuss the act.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Heifner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williamson, Winfield.

NAYS -0.

29. (98-S2379) An Act relating to mental health, retardation and hospitals - Department of Health.

Committee on Finance recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Costantino, seconded by Representatives Carter, G. Levesque, Slater and Henseler, on a roll call vote, 61 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bramley, Burlingame, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, Faria, Flaherty, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Inman, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lopes, Lowe, Malik, Martineau, McCauley, McGowan, Menard, Mesolella, Montanaro, Moura, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Reilly, Rose, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Williamson, Winfield.

NAYS - 10: Representatives Bierman, Callahan, Fleury, Iannitelli, Kelley, Long, McNamara, Metts, Rabideau, Salisbury..

REQUEST

Representative Amaral requests the journal to reflect that he voted incorrectly on (98-S 2379) he should have voted in the negative.

There is no objection.

CALENDAR

30. (98-S 3178) (Substitute "A" as amended) An act relating to labor and labor relations workers' compensation.

Committee on Labor recommends passage in concurrence.

Representative S. Anderson moves passage, seconded by Representatives Reilly, Menard and McGowan.

Representatives Burlingame, Moura, Salisbury and Menard discuss the act.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, on a roll call vote, 48 members voting in the affirmative and 24 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benoit, Bramley, Carpenter, Carroll, Cicilline, Coderre, Costantino, Dennigan, Faria, Flaherty, Giannini, Ginaitt, He~er, Henseler, Hetherington, Kelso, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Montanaro, Moura, Munschy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Reilly, Simonian, Slater, Smith, Wasylyk, Williamson.

NAYS - 24: Representatives Amaral, Benson, Bierman, Burlingame, Callahan, Cambio, Carter, Coelho, Crowley, Fleury, Iannitelli, Kelley, Lowe, Millard, Murphy, Fires, Rabideau, Rose, Scott, Shavers, Walter, Watson, Winfield.

31. (98-S2731) (Substitute "A" as amended) An Act relating to motor vehicles.

Committee on Corporations recommends passage in concurrence.

HOLD ON THE DESK

Representative Kennedy requests to hold (98-S 2731) (Substitute "A" as amended) on the Desk.

There is no objection.

CALENDAR

32. (98-S 2833) An Act relating to waters and navigation - underground storage tank financial

responsibility.

Committee on Corporations recommends passage in concurrence.

Read, received and by unanimous consent ordered to be placed on the bottom of the Calendar as item 45B.

33. (98-S3005) An Act relating to collection of taxes generally.

Committee on Corporations recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Kennedy, seconded by Representative Heffner, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzani, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Simonian, Slater, Smith, Walter, Watson, Williams, Williamson, Winfield.

NAYS -0.

34. (98-S3187) An Act relating to taxation -tax stabilization.

Committee on Corporations recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Kennedy, seconded by Representative Reilly, on a roll call vote, 62members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Callahan, Cambio, Carpenter, Carroll, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Kelley, Kennedy, Kilmartin, Lally, Lanzani, Levesque, C., Long, Lopes, Lowe, Malik, Martineau, McCauley, McNamara, Millard, Montanaro, Munschy, Murphy, Naughton, Falangio, Falumbo, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Shavers, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Wintfield.

NAYS - 2: Representatives Levesque, G., McGowan.

35. (98-S2406) An Act relating to state affairs and government- enterprise zones.

Committee on Corporations recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Kennedy, seconded by Representatives Carpenter, Williams, Slater, Palangio, Cicilline, Costantino and Moura, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 68: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

36. (98-S2631 as amended) An Act relating to regional tourism district.

Committee on Corporations recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Kennedy, seconded by Representatives Rose, Millard and Amaral, on a roll call vote, 68 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Callahan, Cambio, Carpenter, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Scott, Shavers, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 2: Representatives Salisbury, Walter.

37. (98-S2476 as amended) An Act relating to education - health and safety of pupils.

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

Read and passed in concurrence, on motion of Representative Benoit, seconded by Representatives Costantino, McNamara, Slater, Montanaro, Hetherington and Watson, on a roll call vote, 67 members voting in the affirmative and 1 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, S., Benoit Benson, Bierman, Bramley, Burlingame, Cambio, Carpenter', Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Inamn, Kelley, Kelso, Kennedy, Kilmartin, Laity, Lan::i, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik,

Martineau, McCauley, McGowan, McNamara, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Salisbury, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Anderson M.

38. (98-S2481) (Substitute "A" as amended) An Act relating to education.

Committee on Finance recommends passage in concurrence.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, on motion of Representative Crowley, seconded by Representatives Cicilline, Dennigan, Benoit, Coderre and Moura, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Salisbury, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

39. (98-S2033) An Act relating to pharmaceutical assistance to the elderly.

Committee on Finance recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Pires, seconded by Representatives Carter, Simonian, Reilly, Ginaitt, Giannini and Coderre, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

40. (98-S2137) An Act relating to state budget.

Committee on Finance recommends passage in concurrence.

Read, recieved and, by unanimous consent ordered to be placed on the bottom of the Calendar as item number 45A.

41. (98-S2193) An Act relating to public officers and employees- retirement systems -contributions and benefits.

Committee on Finance recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Pires, seconded by Representatives Carter, Amaral, Scott and Slater, on a roll call vote, 64 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, Faria, Flaherty, Fleury, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Moura, Munschy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Salisbury, Scott, Shavers, Slater, Smith, Walter, Watson, Williamson, Win~ld.

NAYS - 6: Representatives Anderson M., McGowan, Millard, Montanaro, Murphy, Simonian.

42. (98-S2345 as amended) An Act relating to wheelchair lift equipped vehicles and public assistance.

Committee on Finance recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Pires, seconded by Representatives Crowley, Dennigan, Costantino, Simonian Carter, Slater, Cicilline, Hetherington, Hefiner' and Kelley, on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Carpenter, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, Fleury, Giannini, Ginaitt, Hefffler, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Moura, Munschy, Murphy, Falumbo, Ficard, Fires, Fisaturo, Quick, Reilly, Salisbury, San Bento, Scott, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Winfield.

NAYS -0.

REQUEST

Representative Montanaro requests the journal to reflect that if he voted on (98-S2345 as amended) he would have voted in the affirmative.

There is no objection.

CALENDAR

43. (98-S2314 as amended) An Act relating to Department of Elderly Affairs - family -caregiver network.

Committee on Finance recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Pires, seconded by Representatives Carter, Cambio, Benson, Ginaitt, Heffner, Williamson and Kelley, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, Scott, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Wintfield.

NAYS -0.

44. (98-S2839) (Substitute "A" as amended) An Act relating to the Rhode Island Job Development Act.

Committee on Finance recommends passage in concurrence.

The bill marked Substitute "A" is read and passed in concurrence, and the original bill indefinitely postponed, on motion of Representative Pires, seconded by Representatives Carter, Martineau and Burlingame, on a roll call vote, 74 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 74: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline', Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Sallsbury Scott, Shavers, Sherlock, Simonian, Slater, Smith, Walter,' Wasylyk, Watson, Williamson, Wintfield.

NAYS -0.

45. (98-S2743 as amended) An Act amending enterprise zones.

Committee on Finance recommends passage in concurrence.

Read and passed in concurrence, on motion of Representative Pires, seconded by Representatives Cartter, Ferguson, Costantino, Amaral, Quick and Slater, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, Giannini, Ginaitt, Heffner, Hetherington, Iannitelli, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Scott, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

REQUEST

Representative Benson requwsts the jouranl to reflect if she had voted in (98-S 2743) she would have voted in the afi'ermitive.

CALENDAR

45A. (98-S 2137) An Act relating to state budget.

Committee on Finance recommends passage in concurrence.

HOLD ON THE DESK

Representative Pires requests to hold (98-S2137) on the desk.

There is no objection.

FROM THE DESK

From the Desk are taken:

(98-S 2825) An Act relating to family court.

Committee on Judiciary recommends passage, in concurrence.

Representative Pires moves passage of the act, seconded by Representatives Cambio and Carter.

By unanimous consent, Representative Pires, seconded by Representative Carter and Benoit, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-S2825)

Mr. Speaker:

I hereby move to amend 98 -- S 2825, entitled "AN ACT RELATING TO FAMILY COURT", as follows:

On page 1, line 3, by inserting the letter "(a)" before the words "The chief".

On page 1, line 12, by inserting the language: " **(b) The position of statewide juvenile hearing board coordinator shall be a pilot program which shall commence on July 1, 1998 and terminate on June 30, 2001, unless extended by the general assembly.** " before the word "Section".

Respectfully submitted,

ANTONIO J. PIRES

Representative, District 79

The motion to amend is read and prevails on a roll call vote, 78 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 78: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Costantino, Dennigan, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Hefiner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS -0.

The act passes, as amended, on a roll call vote 75 members voting in the affirmative, and 1' member voting in the negative, as follows:

YEAS 75: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt, He~er, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmartin, Lally, Lan:'i, Levesque, C., Levesque, G., Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Ficard.

(98-S2731) (Substitute "A" as amended) An Act relating to motor vehicles.

Committee on Corporations recommends passage, in concurrence.

Representative Martineau moves passage of the act, seconded by Representatives San Bento, Coderre, Palangio, Kennedy, Lowe, Ginaitt, Ferguson, Reilly, Quick, Salisbury, Pires Anderson, Long, Carter, Flaherty and C. Levesque.

By unanimous consent, Representative Walter, seconded by Representative Kelley, Scott, Fleury and Naughton, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-S 2731) (Substitute "A" as amended)

Mr. Speaker:

I hereby move to amend (98-H 2731) (Substitute "A" as amended) entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows:

On page 5, line 20 by deleting the words "and fifty dollars (\$250)" and inserting in place therefor the phrase dollars (\$200)".

On page 6, between lines 2 and 3, by adding the following language:

"(d) The director of the Department of Administration may issue an extension of the waiver certificate granting an extension permitting the owner of a motor vehicle up to one (1) additional year to comply with the standards and criteria for motor vehicle emissions inspections; provided, that such owner proves, to the satisfaction of the director, that undue hardship would result to the owner if such extension were not granted."

Respectfully submitted,

JOHN J. DeSIMONE
Representative, District 6

Representatives Kennedy and Walter discuss the act.

The motion to amend is read and fails on a roll call vote, 24 members voting in the affirmative and 49 members voting in the negative as follows:

YEAS - 24: Representatives Amaral, Benson, Bierman, Bramley, Burlingame, Carroll, Dennigan, Fleury, Heffner, Iannitelli, Kelley, Long, McGowan, Millard, Naughton, Ficard, Salisbury, Scott, Simonian, Smith, Walter, Waslylk, Watson, Williams.

NAYS 49: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, S., Benoit, Callahan, Cambio, Carpenter, Carter, Cicilline, Coderre, Costantino, Crowley, Farrell, Ferguson, Flaherty, George, Giannini, Ginaitt, Henseler, Hetherington, Inman, Kelso, Kennedy, Lally, Lanzi, Levesque, C., Levesque, G., Lopes, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Mesolella, Montalbano, Murphy, Falangio, Falumbo, Fires, Fisaturo, Quick, Reilly, Rose, San Bento, Shavers, Slater.

By unanimous consent, Representative Waslyk, seconded by Representative Walter and Smith, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-S 2731) (Substitute "A" as amended)

Mr. Speaker:

I hereby move to amend (98-S 2731) (Substitute "A" as amended) entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows:

On page 2, line 19, by deleting the word "annually" and inserting in place thereof the language "every two (2) years".

Respectfully submitted,

PETER N. WASYLYK
Representative, District 10

Representatives Kennedy and Wasylyk discuss the amendment.

The motion to amend is read and fails on a roll call vote, 22 members voting in the affirmative and 49 members voting in the negative as follows:

YEAS - 22: Representatives Aiken, Amaral, Benson, Bramley, Burlingame, Cambio, Carroll, Dennigan, Heffner, Iannitelli, Kelley, Millard, Montanaro, Naughton, Picard, Shavers, Simonian, Smith, Walter, Wasylyk, Watson, Williams.

NAYS - 48: The Honorable Speaker Harwood and Representatives Ajello, Anderson, M., Anderson, S., Benoit, Bierman, Callahan, Carpenter, Carter, Cicilline, Coderre, Costantino, Crowley, Faria, Farrell, Ferguson, Flaherty, George, Giannini, Ginaitt, Henseler, Hetherington, Inman, Kelso, Kennedy, Lally, Levesque, C., Levesque, G., Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Montalbano, Moura, Munschy, Murphy, Palangio, Palumbo, Quick, Reilly, Rose, San Bento, Williamson, Winfield.

Representatives Smith, Heffner, Ginaitt, Coderre, Kennedy and Martineau continue discussion on the Act.

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

FLOOR AMENDMENT

TO

(98-S 2731) (Substitute "A" as amended)

Mr. Speaker:

I hereby move to amend (98-S 2731) (Substitute "A" as amended) entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows:

On page 2, line 19, by deleting all of the language after the word "annually".

On page 2, by deleting all of the language on line 20.

Respectfully submitted,

PETER N. WASYLYK
Representative, District 10

The motion to amend is read and fails on a roll call vote, 16 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 16; Representatives Amaral, Benson, Bramley, Burlingame, Carroll, Crowley, George, Iannitelli, Long, Millard, Montanaro, Ficard, Simonian, Smith, Walter, Wasylyk.

NAYS - 51: The Honorable Speaker Harwood and Representatives Ajello, Anderson, S., Benoit, Bierman, Callahan, Cambio, Carpenter, Carter, Cicilline, Coderre, Costantino, Denni~an, Faria, Farrell, Ferguson, Flaherty, Fleury, Giannini, Ginaitt, Henseler, Hetherington, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Levesque, C., Levesque, G., Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Mesolella, Montalbano, Moura, Munschy, Murphy, Falangio, Falumbo, Reilly, Rose, Salis. bury, San Bento, Shavers, Watson, Williams.

Representatives Palangio and Salisbury, continue discussion on the act.

The act passes, in concurrence, on a roll call vote, 73 members voting in the affirmative, and 8 members voting in the negative, as follows:

YEAS 73: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Crowley, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner Henseler, Hetherington, Inman, Kelley, Kelso, Kennedy', Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fires, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Shavers, Sherlock, Slater, Wasylyk, Williams, Williamson, Winfield.

NAYS - 8: Representatives Burlingame, Iannitelli, Millard, Ficard, Simonian, Smith, Walter, Watson.

By unanimous consent the House refers back to the Calendar.

CALENDAR

45B. (98-S 2833) An Act relating to waters and navigation- underground storage tank financial responsibility.

Committee on Corporations recommends passage, in concurrence.

Read and passed, in concurrence, on motion of Representative Kennedy, seconded by Representatives Martineau and San Bento, on a roll call vote, 69 members voting in the affirmative, and 0 members voting in the negative, as follows:

YEAS - 69: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Crowley, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Rabideau, Reilly, Rose, San Bento,

Shavers, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

HOLD ON THE DESK

Representative Fleury requests to hold (98-S 2833) on the desk.

There is no objection.

LEAVE OF THE HOUSE

Majority Whip Henseler requests leave of the House to take up bills recieved from the Senate as immediate consideration.

There is no objection.

COMMUNICATION FROM THE SENATE

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

(98-S 2256 as amended) An Act relating to real estate brokers and salespersons.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representatives Murphy, San Bento and Winfield, on a roll call vote 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 62: The Honorable Speaker Harwood and Representatives Ajello, Anderson, M., Anderson, S., Benoit, Bierman, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kilmartin, Lally, Levesque, C., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Reilly, Salisbury, San Bento, Scott, Slater, Smith, Walter, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 3212) An Act reinstating and restoring forfeited or revoked corporate charters.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Menard, on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 66: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, He~er, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lan:'i, Levesque, C., Levesque, G., Long, Lowe, Malik, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fires, Fisaturo, Quick, Rabideau, Reilly, Salisbury, San Bento, Scott, Shavers, Slater, Walter, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 3191) (Substitute "A") An Act relating to the town of Westerly.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representatives Walter and Kennedy, 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, Ajello, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Crowley, Dennigan, lBeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lowe, Malik, Martineau, McCauley, McGowan, Menard, Mesolella, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Salisbury, San Bento, Scott, Shavers, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 3152) 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 therefor.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Millard, on a roll call vote 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Callahan, Cambio, Carpenter, Carter, Cicilline, Coderre, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, McCauley, McGowan, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Salisbury, San Bento, Scott, Shavers, Slater, Smith, Walter, Watson, Williamson, Winfield.

NAYS -0.

(98-S3046) An Act relating to collection of taxes generally.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Naughton, on a roll call vote 66 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Crowley, lBeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Martineau, McCauley, McGowan, Menard, Millard, Montalbano, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Salisbury, San Bento, Scott, Shavers, Slater, Smith, Walter, Watson, Winfield.

NAYS - 3: Representatives Iannitelli, Montanaro Williamson.

(98-S 3127) An Act relating to taxation.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representatives Crowley, Scott and George, on a roll call vote 69 members voting in the affirmative and 3 members voting

in the negative as follows:

YEAS - 69: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montalbano, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Rabideau, Reilly, Salisbury, San Bento, Scott, Slater, Smith, Walter, Watson, Williamson, Winfield.

NAYS - 3: Representatives Iannitelli, Montanaro, Williamson

(98-S 3181) An Act relating to the exemption and assessment of real estate and ratable tangible property in the city of Woonsocket.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Munschy, on a roll call vote 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Costantino, Crowley, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kilmartin, Lally, Lanzi, Levesque, G., Long, Lopes, Lowe, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Rabideau, Reilly, Salisbury, San Bento, Scott, Slater, Smith, Walter, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 2258 as amended) An Act relating to businesses and professions automobile body repair shops.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Representative Lopes discusses the act

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representatives Farrell and Kelley on a roll call vote 68 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heftner, Henseler, Hetherington Iannitelli, Inman, Jacquard, Kelley, Kennedy, Kilmartin' Lally, Lan:'i, Levesque, C., Levesque, G., Long, Lopes, Lowe, ' Malik, Martineau, McCauley, McGowan, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Fisaturo, Rabideau, Reilly, Salisbury, San Bento, Scott, Slater, Smith, Walter, Williams, Williamson, Winfield.

NAYS - 2: Representatives Burlingame, Ficard.

(98-S 3035) An Act relating to the town of Scituate.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Salisbury, on a roll call vote 74 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 74: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Crowley, l)ennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt, Hefffler, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Marlineau, McCauley, McGowan, McNamara, Menard, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Fanciera, Ficard, Fires, Fisaturo, Rabideau, Reilly, Salisbury, San Bento, Scott, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 2655 as amended) An Act relating to partnership - limited liability partnership.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Henseler, on a roll call vote 68 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS 68: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Carpenter, Carroll, Carter, Coderre, Costantino, Crowley, DeSimone, Faria, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt, Hefiner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi,

Levesque, C., Levesque, G., Long, Lopes, Lowe, Martineau, McCauley, McNamara, Menard, Millard, Montalbano, Moura, Munschy, Murphy, Falangio, Falumbo, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Win~eld.

NAYS - 5: Representatives Farrell, McGowan, Montanaro, Naughton, Ficard.

(98-S 3153) 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.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representatives Henseler and Millard, on a roll call vote 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS 72: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler Hetherington, Iannitelli, Inman, Kelley, Kennedy, Kilmarlin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

LEAVE OF THE HOUSE

Majority Leader Martineau requests leave of the House to take up (98-H 7779) (Substitute "A") from Wednesday, July 1, 1998 Calendar.

There is no objection.

CALENDAR

From Wednesday's Calendar is taken:

(98-H 7779) (Substitute "A") An Act relating to elections- campaign contributions and expenditures reporting.

Representative Martineau requests unanimous consent for immediate consideration.

There is objection.

The Act is ordered on the Calendar for Friday, July 3, 1998.

REPORTS OF COMMITTEES

Representative Kennedy, for the Committee on Corporations, reports back the following measures (98-H 9148 as amended) and (98-H 9116), with recommendation of passage:

(98-H 9148 as amended) An Act relating to towns and cities- redevelopment projects.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, as amended, on motion of Representative Martineau, seconded by Representatives Moura, Palumbo and Slater, 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, Ajello, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Salisbury, San Bento, Scott, Slater, Smith, Watson, Williamson, Winiield.

NAYS -0.

Also:

(98-H 9116) An Act relating to taxation -collection of taxes generally.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Martineau, seconded by Representatives Kennedy, Menard, San Bento and Lopes, on a roll call vote, 74 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 74: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Slater Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

TRANSMITTAL

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

LEAVE OF THE HOUSE

Majority Leader Martineau, requests leave of the House, to take up bills from Committee that were placed on the Calendar Today.

There is no objection.

CALENDAR

From the Calendar are taken:

(98-S2744 as amended) An Act relating to courts and civil procedure - judicial selection.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, as amended, in concurrence, on motion of Representative Martineau, seconded by Representatives Carpenter and Williams, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Heffner, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque,

C., Levesque, G., Long, Lowe, Malik, McCauley, McGowan, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Scott, Shavers, Slater, Smith, Walter, Wasylyk, Watson, Williams, Winfield.

NAYS -0.

(98-S 2596) (Substitute "B") An Act relating to gambling and lotteries.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill and the bill marked Substitute "A" are indefinitely postponed, on motion of Representative Martineau, seconded by Representatives Slater, Coderre and Montanaro, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Cambio, Carpenter, Carroll, Coderre, Costantino, Crowley, Dennigan, DeSimone, Farrell, Fleury, George, Giannini, Ginaitt, Henseler, Jacquard, Kelley, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Montanaro, Moura, Munschy, Murphy, Naughton, Ficard, Fisaturo, Quick, Rabideau, Reilly, Rose, Scott, Shavers, Slater, Smith, Williams, Winfield.

NAYS -0.

(98-H 8203) (Substitute "A") An Act relating to Rhode Island Tourism and Development.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Representative Martineau moves passage of the act, seconded by Representatives Moura, Costantino, Slater and Crowley.

By unanimous consent, Representative Crowley, seconded by Representative Moura and several other members of the House, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 8203) (Substitute "A")

Mr. Speaker:

I hereby move to amend (98-H 8203) (Substitute "A") entitled "AN ACT RELATING TO RHODE ISLAND TOURISM AND DEVELOPMENT" as follows:

1. Page 1, line 1, by adding after the words, Sections, the following numbers, "42-63.1-2,"

2. Page 1, between lines 2 and 3 by adding the following language:

42-63.1-2. DEFINITIONS. - (1) "Corporation" means the Rhode Island economic development corporation.

(2) "Hotel" means any facility offering a eftbee rooms for which the public may, for a consideration, obtain transient lodging accommodations-. provided that any facility offering a minimum of three (3) rooms or less provides services related to the operating of a lodging accommodation business. Services include, but are not limited to food, maid and laundry. The term "hotel" shall include hotels, motels, tourist homes, tourist camps, lodging houses, and inns and shall exclude schools hospitals, sanitariums, nursing homes, and' chronic care centers.

(3) "Consideration" means the monetary charge for the use of space devoted to transient lodging accommodations.

(4) "Occupancy" means a person, firm or corporation's use of space ordinarily used for transient lodging accommodations not to exceed thirty (30) days. Excluded from "occupancy" is the use of space for which the occupant has a written lease for the space, which lease covers a rental period of twelve (12) months or more.

(5) "District" means the regional tourism districts set forth in section 42-63.1-5.

(6) "Tax" means the hotel tax imposed by section 44-18-36.1.

Respectfully submitted,

PAULW. CROWLEY
Representative, District 100

Representatives Burlingame, Montanaro, Kelley, Benson, Lally, Kelso and Crowley discuss the amendment.

The motion to amend is read and fails on a roll call vote, 22 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS 22: The Honorable Speaker Harwood and Representatives Benoit, Callahan, Costantino, Crowley, Dennigan, Faria, Farrell, Flaherty, Fleury, Heffner, Levesque, G., Lopes, Malik, Martineau, McCauley, Moura, Munschy, Fires, Shavers, Slater, Winfield.

NAYS - 53: Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benson, Bierman,

Bramley, Burlingame, Cambio, Carpenter, Carroll, Carter, Coderre, DeSimone, George, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kilmartin, Lally, Lanzi, Levesque, C., Lowe, McGowan, McNamara, Menard, Millard, Montanaro, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Smith, Walter, Wasylyk, Watson, Williams.

Representatives Burlingame and Moura, discuss the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 16 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Harwood and Representatives Ajello, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Burlingame, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Heltner, Henseler, Hetherington, Iannitelli, Inman Jacquard, Kelley, Kelso, Kilmartin, Lally, Lanzi, Levesque', C., Lopes, Lowe, Malik, Martineau, McCauley, Menard, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Salisbury, San Bento, Slater, Smith, Walter, Wasylyk, Williams, Wintfield.

NAYS - 16: Representatives Aiken, Amaral, Bramley, Callahan, Crowley, Ginaitt, Levesque, G., Long, McGowan, McNamara, Millard, Naughton, Quick, Scott, Shavers, Watson.

TRANSMITTAL

By unanimous consent, (98-H 8203) (Substitute "A") on the Clerk's desk is ordered to be transmitted to the Honorable Senate forthwith.

CALENDAR

(98-S2849) (Substitute "A" as amended) An Act relating to education - school property.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, on motion of Representative Martineau, seconded by Representatives Henseler and Benoit, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll,

Carter, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Scott, Shavers, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 2477) (Substitute "A") An Act relating to food and drugs uniform controlled substances act.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on motion of Representative Martineau, seconded by Representatives Henseler, Costantino, Cicilline, Ajello and Benoit, on a roll call vote, 62 members voting in the affirmative and 12 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, ~ennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Heflher, Henseler, Hetherington, Iannitelli, Jacquard, Kelley, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., l-'vesque, G., Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Fires, Fisaturo, Rabideau, Rose, Salisbury, Scott, Shavers, Slater, Watson, Williams, Williamson, Winfield.

NAYS - 12: Representatives Anderson, M., DeSimone, George, Giannini, Inman, Menard, Millard, Ficard, Reilly, Smith, Walter, Wasylyk.

(98-S 2123) An Act relating to state affairs and government- pharmaceutical assistance to the elderly.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Henseler, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McCauley,

McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Ficard, Fires, Fisaturo, Rabideau, Reilly, Rose, Scott, Shavers, Slater, Smith, Walter, Winfield.

NAYS -0.

(98-S2482) (Substitute "A" as amended) An Act relating to coordination of children's services pilot program.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

The bill mated Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, on motion of Representative Martineau, seconded by Representatives Costantino, Coderre, Benoit and Henseler, 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, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, San Bento, Scott, Shavers, Slater, Smith, Walter, Watson, Williams, Williamson, Winfield.

NAYS -0.

(98-S 2779 as amended) An Act relating to redevelopment projects.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, as amended, in concurrence, on motion of Representative Martineau, seconded by Representatives Costantino, Rose, Carpenter and Menard, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benoit, Bramley, Burlingame, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Iennigan, DeSimone, Farrell, Fleury, Fox, George, Giannini, Ginaitt, Hetfiier, Henseler, Hetherington, Iannitelli, Jacquard, Kelley, Kelso, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Montanaro, Moura, Munschy, Murphy, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Rose, Shavers, Slater, Smith, Walter, Wasylyk, Watson, Williams, Winfield.

NAYS -0.

(98-S 2317 as amended) An Act relating to domestic relations- divorce and separation.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Representatives Williamson and Scott, discuss the act.

Read and passed, as amended, in concurrence, on motion of Representative Martineau, seconded by Representatives Henseler, Murphy and Williamson, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: Representatives Aiken, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Cambio, Carpenter, Carroll, Carter, Coderre, Costantino, Dennigan, DeSimone, Fleury, George, Giannini, Ginaitt, Henseler, Hetherington, Iannitelli, Kelso, Kilmartin, LaIty, Lanzi, Levesque, C Levesque G Lowe Malik, Martineau, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Moura, Munschy, Naughton, Falangio, Fisaturo, Quick, Rabideau, Reilly, Rose, Shavers, Slater, Smith, Walter, Wasylyk, Watson, Williams, Williamson, Winiield.

NAYS -0.

(98-H 9245 as amended) An Act relating to criminal offenses- crimes against nature.

Representative Henseler requests unanimous consent for immediate consideration.

There is no objection.

Representative Henseler moves passage of the act, seconded by Representatives Cambio, George andLopes.

By unanimous consent, Representative C. Levesque, seconded by Representative Henseler, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 9245 as amended)

Mr. Speaker:

I hereby move to amend (98-H 9245 as amended) entitled "AN ACT RELATING TO CRIMINAL OFFENSES - CRIMES AGAINST NATURE" as follows:

On page 1, line 9, by deleting the word "committed" and inserting in place thereof the words "charged by indictment or criminal information".

Respectfully submitted,

CHARLES J. LEVESQUE

Representative, District 93

The motion to amend is read and prevails on a roll call vote, 67 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Flaherty, Fleury, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Montanaro, Munschy, Murphy, Naughton, Falangio, Ficard, Fires, Rabideau, Reilly, Rose, San Bento, Shavers, Slater, Smith, Walter, Watson, Williams, Williamson, Winfield.

NAYS - 2: Representatives Kelley, Salisbury.

The act passes, as amended, on a roll call vote, 66 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS 66: The Honorable Speaker Harwood and Representatives Aiken, Amaral, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt, Hetlner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Millard, Montanaro, Moura, Munschy, Murphy, Naughton, Falangio, Ficard, Fires, Reilly, Rose, San Bento, Shavers, Slater, Smith, Walter, Williams, Williamson, Winfield.

NAYS - 5: Representatives Ajello, Kelley, Rabideau, Salisbury, Watson.

(98-S 8122) (Substitute "A") An Act relating to emotionally disturbed children.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on motion of Representative Martineau, seconded by Representatives Aiken, Coderre and Slater, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Bramley, Burlingame, Cambio, Carpenter, Carroll, Carter, Coderre,

Costantino, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury George, Giannini, Ginaitt, Heffner, Henseler, Hetherington' Iannitelli, Jacquard, Kelley, Kilmartin, Lally, Lanzi,' Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, McCauley, McGowan, McNamara, Menard, Millard, Montanaro, Munschy, Naughton, Falangio, Falumbo, Ficard, Fisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Shavers, Slater, Smith, Walter, Williams, Winfield.

NAYS -0.

RECONSIDERATION

Representative Moura moves to reconsider (98-S 3160) (Substitute "B" as amended), seconded by Representative Montanaro.

There is no objection.

NOW PRESIDING

At 9:55 o'clock P.M. the Honorable Speaker yields the rostrum to the Honorable Deputy Speaker Pro Tempore.

RECONSIDERATION

The act is reconsidered, on a roll call vote, 46 members voting in the affirmative, and 20 members voting in the negative, as follows:

YEAS - 46: Representatives Aiken, Ajello, Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Carpenter, Carroll, Carter, Coderre, Dennigan, DeSimone, George, Giannini, Heffner, Henseler, Hetherington, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lopes, Martineau, McCauley, Menard, Montanaro, Moura, Munschy Naughton, Falangio, Ficard, Fisaturo, Quick, Reilly, Rose, San Bento, Slater, Smith, Wasyluk, Williams, Winfield.

NAYS - 20: Representatives Amaral, Anderson, M., Callahan, Cambio, Fleury, Iannitelli, Jacquard, Kelley, Lowe, McGowan, McNamara, Millard, Murphy, Fires, Rabideau, Salisbury, Scott, Walter, Watson, Williamson.

(98-S 3160) (Substitute "B" as amended) An Act relating to gambling.

Representative Moura moves passage of the act, seconded by Representatives Montanaro.

By unanimous consent, Representative Menard, seconded by Representatives Martineau, Rabideau, Moura and Lopes, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-S 3160) (Substitute "B", as amended)

Mr. Speaker:

I hereby move to amend 98 -- S 3160 SUBSTITUTE B , entitled "AN ACT RELATING TO GAMBLING", as follows:

(1) By deleting all language following the enactment clause and substituting therefore the following:

"SECTION 1. Sections 41-9-2 and 41-9-3 of the General Laws in Chapter 41-9 entitled "Establishment and Extension of Gambling Activities and Other Facilities" are hereby amended to read as follows:

41-9-2. Financial disclosure by promoter. -- ~~(a) Before~~**By the first Monday in August prior to the general election at which** the question of the establishment or extension of any gambling activity or facility is presented to the electorate, all persons and/or corporations promoting or having an interest of ~~ten percent (10%)~~**five percent (5%)** or greater in the activity or facility shall file with the ethics commission the financial statement provided by the commission which shall conform with the requirements of section 36-14-16. **If the person and/or corporation acquire an interest of five percent (5%) or greater after the first Monday in August, that person and/or corporation shall file the financial statement within seven (7) days after acquiring such interest.**

(b) The duty to file the financial statement shall be a continuing duty and shall be required of any and all persons and/or corporations who have or will have an interest of ~~ten percent (10%)~~**five percent (5%)** or greater in an activity and/or facility.

41-9-3. Disclosure of regulated business interests. -- Every person who is required to file a financial statement pursuant to this chapter and who has, or within the preceding three (3) years divests himself or herself of ~~ten percent (10%)~~**five percent (5%)** or greater equity interest in a business entity which is subject to regulation by this chapter, by a state or municipal agency, shall file with the ethics commission annually an affidavit:

(1) Identifying himself or herself and stating the capacity in which he or she serves or is about to serve which occasions the filing of the affidavit;

(2) Identifying the business entity (or each business entity) and all the principals thereof known to him or her;

(3) Stating the nature of his or her interest in the business entity and that of all the principals thereof known to him or her;

(4) Identifying all those persons and/or corporations known to him or her providing any financing for the business entity.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,

RENE R. MENARD

Representative, District 58

The motion to amend is read and prevails on a roll call vote, 44 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 44: Representatives Ajello, Anderson, M., Benoit, Benson, Burlingame, Carpenter, Carroll, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Flaherty, Giannini, Heffner, Henseler, Hetherington, Inman, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lopes, Lowe, Martineau, McCauley, McGowan, McNamara, Menard, Montanaro, Moura, Munschy, Naughton, Falangio, Ficard, Fisaturo, Reilly, San Bento, Slater, Smith, Williams.

NAYS 22: Representatives Aiken, Amaral, Bierman, Bramley, Callahan, Cambio, Fleury, George, Iannitelli, Jacquard, Kelley, Long, Millard, Murphy, Fires, Quick, Rabideau, Rose, Walter, Watson, Williamson, Winfield.

The act passes, as amended, on a roll call vote, 56 members voting in the affirmative, and 12 members voting in the negative, as follows:

YEAS - 56: Representatives Aiken, Ajello, Anderson, M., Anderson, S., Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Fleury, Giannini, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, Menard, Millard, Montanaro, Moura, Munschy, Naughton, Falangio, Fisaturo, Reilly, San Bento, Slater, Smith, Wasylyk, Williams.

NAYS - 12: Representatives Amaral, George, McNamara, Murphy, Ficard, Fires, Quick, Rabideau, Rose, Watson, Williamson, Winfield.

LEAVE OF THE HOUSE

Majority Leader Martineau, requests leave of the House to move item #1 on Friday's Calendar to be taken up next.

There is no objection.

CALENDAR

(98-S 2850 as amended) 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, as amended, in concurrence.

Representative Martineau requests unanimous consent for immediate consideration.

Representative Montanaro objects.

The act is ordered on the Calendar for Friday, July3 1998.

NOW PRESIDING

At 9:59 o'clock P.M. the Honorable Deputy Speaker Pro Tempore yields the rostrum the Honorable Speaker.

PETITION TO DISCHARGE FROM COMMITTEE

Representative Cicilline offers a petition signed by forty (40) members of the House of Representatives pursuant to rule 56 of the House Rules for Discharge from the House Committee on Judiciary, of a bill relating to freedom of access to clinic entrances, introduced by himself and referred to said committee:

(98-H 7393) (Substitute "A" as amended) An Act relating to health and safety establishing freedom of access to clinic entrances.

The Honorable Speaker rules that his petition is not timely, as his previous request made to Chairman Flaherty, relative to that bill, which was his right under Rule 32 to make, vested in Chairman Flaherty certain rights which Representative Cicilline could not circumvent, by now adopting an alternative procedure.

The ruling of the Chair is upheld, on a roll call vote, 53 members voting in the affirmative, and 20 members voting in the negative, as follows:

YEAS - 53: The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Callahan, Cambio, Carpenter, Carter, Coderre, Costantino, Crowley, Faria, Farrell, Ferguson, Flaherty, Fleury, George, Giannini, Ginaitt, Henseler, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lopes, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Millard, Murphy, Naughton, Falangio, Ficard, Fires, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Slater, Walter, Williamson, Winfield.

NAYS - 20: Representatives Aiken, Ajello, Bramley, Burlingame, Carroll, Cicilline, Dennigan, DeSimone, Heltner, Hetherington, Levesque, C., Levesque, G., Long, Montanaro, Fisaturo, Shavers, Smith, Wasyluk, Watson, Williams.

FROM THE DESK

From the Desk, is taken:

(98-S2815) (Substitute "A" as amended) An Act relating to the environment.

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

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, on motion of Representative Kennedy, seconded by Representative Ginaitt, on a roll call vote, 58 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 58: The Honorable Speaker Harwood and Representatives Aiken, Ajello, Amaral, Anderson, M., Anderson, S., Benoit, Bierman, Callahan, Cambio, Carpenter, Carter, Coderre, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Jacquard, Kelley, Kelso, Kennedy, Lally, Lanzi, Levesque, G., Long, Lopes, Malik, Martineau, McCauley, McNamara, Menard, Millard, Munschy, Murphy, Naughton, Falangio, Fires, Quick, Rose, Salisbury, San Bento, Scott, Slater, Walter, Williams, Williamson, Winfield.

NAYS 1: Representative Ficard.

LEAVE OF THE HOUSE

Majority Leader Martineau requests leave of the House to take up (98-S 2850) from Friday's Calendar next.

Representative Crowley objects.

Representative Crowley withdraws his objection.

CALENDAR

From Friday's Calendar is taken:

1. (98-S 2850 as amended) 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 Rhode Island Board of Governors.

Committee on Labor recommends passage, as amended, in concurrence.

Read and passed, as amended, in concurrence, on motion of Representative Crowley, seconded by Representative Martineau, and by unanimous consent, on a voice vote.

FAREWELL

Representative Murphy pays tribute to Representative Vincent Mesolella, on his retirement from the General Assembly.

The Honorable Speaker along with Representatives Moura, Walter, Quick, Salisbury, Giannini, Ferguson, Palangio, Martineau and Williamson, give their love, best wishes and thanks, to their dear friend, Representative Vincent Mesolella.

Representative Mesolella rises and thanks his mom and dad, and all his friends he has served with along with the Honorable Speaker, John Harwood, and Majority Leader, Jerry Martineau.

Representative Mesolella expresses a farewell to everyone in the Chamber, whom he will miss.

Also:

The Honorable Speaker Harwood, along with Representatives Long, Quick, Walter, Watson and Kelley, bids farewell, thanks and best of luck, to a wonderful friend and leader, Minority Leader Wayne Salisbury.

Also:

Representative Quick also bids farewell to Representatives Little and Campbell.

Also:

Minority Leader Salisbury, expresses his gratefulness to the Leadership and good luck to all who have re-elections. He states he will certainly miss everyone immensely.

COMMUNICATION FROM THE SENATE

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

(98-S 3219) Joint Resolution declaring and consenting to a recess of the General Assembly.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

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

RECESS

At 10:28 o'clock P.M. on motion of Representative Martineau, seconded by Representative Salisbury, the House is in Recess pursuant to (98-S 3219), and by unanimous consent, on a voice vote.

LINDA McELROY
Recording Clerk

Appendix

INVOCATION

REPRESENTATIVE DAVID J. PANCIERA

Oh God, who said through your prophet: "For everything there is a season; A time to stand up, a time to sit down; A time to speak out, a time to keep quiet; A time to come forth, a time to go home again" increase our wisdom, especially with respect to the "sitting down" and "keeping quiet parts, so that we may achieve the "going home" part. For it is time, Oh Lord, it is time. Amen.

TRANSMITTED TO THE GOVERNOR

(98-H 7363) (Substitute "A" as amended) An Act relating to education.

(98-H 8793) (Substitute "B" as amended) Joint Resolution creating a special legislative commission to study the prosthetic device delivery system.

(98-S 3182) An Act authorizing the city of East Providence to finance the construction and installation of sanitary sewers and connector utilities in the city including the issue of not more than \$1,208,000 bonds therefor.

(98-S 3183) An Act authorizing the city of East Providence to finance the construction of an addition to the East Providence High School and the construction of improvements and the acquisition of equipment

for various schools in the city including the issue of not more than \$5,097,000 bonds therefor.

(98-S 3184) An Act authorizing the city of East Providence to finance the construction of sanitary sewers, the construction of storm drainage and electrical improvement to various buildings in the city and the acquisition and installation of a geographic information system and to issue not more than \$6,175,000 bonds therefor.

(98-S 3185) An Act authorizing the city of East Providence to finance the construction and equipping of a fire station, the construction and equipping of an addition to the police station and a garage storage building for the police department and the acquisition \$1,685,000 bonds therefor.

(98-S 3186) An Act authorizing the city of East Providence to finance the acquisition, construction and equipping of a recreation center, athletic fields and other recreational facilities in the city and development of plans with respect to the acquisition and development ... than \$925,000 bonds therefor.

(98-S3223) An Act authorizing the town of East Greenwich to finance the construction, equipping and furnishing of a community center and/or in addition to the high school and to issue bonds and/or notes in an amount not to exceed \$6 million therefor.

(98-S 3224) An Act revising the charter of the city of Warwick, and in amendment of chapter 1852 of the public laws, 1931, entitled "An Act to establish the City of Warwick," as amended.

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

Thank you for stopping by!

