

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. 25 Tuesday, March 10, 1998 Twenty-fifth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 10, 1998, and is called to order at 5:11 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 97 members present and 3 members absent as follows:

PRESENT - 97: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Anzeveno, Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Campbell, Carpenter, Carroll, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Murphy, Naughton, Palangio, Palumbo, Panciera, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 3: Representatives Cambio, Kilmartin, Mesolella.

INVOCATION

The Honorable Speaker presents Representative Carpenter, who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag. (For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, March 5, 1998, is approved as printed.

COMMUNICATION

The Honorable Speaker announces the receipt of the following communication:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

March 10, 1998

Honorable John B. Harwood, Speaker
RI House of Representatives
325 State House Providence, RI 02903

Mr. Speaker;

Please be advised that I will not be in attendance at the Thursday, March 12, session of the House of Representatives, due to a professional commitment out of state.

Sincerely,

MELVOID J. BENSON
Representative, District 45 North Kingstown

Received and ordered to be placed on file.

ANNOUNCEMENTS

Due to illness, Representative Cambio will be unable to attend session on March 10, 11 and 12.

Also: Tomorrow, March 11, 1998, at 2:00 P.M. in the Governor's State Room, a reception will be held in honor of the University of Rhode Island Basketball Team. Immediately following at 3:00 P.M. Resolutions will be read in the House chamber and Citations will be presented.

COMMUNICATION FROM THE SENATE

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

(98-S 2971) An Act reinstating and restoring forfeited or revoked corporate charters.

Read and referred to the Committee on Corporations.

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

Read and referred to the Committee on Corporations.

(98-S 2147) An Act relating to business and professions - public accountants.

Read and referred to the Committee on Corporations.

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

Read and referred to the Committee on Corporations.

(98-S 2274 as amended) An Act relating to business and professions display of license registration by contractors.

Read and referred to the Committee on Corporations.

(98-S 2240) (Substitute "A" as amended) An Act relating to criminal offenses - parole.

Read and referred to the Committee on Judiciary.

(98-S 2228) (Substitute "A" as amended) An Act relating to criminal offenses - parole.

Read and referred to the Committee on Judiciary.

(98-S 2600 as amended) An Act relating to criminal procedure.

Read and referred to the Committee on Judiciary.

(98-S 2349) An Act relating to motor and other vehicles accident reports.

Read and referred to the Committee on Judiciary.

(98-S 2587) An Act relating to service for the blind and visually impaired.

Read and referred to the Committee on Finance.

(98-S 2352 as amended) An Act relating to health and safety.

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

(98-S 2120) An Act naming the airport connector the Mary Brennan Parkway. Read and ordered to be placed on the Calendar.

(98-S 2843) An Act relating to the General Assembly - "The Korean War Veterans Memorial Highway". Read and ordered to be placed on the Calendar.

(98-S 2921) Joint Resolution honoring LaSalle D. Lefall, Jr., M.C., F.A.C.S. and welcoming him to the state of Rhode Island.

Representative Caruolo requests unanimous consent for immediate consideration.

There is no objection.

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

REPORTS OF COMMITTEES

Representative Pires, for the Committee on Finance, reports back the following measure (98-H 7349), with recommendation of passage:

(98-H 7349) An Act relating to taxation -investment tax credit.

Received and ordered to be placed on the Calendar.

Representative Pires, for the Committee on Finance, reports back the following measure (98-H 7222), with recommendation of passage:

(98-H 7222) House Resolution creating a House legislative commission to study the modernization of the Rhode Island Registry of Motor Vehicles.

Received and ordered to be placed on the Calendar.

Representative Flaherty, for the Committee on Judiciary, reports back the following measure (98-H 8280), with recommendation of transfer to the Committee on Finance:

(98-H 8280) An Act relating to courts - costs and fines. Received and referred to the Committee 'on Finance.

GUESTS

Representatives Pires and San Bento welcomes to the House as guests Fred Frederici and John Divver with the Independent Insurance Agents Legislative Day.

Representative Barone welcomes to the House Chambers Sara DeCosta, Gold Medal winner from the 1998 Women's Hockey Team, along with her family.

The Honorable Speaker with great pleasure welcomes Sara and salutes Sara and the Team USA for bringing home the Gold. At 5:28 o'clock P.M. the Honorable Speaker yields the rostrum to Sara DeCosta. By unanimous consent, Sara DeCosta addresses the members of the House. By unanimous consent, Representative Barone introduces to the members of the House, Nancy and Frank, Sara's mother and father; Shirley, Sara's grandmother; and Millie and Arthur, Sara's Great Aunt and Uncle. At 5:32 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representative Callahan welcomes to the House Jerry DeLuca, Chairman of the Woonsocket Republican Party.

ANNOUNCEMENT

Representative San Bento announces Representative Pires was awarded Legislator of the Year by the Insurance Professionals of New England.

NOTICES OF BILL/RESOLUTION

INTRODUCTION

Representative Bramley gives notice that on the next legislative day he will introduce a measure concerning appropriation for Early Start Program. This notice is given in compliance with House Rule 41.

RUSSELL BRAMLEY
Representative, District 36

Received and ordered to be placed on file.

Representative Barr gives notice that on the next legislative day he will introduce three measures concerning arbitration of labor controversies. This notice is given in compliance with House Rule 41.

JOHN DOUGLAS BARR, II
Representative, District 59

Received and ordered to be placed on file.

Representative Malik gives notice that on the next legislative day he will introduce a measure relating to water and navigation. This notice is given in compliance with House Rule 41.

JAN P.MALIK
Representative, District 89

Received and ordered to be placed on file.

Representative Naughton gives notice that on the next legislative day she will introduce a measure concerning aquaculture. This notice is given in compliance with House Rule 41.

EILEEN S. NAUGHTON
Representative, District 32

Received and ordered to be placed on file.

Representative Montanaro gives notice that on the next legislative day he will introduce two measures concerning taxation - city of Cranston. This notice is given in compliance with House Rule 41.

FRANK A. MONTANARO
Representative, District 24

Received and ordered to be placed on file.

Representative Moura gives notice that on the next legislative day he will introduce a measure concerning firefighters and police officers. This notice is given in compliance with House Rule 41.

PAUL E.MOURA
Representative, District 2

Received and ordered to be placed on file.

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

PAUL E.MOURA
Representative, District 2

Received and ordered to be placed on file.

Representative M. Anderson gives notice that on the next legislative day she will introduce a measure concerning state reimbursement of cities and towns for costs of meningitis clinics. This notice is given in compliance with House Rule 41.

MABEL M. ANDERSON
Representative, District 77

Received and ordered to be placed on file.

Representative Scott gives notice that on the next legislative day he will introduce a measure concerning real estate conveyance tax. This notice is given in compliance with House Rule 41.

JOSEPH H. SCOTT
Representative, District 52

Received and ordered to be placed on file.

NEW BUSINESS

Representatives George, Inman, Smith, Ferguson, S. Anderson and several other members of the House introduce (98-H 8761) House Resolution celebrating March 25, 1998 as the 177th Anniversary of Greek Independence Day.

Representative George requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Reilly, Iwuc, Anzeveno and Palumbo introduce (98-H 8762) An Act relating to health and safety - Rhode Island Right to Life.

Read and referred to the Committee on Judiciary.

Representatives Reilly, Kelso, McNamara, Garvey and Ginaitt introduce (98-H 8763) An Act relating to tobacco and children.

Read and referred to the Committee on Judiciary.

Representatives Kelley, Scott, Burlingame, Sherlock, Carter and several other members of the House introduce (98-H 8764) Joint Resolution making an appropriation of \$5,000 for Welcome House.

Read and referred to the Committee on Finance.

Representatives Menard, Iwuc, Reilly and Farrell introduce (98-H 8765) Joint Resolution making an appropriation of \$25,000 for Cumberland Senior Center.

Read and referred to the Committee on Finance.

Representatives Menard, Reilly and Farrell introduce (98-H 8766) Joint Resolution making an appropriation of \$20,000 for the Cumberland Police Department.

Read and referred to the Committee on Finance.

Representatives Kelley, Scott, Burlingame, M. Anderson, Sherlock and several other members of the House introduce (98-H 8767) Joint Resolution making an appropriation of \$5,000 for Smile.

Read and referred to the Committee on Finance.

Representatives Menard, Iwuc, Reilly and Farrell introduce (98-H 8768) Joint Resolution making an appropriation of \$20,000 for Cumberland Public Library.

Read and referred to the Committee on Finance.

Representative Williamson introduces (98-H 8769) Joint Resolution making an appropriation of \$708.16 to pay the claim of National Grange Mutual Insurance Company, 27 Midstate Drive, Auburn, Massachusetts 01501-1896 as subrogee of Michael M. Glancy of 85 Carpenter Street, Rehoboth, Massachusetts 02769.

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

Representative Williamson introduces (98-H 8770) Joint Resolution making an appropriation of \$680.82 to pay the claim of Karen Sue Rubery of 114 Harcourt Avenue, #6, Pawtucket, Rhode Island 02861.

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

Representative Williamson introduces (98-H 8771) Joint Resolution making an appropriation of \$803.75 to pay the claim of Christine Almeida of 296 Water Street, Warren, Rhode Island 02885.

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

Representatives Menard, Barr, Montalbano and Winfield introduce (98-H 8772) Joint Resolution making an appropriation of \$20,000 for Lincoln Police Department.

Read and referred to the Committee on Finance.

Representative Williamson introduces (98-H 8773) Joint Resolution making an appropriation of \$434.60 to pay the claim of Richard B. Grant of 30 Lower Cottage Road, Kingstown, Rhode Island 02881.

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

Representative Williamson introduces (98-H 8774) Joint Resolution making an appropriation of \$731.00 to pay the claim of Joseph Marques of 10 Nutmeg Drive, Johnston, Rhode Island 02919.

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

Representative Williamson introduces (98-H 8775) Joint Resolution making an appropriation of \$255.00 to pay the claim of Francis Larkin of 25 Park Lane, Coventry, Rhode Island 02816.

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

Representative Williamson introduces (98-H 8776) Joint Resolution making an appropriation of \$487.12 to pay the claim of Sidney W. Green of 30 Argyle Avenue, Apt. 212, East Providence, Rhode Island 02915.

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

Representative Williamson introduces (98-H 8777) Joint Resolution making an appropriation of \$391.00 to pay the claim of Raymond K. Vaz of 10 Home Street, Pawtucket, Rhode Island 02861.

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

Representative Walter introduces (98-H 8778) Joint Resolution making an appropriation of \$5,000 for Westerly Armory Restoration (W.A.R.)

Read and referred to the Committee on Finance.

Representatives Montanaro, Bierman, Lanzi, Palumbo, Pisaturo and Hetherington introduce (98-H 8779) Joint Resolution making an appropriation of \$10,000 for Volunteers in Cranston Schools.

Read and referred to the Committee on Finance.

Representatives Ginaitt, George, Reilly and McNamara introduce (98-H 8780) An Act relating to rights of nursing home patients.

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

Representatives Ginaitt and McNamara introduce (98-H 8781) An Act relating to the Department of Elderly Affairs.

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

Representatives Montanaro, Moura and McGowan introduce (98-H 8782) An Act relating to labor and labor relations - municipal police arbitration.

Read and referred to the Committee on Labor.

Representatives Montanaro, S. Anderson and Bierman introduce (98-H 8783) An Act relating to public utilities and carriers- telephone service.

Read and referred to the Committee on Corporations.

Representatives Kelso, Palangio, Reilly, San Bento and Kelley introduce (98-H 8784) An Act relating to local taxes town of Narragansett.

Read and referred to the Committee on Corporations.

Representatives Montanaro, S. Anderson and Moura introduce (98-H 8785) An Act relating to the labor relations act.

Read and referred to the Committee on Labor.

Representatives Montanaro, Kilmartin, S. Anderson, Palumbo and Moura introduce (98-H 8786) An Act relating to arrest.

Read and referred to the Committee on Judiciary.

Representatives Moura, Montanaro and S. Anderson introduce (98-H 8787) An Act relating to labor and labor relations - arbitration.

Read and referred to the Committee on Labor.

Representative Palangio introduces (98-H 8788) Joint Resolution making an appropriation of \$24,000 for Volunteers in Providence Schools.

Read and referred to the Committee on Finance.

Representatives Montanaro, S. Anderson and Moura introduce (98-H 8789) An Act relating to criminal offenses.

Read and referred to the Committee on Judiciary.

Representatives Moura and McGowan introduce (98-H 8790) An Act relating to towns and cities relief of firefighters and police officers.

Read and referred to the Committee on Corporations.

Representatives Bramley, Lima, Fox, McGowan, McNamara and several other members of the House introduce (98-H 8791) An Act relating to motor vehicle offenses assessments.

Read and referred to the Committee on Judiciary.

The Honorable Speaker Harwood and Representatives Barone, Menard, Faria, Anzeveno, Moura and several other members of the House introduce (98-H 8792) House Resolution honoring Sara DeCosta for wining a Gold Medal as a member of the 1998 Women's Hockey Team at the Winter Olympic Games in Nagano, Japan.

Representative Barone requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Giannini, Slater, Pisaturo, Carroll, DeSimone and several other members of the House introduce (98-H 8793) An Act relating to health insurance coverage.

Read and referred to the Committee on Corporations.

Representatives Montanaro, Moura and S. Anderson introduce (98-H 8794) An Act relating to motor and other vehicles - miscellaneous rules.

Read and referred to the Joint Committee on Highway Safety.

Representatives Montanaro, Moura and S. Anderson introduce (98-H 8795) An Act relating to law enforcement - aptitude and psychological tests for law enforcement candidates.

Read and referred to the Committee on Labor.

Representative Faria introduces (98-H 8796) An Act relating to labor and payment of debt by contractors.

Read and referred to the Committee on Labor.

Representatives Montanaro, S. Anderson, Kilmartin, Palumbo and Moura introduce (98-H 8797) An Act relating to civil and criminal procedure.

Read and referred to the Committee on Judiciary.

Representative Faria introduces (98-H 8798) An Act relating to labor and payment of debt by contractors.

Read and referred to the Committee on Labor.

Representative Faria introduces (98-H 8799) An Act relating to labor and labor relations workers' compensation.

Read and referred to the Committee on Labor.

Representatives Winfield and Iannitelli introduce (98-H 8800) Joint Resolution making an appropriation of \$5,000 for Smithfield Memorial Veterans of Foreign Wars Post #2929.

Read and referred to the Committee on Finance.

Representatives Salisbury and Long introduce (by request of the Attorney General) (98-H 8801) An Act relating to courts and civil procedures -procedure generally - governmental tort liability.

Read and referred to the Committee on Judiciary.

Representatives Smith, Palumbo, McGowan, Moura and Montanaro introduce (98-H 8802) An Act relating to towns

and cities- relief of firefighters and police officers.

Read and referred to the Committee on Corporations.

Representative Carroll introduces (98-H 8803) An Act to vacate the forfeiture or revocation of the charter of David M. King & Son, Inc.

Read and referred to the Committee on Corporations.

TRANSMITTAL

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

ANNOUNCEMENTS

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

Also:

Representative Sherlock announces that the Committee on Finance will meet today at the rise of the House in Room 35 of the State House.

Also:

Representative Faria announces that the Committee on Labor will not meet today at the rise of the House.

ADJOURNMENT

At 5:34 o'clock P.M. on motion of Representative Caruolo, seconded by Representative Quick, the House adjourns, on a voice vote.

LINDA McELROY
Recording Clerk

Appendix

INVOCATION

REPRESENTATIVE MARSHA E. CARPENTER

Lord, may it be Thy will, not our own, which governs our deliberations this day.Amen.

Appendix

CALENDAR

In order for Wednesday, March 11, 1998:

1. (98-H 7199) (Substitute "A") An Act relating to offenses pertaining to schools. Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

Appendix

CALENDAR

In order for Thursday, March 12, 1998:

1. (98-H 7809) An Act relating to deceptive trade practices appliances. Committee on Corporations recommends passage.

Appendix

CALENDAR

In order for Tuesday, March 17, 1998:

1. (98-H 7222) House Resolution creating a House legislative commission to study the modernization of the Rhode Island Registry of Motor Vehicles. Committee on Finance recommends passage.
2. (98-H 7349) An Act relating to taxation -investment tax credit. Committee on Finance recommends passage.
3. (98-S2120) An Act naming the airport connector the Mary Brennan Parkway. Ordered on the Calendar.
4. (98-S2843) An Act relating to the General Assembly - "The Korean War Veterans Memorial Highway". Ordered on the Calendar.

LOUIS D'ANTUONO
Reading Clerk
Tuesday, March 10, 1998

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

Thank you for stopping by!

