

# 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. 30

Thursday, March 19, 1998

## Thirtieth Day

The House of Representatives meets at the State House in Providence, Thursday, March 19, 1998, and is called to order at 3:11 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 95 members present and 5 members absent as follows:

PRESENT - 95: The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesolella, Metts, Millard, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Palumbo, Panciera, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 5: Representatives Anzeveno, Carroll, Farrell, Murphy, Sherlock.

## INVOCATION

The Honorable Speaker presents Representative Dennigan, 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 Wednesday, March 18, 1998, is approved as printed.

## NOTICES OF BILL/RESOLUTION

# INTRODUCTION

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

PETER F. KILMARTIN  
Representative, District 80

Received and ordered to be placed on file.

## **NEW BUSINESS**

Representatives Picard and Callahan introduce (98-H 8864) An Act relating to initiative and referendum.

Read and referred to the Committee on Judiciary.

Representatives Picard and Callahan introduce (98-H 8865) Joint Resolution to approve and publish, and submit to the electors a proposition of amendment to the Constitution of the State (initiative and referendum).

Read and referred to the Committee on Judiciary.

Representatives Walter and Panciera introduce (98-H 8866) An Act relating to harbors and harbor lines.

Read and referred to the Joint Committee on Environment and Energy.

Representatives Henseler and Quick introduce (98-H 8867) House Resolution extending congratulations.

Representative Henseler requests unanimous consent for immediate consideration.

There is no objection.

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

Representatives Henseler and Quick introduce (98-H 8868) House Resolution extending condolences.

Representative Henseler requests unanimous consent for immediate consideration.

There is no objection.

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

Representative S. Anderson introduces (98-H 8869) Joint Resolution making an appropriation of \$267.86 to pay the claim of Sandra Hooper of 55 Gazza Road, Chepachet, Rhode Island 02814.

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

Representatives Lowe and S. Anderson introduce (98-H 8870) An Act relating to levy and assessment of local taxes.

Read and referred to the Committee on Corporations.

Representatives Rose, Coelho, Barone, Lopes and Dennigan introduce (98-H 8871) House Resolution respectfully requesting the Director of the Department of Transportation to construct a "flyover" to provide access to the

Wampanoag Trail for motorists traveling north from Forbes Street.

Read and referred to the Joint Committee on Highway Safety.

Representatives Barr, Menard and 6. Levesque introduce (98-H 8872) An Act relating to state affairs and government.

Read and referred to the Committee on Finance.

Representatives Moura, McGowan, Montanaro and Smith introduce (98-H 8873) An Act relating to labor and labor relations - employment security - benefits.

Read and referred to the Committee on Labor.

Representative Rabideau introduces (98-H 8874) Joint Resolution making an appropriation of \$30,000 for William Callahan School in Burrillville.

Read and referred to the Committee on Finance.

Representatives Naughton, McNamara, Coelho, Reilly, Ginaitt and Rose introduce (98-H 8875) An Act relating to shellfish grounds.

Read and referred to the Joint Committee on Environment and Energy.

Representative Amaral introduces (98-H 8876) Joint Resolution making an appropriation of \$10,000 for the Little Flower Home.

Read and referred to the Committee on Finance.

Representatives Pisaturo, Walter, Lanzi, Long, Campbell and several other members of the House introduce (98-H 8877) House Resolution congratulating Ronald L. Pagliarini on his retirement from the Cranston City Council.

Representative Pisaturo requests unanimous consent for immediate consideration.

There is no objection.

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

## CALENDAR

From the Calendar is taken:

1. (98-H7273) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage. Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, March 24, 1998. On suggestion of the Honorable Speaker, and by unanimous consent, the Calendar for tomorrow is continued to Tuesday, March 24, 1998.

## ANNOUNCEMENTS

By unanimous consent, The Honorable Speaker announces there will be no session on Friday, March 20.

Also:

Representative Faria announces that the Committee on Labor will meet today at the rise of the House in Room 135 of the State House.

Also:

Representative Flaherty announces that the Committee on Judiciary will meet today at the rise of the House.

Also:

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

Also:

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

Also:

Representative Crowley announces that the Sub-Committee on Finance - Education will meet tomorrow at 9:00 o'clock A.M. in Room 35 of the State House.

Also:

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

Also:

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

## **REPORTS OF COMMITTEES**

Representative Flaherty, for the Committee on Judiciary, reports back the following measure (98-H 8727 as amended), with recommendation of passage as amended:

(98-H 8727 as amended) An Act relating to towns and cities- Warren Municipal Court.

Received and ordered to be placed on the Calendar.

Representative Flaherty, for the Committee on Judiciary, reports back the following measure (98-H 8738 as amended), with recommendation of passage as amended:

(98-H 8738 as amended) An Act authorizing the establishment of a Municipal Court in East Greenwich.

Received and ordered to be placed on the Calendar.

Representative Flaherty, for the Committee on Judiciary, reports back the following measure (98-H 7570), with recommendation of passage:

(98-H 7570) An Act relating to solemnization of marriages.

Received and ordered to be placed on the Calendar.

Representative Kennedy, for the Committee on Corporations, reports back the following measure (98-H 7353), with recommendation of transfer to the Committee on Finance:

(98-H 7353) An Act relating to taxation. Received and referred to the Committee on Finance.

Representative Kennedy, for the Committee on Corporations, reports back the following measure (98-H 8835), with recommendation of transfer to the Joint Committee on Environment and Energy:

(98-H 8835) An Act relating to towns and cities. Received and referred to the Joint Committee on Environment and Energy.

Representative Kennedy, for the Committee on Corporations, reports back the following measure (98-S 2043), with recommendation of passage in concurrence:

(98-S 2043) An Act reinstating and restoring forfeited or revoked corporate charters.

Received and ordered to be placed on the Consent Calendar.

Representative Kennedy, for the Committee on Corporations, reports back the following measure (98-H 7684) (Substitute "A"), with recommendation of passage of the bill marked Substitute "A" and the indefinite postponement of the original bill:

(98-H 7684) (Substitute "A") An Act relating to taxation.

Received and ordered to be placed on the Consent Calendar.

## **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.

## **REPORTS OF COMMITTEE**

Representative Kennedy, for the Committee on Corporations, reports back the following measure (98-S 2281) (Substitute "A" as amended), with recommendation of passage of the bill marked Substitute "A", as amended, in concurrence, and the indefinite postponement of the original bill:

(98-S 2281) (Substitute "A" as amended) An Act relating to insurance.

Representative Ginaitt 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 Ginaitt, seconded by Representatives Martineau, Reilly, Benson, Kelley, Quick and Little, and by unanimous consent, on a roll call vote, 76 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS 76:** The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Benoit, Benson, Bierman, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Lally, Lanzi, Levesque, C., Levesque, G., Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Metts, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Panciera, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Slater, Smith, Walter, Wasylyk.

**NAYS-0.**

Representative Kennedy, for the Committee on Corporations, reports back the following measure (98-H 7561) (Substitute cc with recommendation of passage of the bill marked Substitute and the indefinite postponement of the original bill:

(98-H 7561) (Substitute cc~~~) An Act relating to insurance.

Representative Ginaitt requests unanimous consent for immediate consideration.

There is no objection. The bill marked Substitute cc~, read and passed, and the original bill indefinitely postponed, on motion of Representative Ginaitt, seconded by Representatives Naughton, Benson, Benoit, Kelley, Quick, Little, Bramley, Barr and Reilly, and by unanimous consent, 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-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carter, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, Faria, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, 6., Little, Long, Lopes, Lowe, Malik, Martineau, McNamara, Metts, Montalbano, Montanaro, Moura, Munschy, Naughton, Palangio, Panciera, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, Scott, Slater, Walter, Wasylyk, Winfield.

**NAYS -0.**

## TRANSMITTAL

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

## ADJOURNMENT

At 3:28 o'clock P.M. on motion of Representative Henseler, seconded by Representative Long, the House adjourns, on a voice vote.

LINDA McELROY  
Recording Clerk

## Appendix

---

## INVOCATION

REPRESENTATIVE ELIZABETH M. DENNIGAN

Almighty God, our strength from day to day, keep each of us faithful to the claims of justice and freedom.Amen.

**TRANSMITTED TO THE GOVERNOR**

(98-S 2281) (Substitute A as amended) An Act relating to insurance.

**Appendix**

---

**CONSENT CALENDAR**

In order for Thursday, March 26, 1998:

**1.** (98-S 2043) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

**2.** (98-H7684) (Substitute "A") An Act relating to taxation.

Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute cc~))

LOUIS D'ANTUONO  
Reading Clerk  
Thursday, March 19, 1998

**Appendix**

---

**CALENDAR**

In order for Tuesday, March 24, 1998:

**1.** (98-H 7273) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage.

**2.** (98-H7646) An Act relating to alcoholic beverages - identification cards.

Committee on Special Legislation recommends passage.

**3.** (98-H 7349) An Act relating to taxation -investment tax credit.

Committee on Finance recommends passage.

## Appendix

---

### CALENDAR

In order for Thursday, March 26, 1998:

**1.** (98-H 8727 as amended) An Act relating to towns and cities- Warren Municipal Court.

Committee on Judiciary recommends passage as amended.

**2.** (98-H8738 as amended) An Act authorizing the establishment of a Municipal Court in East Greenwich.

Committee on Judiciary recommends passage as amended.

**3.** (98-H7570) An Act relating to solemnization of marriages.

Committee on Judiciary recommends passage.

LOUIS D'ANTUONO

Reading Clerk

Thursday, March 19, 1998

---

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

Thank you for stopping by!

