

# 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 fifth day of January in the year of Our Lord one thousand nine hundred and ninety-nine.

Volume 126, No. 16

Tuesday, February 9, 1999

Sixteenth Day

The House of Representatives meets at the State House in Providence, Tuesday, February 9, 1999, and is called to order at 5:30 o'clock P.M., by the Honorable Edward S. Inman, III, Deputy Speaker.

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

PRESENT — 97: Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anderson, S., Barr, Benoit, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Corvese, Costantino, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garabedian, Garvey, George, Giannini, Ginaitt, Gorham, Heffner, Henseler, Hetherington, Hogan, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Larisa, Levesque, C., Levesque, G., Lewiss, Lima, Long, Lopes, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Millard, Montanaro, Moura, Mumford, Munsch, Murphy, Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, San Bento, Schadone, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Sullivan, Thompson, Vieira, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

ABSENT — 3: The Honorable Speaker Harwood and Representatives Benson, Crowley.

### INVOCATION

The Honorable Deputy Speaker presents Representative Williams, 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, February 4, 1999, is approved as printed.

### NOTICES OF BILL/RESOLUTION INTRODUCTION

Representative Sherlock gives notice that on the next legislative day he will introduce a measure concerning public assistance.

This notice is given in compliance with House Rule 41.

PAUL V. SHERLOCK  
Representative, District 30

Received and ordered to be placed on file.

Representative Amaral gives notice that on the next legislative day he will introduce a measure concerning certification of teachers.

This notice is given in compliance with House Rule 41.

JOSEPH N. AMARAL  
Representative, District 92

Received and ordered to be placed on file.

Representative Gorham gives notice that on the next legislative day he will introduce a measure concerning education.

This notice is given in compliance with House Rule 41.

NICHOLAS GORHAM  
Representative, District 53

Received and ordered to be placed on file.

Representative Gorham gives notice that on the next legislative day he will introduce a measure concerning bridle and hiking trails.

This notice is given in compliance with House Rule 41.

NICHOLAS GORHAM  
Representative, District 53

Received and ordered to be placed on file.

#### NEW BUSINESS

Representative Crowley introduces (99-H 6090) An Act relating to education — Rhode Island student investment initiative.

Read and referred to the Committee on Finance.

Representative Crowley introduces (99-H 6091) An Act relating to education — student investment initiative.

Read and referred to the Committee on Finance.

Representative Crowley introduces (99-H 6092) An Act relating to education — certification of teachers.

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

Representatives Crowley and G. Levesque introduce (99-H 6093) An Act relating to the new Claiborne Pell Bridge — cost of tolls.

Read and referred to the Committee on Finance.

Representative Crowley introduces (99-H 6094) An Act relating to the Board of Governors for Higher Education.

Read and referred to the Committee on Finance.

Representatives Crowley and G. Levesque introduce (99-H 6095) An Act relating to education — requiring certain schools to institute a breakfast program.

Read and referred to the Committee on Finance.

Representatives Crowley and Cambio introduce (99-H 6096) An Act relating to businesses and professions — interpretation for the deaf.

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

Representative Crowley introduces (99-H 6097) An Act relating to taxation — sales and use taxes — liability and computation.

Read and referred to the Committee on Finance.

Representatives Crowley and Cambio introduce (99-H 6098) An Act relating to education — school for the deaf.

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

Representatives Crowley and Cambio introduce (99-H 6099) An Act relating to health and safety — Commission on the Deaf and Hearing Impaired.

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

Representative Crowley introduces (99-H 6100) An Act relating to labor — arbitration of school teacher disputes.

Read and referred to the Committee on Labor.

Representatives Hetherington, Carpenter, Coderre, Abdullah-Odiase, Fox and several other members of the House introduce (99-H 6101) An Act relating to the family independence act — allowance for adults.

Read and referred to the Committee on Finance.

Representatives Sherlock, Ginaitt, Benoit and Pires introduce (99-H 6102) An Act relating to duties of utilities and carriers.

Read and referred to the Committee on Corporations.

Representatives George, Palumbo, Simonian, Lima, Jacquard and several other members of the House introduce (99-H 6103) House Resolution congratulating David M. Wild on being promoted to Deputy Chief of the Cranston Fire Department.

Representative George requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative George, seconded by Representatives Martineau, Wasylyk and Montanaro, and by unanimous consent, on a voice vote.

Representative Reilly introduces (by request) (99-H 6104) An Act relating to education — teachers' retirement.

Read and referred to the Committee on Finance.

Representatives Sherlock, Pires, Carter, McNamara and Ferguson introduce (99-H 6105) An Act relating to State Investment Commission.

Read and referred to the Committee on Finance.

Representatives Cambio, Russo and Voccola introduce (99-H 6106) An Act relating to elections.

Read and referred to the Committee on Corporations.

Representative Moura introduces (99-H 6107) An Act relating to teachers' and public officers' and employees' retirement and municipal employees.

Read and referred to the Committee on Finance.

Representatives Scott, George and Carter introduce (by request) (99-H 6108) An Act relating to towns and cities — general powers.

Read and referred to the Committee on Corporations.

Representatives Russo, Henseler, Cambio, Lewiss and Voccola introduce (99-H 6109) House Resolution respectfully requesting that the Rhode Island Interscholastic League inform athletes of the danger of chewing tobacco.

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

Representatives Scott, George and Carter introduce (by request) (99-H 6110) An Act relating to animals — leash laws.

Read and referred to the Committee on Corporations.

Representative Menard introduces (99-H 6111) An Act to vacate the forfeiture of the charter of Providence Rental Systems, Inc.

Representative Menard requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Menard, seconded by Representative Watson, and by unanimous consent, on a roll call vote, 73 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS — 73: Representatives Abdullah-Odiase, Almeida, Amaral, Anderson, M., Anderson, S., Barr, Benoit, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Corvese, Costantino, Dennigan, DeSimone, Flaherty, Fleury, Fox, George, Giannini, Ginaitt, Gorham, Hetherington, Hogan, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Larisa, Levesque, C., Levesque, G., Lewiss, Lopes, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moura, Mumford, Munschy, Murphy, Palangio, Palumbo, Picard, Pisaturo, Rabideau, Reilly, Rose, Russo, San Bento, Schadone, Shavers, Simonian, Slater, Smith, Sullivan, Thompson, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS — 0.

Representatives Scott, George and Carter introduce (by request) (99-H 6112) An Act relating to animals and animal husbandry.

Read and referred to the Committee on Corporations.

Representatives Scott, George and Carter introduce (by request) (99-H 6113) An Act relating to animals — collaring of dogs.

Read and referred to the Committee on Corporations.

Representatives Costantino, Moura, San Bento, Hetherington, Malik and Cicilline introduce (99-H 6114) An Act relating to property tax relief — historical residences.

Read and referred to the Committee on Finance.

Representative Mumford introduces (99-H 6115) Joint Resolution making an appropriation of \$225.00 to pay the claim of Eugene Pezzulli of P.O. Box 755, 1347 Chopmist Hill Road, North Scituate, Rhode Island 02857.

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

Representatives Moura, Giannini, Jacquard, Palumbo and McCauley introduce (99-H 6116) An Act relating to towns and cities — state aid.

Read and referred to the Committee on Finance.

Representatives Moura and Ajello introduce (99-H 6117) An Act relating to public buildings.

Read and referred to the Committee on Finance.

Representatives Lally, Moura, McNamara and Hogan introduce (99-H 6118) An Act relating to electricians.

Read and referred to the Committee on Labor.

Representative Wasylyk introduces (99-H 6119) House Resolution amending the Rules of the House of Representatives for the years 1999-2000.

Read and referred to the Committee on Rules.

Representative Ginaitt introduces (99-H 6120) Joint Resolution making an appropriation of \$140.44 to pay the claim of Karen Minassian of 162 Channing Street, Warwick, Rhode Island 02889.

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

Representatives Sherlock, Carter, McNamara, Pires and Ferguson introduce (99-H 6121) An Act relating to education — Higher Education Assistance Authority.

Read and referred to the Committee on Finance.

Representative Sherlock introduces (99-H 6122) An Act relating to health and safety — licensing of health care facilities.

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

Representatives Sherlock, Moura, Carter and Benson introduce (99-H 6123) An Act relating to education — teachers retirement.

Read and referred to the Committee on Finance.

Representatives Sherlock, Moura, Carter and Benson introduce (99-H 6124) An Act relating to teachers' retirement.

Read and referred to the Committee on Finance.

Representatives Sherlock, Maher, Moura, Carter and Benson introduce (99-H 6125) An Act relating to public officers and employees — insurance benefits.

Read and referred to the Committee on Finance.

Representatives Sherlock, Moura, Carter and Benson introduce (99-H 6126) An Act relating to public officers and employees — retirement system — administration.

Read and referred to the Committee on Finance.

Representatives Sherlock, Moura, Carter and Benson introduce (99-H 6127) An Act relating to public officers and employees — retirement system — teachers.

Read and referred to the Committee on Finance.

Representatives Pires, Russo, Voccola, Cambio and Smith introduce (99-H 6128) An Act relating to taxation.

Read and referred to the Committee on Finance.

Representative Sherlock introduces (99-H 6129) An Act relating to health and safety — laboratories.

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

Representative Sherlock introduces (99-H 6130) An Act relating to food and drugs — drugs and poisons generally.

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

Representatives Sherlock, Aiken, Ginaitt, McNamara, Palumbo and Knickle introduce (99-H 6131) An Act relating to state aid to municipalities.

Read and referred to the Committee on Finance.

Representative Sherlock introduces (99-H 6132) An Act relating to licensing of health care facilities.

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

Representatives Sherlock and Maher introduce (99-H 6133) An Act relating to health and safety — maternal and child care health services for children with special health care needs.

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

Representatives Sherlock, Maher and Benoit introduce (99-H 6134) An Act relating to medical assistance.

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

Representatives Sherlock, Ginaitt and Benoit introduce (99-H 6135) An Act relating to human services — medical assistance.

Read and referred to the Committee on Finance.

Representative Sherlock introduces (99-H 6136) An Act relating to human services — medical assistance.

Read and referred to the Committee on Finance.

Representative Sherlock introduces (99-H 6137) An Act relating to human services — medical assistance.

Read and referred to the Committee on Finance.

Representative Sherlock introduces (99-H 6138) An Act relating to medical assistance.

Read and referred to the Committee on Finance.

Representatives Sherlock, Ginaitt, San Bento, Jacquard and Carter introduce (99-H 6139) An Act relating to taxation — sales and use taxes — liability and computation.

Read and referred to the Committee on Finance.

Representatives Lally, Moura and Hogan introduce (99-H 6140) An Act relating to businesses and professions — electricians.

Read and referred to the Committee on Labor.

Representatives Lally, Moura and Hogan introduce (99-H 6141) An Act relating to businesses and professions — electricians.

Read and referred to the Committee on Labor.

Representatives Kelso, San Bento, Quick, Palangio and Murphy introduce (99-H 6142) House Resolution extending the reporting date of the special House commission to study all aspects of the ferry business in the state of Rhode Island and all matters relating thereto and to make recommendations therefor.

Representative Kelso requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Kelso, seconded by Representatives Martineau and Watson, and by unanimous consent, on a voice vote.

Representatives Benoit, Martineau, Burlingame, Munschy and Picard introduce (99-H 6143) An Act relating to general powers.

Read and referred to the Committee on Judiciary.

Representatives M. Anderson, Kilmartin, Coderre, San Bento, Vieira and several other members of the House introduce (99-H 6144) An Act relating to taxation — collection of taxes generally.

Read and referred to the Committee on Corporations.

The Honorable Speaker Harwood and Representatives Montanaro, Benson, Martineau, Watson, Carter and several other members of the House introduce (99-H 6145) House Resolution expressing condolences on the passing of John Bennett.

Representative Montanaro requests unanimous consent for immediate consideration.

There is no objection.

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

## 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.

## PERSONAL PRIVILEGE

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

Representative Watson rises for Representative Moura to speak germane to the article.

## COMMUNICATION FROM THE SENATE

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

(99-S 155) An Act reinstating and restoring forfeited or revoked corporate charters.

Representative Kennedy requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Kennedy, seconded by Representatives Martineau and Watson, and by unanimous consent, on a roll call vote, 77 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS — 77: Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anderson, S., Barr, Benoit, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Cicilline, Coderre, Coelho, Corvese, Dennigan, DeSimone, Ferguson, Flaherty, Fleury, Fox, Garabedian, George, Giannini, Gorham, Henseler, Hetherington, Hogan, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Knickle, Lanzi, Larisa, Levesque, C., Levesque, G., Lewiss, Long, Lopes, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moura, Mumford, Munschy, Palangio,

Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Schadone, Shavers, Sherlock, Simonian, Slater, Smith, Sullivan, Thompson, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS — 0.

(99-S 385) An Act reinstating and restoring forfeited or revoked corporate charters.

Representative DeSimone requests unanimous consent for immediate consideration.

Representative DeSimone moves passage, seconded by Representative Martineau.

Representatives Watson and Callahan object.

Read and referred to the Committee on Corporations.

(99-S 384) An Act relating to towns and cities — general powers — city of Providence.

Read and referred to the Committee on Corporations.

## REPORTS OF COMMITTEE

## TRANSFER OF BILLS

Representative Kennedy, for the Committee on Corporations, reports back the following measure, with recommendation of transfer to the Committee on Health, Education and Welfare:

(99-H 5304) An Act relating to health insurance coverage — mandated hearing aid coverage.

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

Representative Kennedy, for the Committee on Corporations, reports back the following measure, with recommendation of transfer to the Committee on Finance:

(99-H 5402) An Act relating to towns and cities — optional retirement for police and firefighters.

Received and referred to the Committee on Finance.

#### COMMITTEE ON CORPORATIONS

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of passage:

(99-S 3) An Act reinstating and restoring forfeited or revoked corporate charters.

Received and ordered to be placed on the Consent Calendar.

(99-S 89) An Act reinstating and restoring forfeited or revoked corporate charters.

Received and ordered to be placed on the Consent Calendar.

#### ANNOUNCEMENTS

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

Also:

Representative Kelley announces today farm bureaus across the country are celebrating food check-out day.

Also:

Representative Henseler congratulates Jill Anderson on her new position as Head Page and Jeff DelGigante on his new position as Assistant in the Well.

#### CONGRATULATIONS

Representative Kilmartin congratulates Representative Jacquard on completing his graduation from Roger Williams University. He will be going on to take the Bar.

#### GUESTS

Representative Menard welcomes to the House as a guest Dennis Auclair, President of the Lincoln Town Council.

Also:

Representative Shavers introduces her intern Tanya Simmons.

Also:

Representative Dennigan introduces to the House Chambers Patrice Vincent.

#### ADJOURNMENT

At 6:04 o'clock P.M. on motion of Representatives Henseler and Cicilline, and as a further mark of respect to the memory of Lou Cioci, Esquire; on motion of Representatives Knickle and Montanaro, and as a further mark of respect to the memory of John Bennett, seconded by Representatives Martineau and Watson, the House adjourns, on a unanimous rising vote.

LINDA McELROY  
*Recording Clerk*



Appendix

INVOCATION

REPRESENTATIVE ANASTASIA P. WILLIAMS

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

TRANSMITTED TO THE GOVERNOR

(99-S 155) An Act reinstating and restoring forfeited or revoked corporate charters.

Appendix

CONSENT CALENDAR

In order for Tuesday, February 23, 1999:

1. (99-S 3) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

2. (99-S 89) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

LOUIS D'ANTUONO  
*Reading Clerk*

Tuesday, February 9, 1999

Appendix

CALENDAR

In order for Wednesday, February 10, 1999:

1. (99-H 5109) An Act relating to education — school district financial meeting — Chariho.

Committee on Corporations recommends passage.

2. (99-H 5168) An Act relating to tax exemption — Westerly.

Committee on Corporations recommends passage.

3. (99-H 5184) An Act relating to taxation — property subject to taxation.

Committee on Corporations recommends passage.

LOUIS D'ANTUONO  
*Reading Clerk*

Tuesday, February 9, 1999