STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Journal of the Senate

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the first day of January in the year of Our Lord two thousand and thirteen.

Volume 140, No.66

Thursday, June 20, 2013

Sixty-sixth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:26 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT – 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 1: Senator Pichardo.

INVOCATION

The Honorable President, by unanimous consent, presents Senator Sosnowski to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senator Sosnowski to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of the Sixty-fifth Legislative Day of the 2013 proceedings is read in part.

Upon suggestion of Senator Sosnowski and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as recorded.

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS STATE HOUSE

June 19, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 28-7-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island State Labor Relations Board:

Ronald J. Caniglia, CDT, CSI

(Representing Management)

VICE Walter Lanni

for a term expiring August 1, 2014.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee

Governor

Read and referred to the Committee on Labor.

FROM THE HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage, of the following measures:

House Bill No. 5711 SUB A

(Governor)

BY Martin

ENTITLED, AN ACT RELATING TO EDUCATION - ACADEMIC CREDIT FOR

MILITARY SERVICE (would require that all higher education institutions in the state adopt a policy and promulgate regulations to award educational credits to veterans enrolled in their institution for courses that were part of the student's military training.) {LC1697/A/1}

Read and ordered to the Committee on Education

House Bill No. 5616 SUB A

(Governor)

BY Azzinaro

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ENERGY RESOURCES (would add a responsibility to the office of energy resources to collect all energy information regarding petroleum products, natural gas, and other fuels including price, inventory, and product delivery dates, amounts, and types of product sold)

{LC1691/A/2}

Read and ordered to the Committee on Environment and Agriculture.

Also:

House Resolution No. 5365 SUB A

BY Malik, Newberry, McNamara, Azzinaro, Corvese **ENTITLED**, JOINT RESOLUTION RELATING TO TAXATION -- SALES TAX REPEAL ACT OF 2013 {LC991/A/3}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 5930 SUB A

BY McLaughlin, MacBeth, Phillips, Hull, Bennett **ENTITLED**, AN ACT RELATING TO TAXATION - MAXIMUM LEVY (would make fire districts subject to the maximum levy.) {LC2185/A/2}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 6108 as amended

BY Baldelli-Hunt, Casey, Phillips

ENTITLED, AN ACT RELATING TO TAXATION (would exempt the Stadium Theatre in Woonsocket, owned by the Stadium Theatre Foundation from real and personal property taxes) {LC241/1}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 6147

(by request)

BY Ruggiero, Abney

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - COUNCILS AND

GOVERNING BODIES (would exempt Middletown from the requirement to apportion the earned income from the peripheral care fund to individual burial lots, and would allow Middletown to use earned income for maintenance of the entire burial ground.) {LC2634/1}

Read and ordered to the Committee on Finance

House Bill No. 5394 SUB A

BY Edwards, Nunes, Newberry, Marshall, Finn

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES (would prevent a municipality from assessing an unoccupied new dwelling unit at its full and fair cash value until a certificate of occupancy for the unit is issued) {LC1099/A/2}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 5501

BY Marcello, Morgan

ENTITLED, AN ACT RELATING TO FIDUCIARIES (would clarify the organization and numbering of the provisions of the general laws pertaining to fiduciaries) {LC1084/1}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5084 SUB A

BY Silva, Serpa

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would permit the extension of Class C retail alcoholic beverage sales licenses operating hours upon application to the local licensing board) {LC302/A/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs

Also:

House Bill No. 5183

BY Azzinaro, Corvese, Hull, Gallison, Edwards

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES (would enable holders of Class A licenses to open at ten o'clock (10:00) a.m. on Sundays) {LC515/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

House Bill No. 6120

BY Ucci

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would authorize the Providence board of licenses to issue a retail Class B liquor license for a business to be located on Plat 126, lot 451 of the Providence tax assessment map) {LC2323/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

House Bill No. 6127 SUB A

BY Walsh

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (would allow the registration of specially constructed vehicles that are designed for use on public roads, and meet necessary safety standards) {LC2562/A/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs

Also:

House Bill No. 6173

BY Slater

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES (would allow the city of Providence to grant a retailer's Class B license to property located on tax assessor's plat 43, lot 211.) {LC2656/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

Also:

House Bill No. 6163

BY Canario, Edwards, Gallison

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF DERBYSHIRE WOODWORKING, INC.

{LC2664/1}

Read and ordered to be placed on the Consent Calendar.

REPORTS OF COMMITTEES COMMITTEE ON JUDICIARY

Senator McCaffrey from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

Senate Bill No. 352 SUB A as amended

BY Miller, Sosnowski, Nesselbush, Ottiano, Bates **ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -MISCELLANEOUS RULES (This act would repeal the sunset provision in section 31-22-22)
{LC1174/A/1}

Read and ordered to be placed on the Calendar for Tuesday, June 25, 2013.

Also:

Senate Bill No. 412 SUB A

BY Metts, Pichardo, Crowley, Jabour

ENTITLED, AN ACT RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT (would provide a tenant of a foreclosed property greater protection against eviction.)

{LC1129/A/3}

Read and ordered to be placed on the Calendar for Tuesday, June 25, 2013.

Also:

Senate Bill No. 563 SUB A

(Attorney General)

BY Sosnowski, Goodwin

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOTOR VEHICLE OFFENSES (would grant judges and magistrates the authority to prohibit drivers adjudicated of certain motor vehicle offenses from operating a motor vehicle not equipped with an ignition interlock system.)

{LC1015/A/2}

Read and ordered to be placed on the Calendar for Tuesday, June 25, 2013.

COMMITTEE ON LABOR

Senator Fogarty, from the Committee on Labor, reports back, with recommendation of passage of the following measures:

Senate Bill No. 293 SUB A

BY Miller, Doyle, Lombardi, Gallo, McCaffrey

ENTITLED, AN ACT RELATING TO LABOR -- APPRENTICESHIP (would require that all bidders responding to an invitation to bid on a public works project would have an indentured Class A apprenticeship program, and that no less than 15% of the project's labor hours be performed by apprentices in this program.)

{LC1128/A/3}

Read and ordered to be placed on the Calendar for Wednesday, June 26, 2013.

Also:

Senate Bill No. 368 SUB A

BY McCaffrey, Goodwin, Lombardi, Miller, Gallo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --

EMPLOYMENT SECURITY--GENERAL PROVISIONS (would clarify the definition of independent contractor by providing a presumption that a person is an employee unless certain specific conditions are me)

{LC1198/A/3}

Read and ordered to be placed on the Calendar for Wednesday, June 26, 2013.

Also:

Senate Bill No. 843 SUB A

BY Lombardo, Lombardi, Conley

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - DRUG TESTING (would expand the regulation of employer mandated drug testing to include the highway construction and repair industry.) {LC2170/A/1}

Read and ordered to be placed on the Calendar for Wednesday, June 26, 2013.

Also:

Senate Bill No. 980

BY Picard, Miller, Lynch, Pearson, Lombardo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - PAYMENT OF WAGES (would allow employers whose average payroll exceeds 200% of the state minimum wage to pay wages less frequently than weekly.) {LC2732/1}

Read and ordered to be placed on the Calendar for Wednesday, June 26, 2013.

COMMITTEE ON EDUCATION

Senator Gallo from the Committee on Education, reports back, with recommendation of passage of the following measures:

House Bill No. 5940 SUB A

(Governor)

BY McNamara, Diaz, Azzinaro, Corvese, Ruggiero

ENTITLED, AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS $\{LC2171/A/1\}$

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5941 SUB A

BY McNamara, Diaz, Azzinaro, Ruggiero, Corvese

ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS (would require all school districts to conduct school safety assessments, and would also require the dept of elementary and secondary education to develop a model school safety plan to be implemented by all school districts.) {LC2121/A/1}

Read and ordered to be placed on the Consent Calendar.

Also:

(Governor)

BY Pichardo, Felag, Walaska, Lynch, Raptakis

ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND BOARD OF EDUCATION ACT

{LC1708/1}

Read and ordered to be placed on the Calendar.

Also:

Appointment of Jason Pamental of Rumford VICE Dana Neugent to the Rhode Island State Councilon the Arts for a term expiring March 1, 2016.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measure:

Senate Bill No. 405 SUB A

BY Gallo, Doyle, Lynch

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- ARBORISTS (would include arboriculture and the production of wood mulch in the definition of agriculture operations) {LC1820/A/1}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5494 SUB B

BY DeSimone, Ackerman, Lima, Fellela, Shekarchi

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY (would expand the meaning of unnecessary cruelty to one who willfully, intentionally, maliciously, recklessly and/or knowingly authorizes or permits that animal to be subjected to unnecessary torture, suffering or cruelty of any kind) {LC1282/B/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5597 SUB B

(Environmental Management)

BY DeSimone, Lima, Slater, O'Brien

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- BIOLOGICAL PRODUCTS (would make a number of technical and definitional changes regarding the provisions of the general laws governing veterinary biologics, and increase the penalty for violations) {LC1504/B/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5802 SUB A as amended

BY Handy, Ruggiero, Walsh, Ajello, Tanzi

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - BIODIESEL HEATING OIL ACT OF 2013 (would enact the Biodiesel Heating Oil Act of 2013, which would require that all heating oil sold in the state contain five percent (5%) of a biobased product) {LC1390/A/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Charity Pennock (Construction of Renewable Generation Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2014.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Christine Malecki West (Residential User Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Hannah Morini (Ex-Officio/Economic Development Corporation Representative) to the Distributed Generation Standard Contracts Board.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Kenneth F. Payne, Ph.D. (Energy Regulation and Law Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2014.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Marion Gold (Ex-Officio/Commissioner Office of Energy Resources) to the Distributed Generation Standard Contracts Board.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Samuel J. Bradner (Small Commercial/Industrial User) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Sharon Conard-Wells (Low Income User Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2014.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Thomas Teehan (Ex-Officio/Representing Electric Distribution Company) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of William H. Ferguson (Large Commercial/Industrial User) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Jennifer Hutchinson (Ex-Offcio/Representing Electric Distribution Entity) VICE Ron Gerwatowski (resigned) to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Reappointment of Joseph A. Cirillo (Representative with Knowledge of Energy Design and Codes) to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Julie Gill (Ex-Officio/Representing the Fuel Oil/Heating Industry) VICE Victor Allienello to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Marsha A. Garcia (Residential User) VICE Marion Gold to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2016.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Michael McAteer (Ex-Offcio/Representing Natural Gas Distribution Entity) VICE Timothy Stout (resigned) to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Thomas E. Kutcher (Representing private, nonprofit environmental advocacy organization) to the Derelict and Abandoned Vessel and Obstruction Removal Commission for a term expiring May 31, 2016.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

Appointment of Christopher G. Rein (Representing Conservation) VICE J. Christopher Powell (resigned) to the Marine Fisheries Council for a term expiring April 1, 2014.

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFAIRS

Senator Felag from the Committee on Special Legislation and Veterans' Affairs, reports back, with recommendation of passage of the following measures:

Senate Resolution No. 993

BY Ruggerio, Goodwin, Miller, Metts, Jabour **ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY BUILDING STRUCTURED PARKING AT THE GARRAHY JUDICIAL COMPLEX

{LC2751/1}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5890

BY Coderre, O'Neill, Messier, San Bento, Johnston
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - NAMING BRIDGE NO. 550
IN PAWTUCKET (would name bridge No. 550 in Pawtucket, the Pawtucket River Bridge)
{LC2095/1}

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

House Bill No. 6121

BY Palumbo, Jacquard, Mattiello, Handy, Ucci

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would authorize the Cranston board of licenses to issue a retail Class B liquor license for a business to be located on Plat 11, lot 3558 of the Cranston tax assessment map)

{LC2567/1}

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

House Bill No. 6126

BY Baldelli-Hunt, Costantino, Fellela, San Bento, Kennedy
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING AND
LOTTERIES (would permit a senior citizens center to obtain a permit approved by the division of state police to conduct bingo in the senior citizens center)

{LC2590/1}

Read and ordered to be placed on the Consent Calendar for Wednesday, June 26, 2013.

Also:

House Bill No. 5612 SUB B

(National Guard)

BY Azzinaro, Corvese, Gallison, Fellela, Kennedy

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -

EMERGENCY MANAGEMENT (would enact the International Emergency Management

Assistance Compact into Rhode Island law)

{LC1494/B/1}

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON FINANCE

Senator DaPonte from the Committee on Finance, reports back, with recommendation of passage of the following measures:

Senate Bill No. 231 SUB A

BY Goldin, Paiva Weed, Miller, Nesselbush, Metts

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE (would establish within the state temporary disability insurance program, a temporary caregiver insurance program to provide benefits to workers who take time off for a seriously ill child, spouse, parent, domestic partner or to bond with a new child.) {LC173/A/2}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 943

BY Hodgson, Sheehan

ENTITLED, AN ACT EXEMPTING FROM TAXATION THE REAL, MIXED AND PERSONAL PROPERTY OF THE OCEAN STATE SOCCER SCHOOL, INC. {LC2576/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON COMMERCE

Senator Picard from the Committee on Commerce, reports back, with recommendation of passage of the following measures:

Senate Bill No. 376 SUB A

BY Bates, Picard, Walaska

ENTITLED, AN ACT RELATING TO INSURANCE (would create the limited lines travel insurance act to establish requirements for travel insurance producers and travel agents who facilitate the purchase of travel insurance.)

{LC1162/A/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 387 SUB A

BY Bates, Picard, Walaska

ENTITLED, AN ACT RELATING TO INSURANCE -- CERTIFICATES OF INSURANCE MODEL ACT (would enact the Certificates of Insurance Model Act) {LC1164/A/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

Senator Pichardo from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

House Bill No. 5347

BY Shekarchi, Costa, McNamara, Lombardi, Dickinson

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE (would permit ramps, lifts and other accommodation alternatives necessary for compliance with the provisions of the Americans with Disabilities Act relating to accessibility shall be permitted as needed in front, side or rear yards of existing structures)

{LC426/1}

Read and ordered to be placed on the Calendar for Wednesday, June 26, 2013.

NEW BUSINESS

Senate Resolution No. 1004

BY Fogarty

ENTITLED, SENATE RESOLUTION CONGRATULATING FATHER CLIFFORD CABRAL ON HIS RETIREMENT {LC2790/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 1005

BY Kettle

ENTITLED, SENATE RESOLUTION PROCLAIMING AUGUST 14, 2013, AS "LIBERTY TREE DAY" IN THE STATE OF RHODE ISLAND {LC2794/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 1006

BY Sosnowski

ENTITLED, SENATE RESOLUTION COMMEMORATING THE EIGHTY-FIFTH ANNIVERSARY OF THE FOUNDING OF THE FIRST CHURCH OF GOD, PEACE DALE {LC2786/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 1007

BY Fogarty, Goodwin

ENTITLED, SENATE RESOLUTION CONGRATULATING FATHER BERNARD M. O'REILLY ON HIS RETIREMENT {LC2807/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 1008

BY Ottiano

ENTITLED, SENATE RESOLUTION RECOGNIZING KATHLEEN VIERA BEAUDOIN FOR HER MANY YEARS OF SERVICE TO THE TOWN OF PORTSMOUTH AND CONGRATULATING HER ON THE OCCASION OF HER RETIREMENT {LC2802/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 1009

BY Miller, Metts

ENTITLED, SENATE RESOLUTION CONGRATULATING MRS. HAZEL BRADLEY ON THE MARVELOUS OCCASION OF HER 100TH BIRTHDAY {LC2778/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 1010

BY Archambault

ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS {LC2800/1}

Read and ordered to the Committee on Education.

Also:

Senate Bill No. 1011

BY Ciccone, Ruggerio

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS AND VICIOUS DOGS {LC2760/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

Senate Bill No. 1012

BY Ottiano, Lynch, DaPonte, DiPalma, Felag

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RIGHT TO FREEDOM FROM RESTRAINT ACT {LC2607/1}

Read and ordered to the Committee on Health and Human Services.

Also:

Senate Bill No. 1013

BY Crowley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MISCELLANEOUS RULES {LC2768/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 1014

BY Goldin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2806/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 1015

BY Miller, Lombardi

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES {LC2824/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

Senate Bill No. 1016

BY Lombardo, Archambault

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY {LC2759/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

Senate Resolution No. 1017

BY Archambault

ENTITLED, SENATE RESOLUTION RECOGNIZING AND HONORING EDWARD W. MOWRY FOR FORTY YEARS OF DEDICATED SERVICE TO NATION-WIDE TRACTOR TRAILER TRAINING AND PLACEMENT CORPORATION {LC2413/1}

Senator Archambault requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Archambault moves passage, seconded by Senators Ruggerio and Algiere.

The resolution is read and passed, upon a voice vote.

Also:

Senate Bill No. 1018

BY Paiva Weed, Goodwin

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - RENAMING THE NEWPORT COUNTY COMMUNITY HEALTH CENTER {LC2858/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Picard and DiPalma.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Also:

Senate Bill No. 1019

BY Crowley

ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS - STUDENT DRESS CODE POLICY IN THE CITY OF CENTRAL FALLS

{LC2872/1}

Read and ordered to the Committee on Education.

CONSENT CALENDAR

Senator Goodwin requests that item number # 4 be removed from the Consent Calendar and placed onto the Calendar for Tuesday, June 25, 2013.

In order for the day is taken up as follows:

1. 2013-S 1003

BY Lynch

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER THE PLAYERS

2. 2013-H 5265 SUB A

BY Mattiello

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

3. 2013-H 5425 SUB A

BY Serpa

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT--JURISDICTION

4. 2013-H 5456 SUB A

BY Johnston

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS

5. 2013-H 5794

BY Keable

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, JUNE 20, 2013:

1. 2013-S 836 SUB A

BY Sheehan

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - MUNICIPAL STREETLIGHT INVESTMENT ACT

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the bottom of the Calendar.

2. 2013-S 457

BY McCaffrey

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES

Committee on Judiciary recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the desk.

3. 2013-S 26 SUB A

BY Archambault

ENTITLED, AN ACT RELATING TO BRYANT UNIVERSITY

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

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Wednesday, June 26, 2013.

4. 2013-S 90

BY Ottiano

ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX - ESTABLISHMENT OF ARTS DISTRICT

Committee on Finance recommends passage.

Senator Ottiano moves passage, seconded by Senators Lombardo, Bates and Felag.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

5. 2013-S 191 SUB A

BY Doyle

ENTITLED, AN ACT RELATING TO EDUCATION - FUNDING OF CHARTER PUBLIC SCHOOLS

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

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Wednesday, June 26, 2013.

6. 2013-S 244

BY Fogarty

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Finance recommends passage.

Senator Fogarty moves passage, seconded by Senator Goodwin.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

7. 2013-S 251 SUB A

BY Conley

ENTITLED, AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE RHODE ISLAND SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS," PASSED AT THE MAY SESSION, 1870, AS AMENDED

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

Senator Conley moves passage, seconded by Senators Lombardo, Lombardi, Pearson and Archambault.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

8. 2013-S 521 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE

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

Senator Miller moves passage, seconded by Senators Metts, Sheehan and Gallo.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

9. 2013-S 609 SUB A

BY Sheehan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- QUASI-PUBLIC CORPORATIONS ACCOUNTABILITY AND TRANSPARENCY ACT

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

Senator Sheehan moves passage, seconded by Senators Lombardi, Lombardo, O'Neill and Archambault.

Senator Sheehan seconded by Senator Ciccone, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2013 -- S 609 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- QUASI-PUBLIC CORPORATIONS ACCOUNTABILITY AND TRANSPARENCY ACT

Madam President:

I hereby move to amend 2013 -- S 609 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- QUASI-PUBLIC CORPORATIONS ACCOUNTABILITY AND TRANSPARENCY ACT", as follows:

- 1. On page 2, line 18, following the word "Quonset", by deleting the word "point".
- 2. On page 3, line 4, following the word "Execute", by deleting the word "direct".
- 3. On page 3, line 27, following the word "expenses", by deleting the comma and inserting the following language: "; provided, however, that".
- 4. On page 5, line 28, following the word "corporation"; by deleting the language "consistent with", and inserting in place thereof the following language: "pursuant to".
- 5. On page 5, line 30, following the word "Commencing" by deleting the following language: "July 1, 2013" and by inserting in place the following language: "January 1, 2014". 6. On page 6, line 19, following the language "Rules and regulations", by inserting the following language: "and other statutes". 7. On page 6, line 22, following the language "Procedures Act").", by inserting the following language: "Each quasi-public corporation shall be subject to the provisions of chapter 42-46 ("The Open Meetings Act") and chapter 38-2 ("The Access to Public Records Act")."

Respectfully submitted SENATOR SHEEHAN

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Sheehan moves passage of the act, as amended, seconded by Senators O'Neill and Sosnowski.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts,

Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

10. 2013-S 673

BY McCaffrey

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION - VETERANS' EXEMPTIONS

Committee on Finance recommends passage.

Senator McCaffrey moves passage, seconded by Senator Walaska.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

11. 2013-S 808

BY Paiva Weed

ENTITLED, AN ACT RELATING TO THE INCORPORATION OF CONGREGATION JESHUAT ISRAEL IN THE CITY OF NEWPORT

Committee on Finance recommends passage.

Senator Miller moves passage, seconded by Senators Nesselbush and Metts.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

12. 2013-S 942

BY DaPonte

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senators Gallo, DiPalma, O'Neill, Hodgson, Metts and Pearson.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

13. 2013-S 990

BY Hodgson

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Tuesday, June 25, 2013.

14. 2013-S 279 SUB A

BY Lynch

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - PALLIATIVE CARE AND QUALITY OF LIFE - SERVICES AND EDUCATION

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

Upon suggestion of Senator Lynch and without objection, ordered to be placed on the Calendar for Tuesday, June 25, 2013.

15. 2013-S 691 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ASSISTED LIVING RESIDENCE LICENSING ACT

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Miller moves passage, seconded by Senators Metts, Sosnowski, Nesselbush, Satchell, Goldin, Cool Rumsey and Ottiano.

Senator Miller seconded by Senators Sosnowski and Crowley, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2013 -- S 691 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- ASSISTED LIVING RESIDENCE LICENSING ACT

Madam President:

I hereby move to amend 2013 -- S 691 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- ASSISTED LIVING RESIDENCE LICENSING ACT", as follows:

1. On page 3, line 15, after the language "received." by inserting the following language:

"Notwithstanding the aforementioned, residents who are bed bound or in need of assistance of more than one staff person for ambulation may reside in a residence if they are receiving hospice care in accordance with the rules and regulations promulgated by the department of health."

Respectfully submitted, SENATOR MILLER

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Miller moves passage of the act, as amended, seconded by Senators Sosnowski and Nesselbush.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

16. 2013-S 202 SUB A

BY Doyle

ENTITLED, AN ACT RELATING TO PROPERTY -- ABANDONED PROPERTY

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Doyle moves passage, seconded by Senators Pearson, Lynch, Goodwin, Nesselbush and Crowley.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

17. 2013-S 283

BY Raptakis

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS

Committee on Housing & Municipal Government recommends passage.

Senator Raptakis moves passage, seconded by Senators Kettle and O'Neill.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

18. 2013-S 322 SUB A

BY McCaffrey

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

Senator McCaffrey moves passage, seconded by Senators Crowley, Fogarty, Metts, Lynch, Ruggerio, Goodwin, Cote and Archambault.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 35 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 2: Senators Algiere, Kettle.

19. 2013-S 985

BY Paiva Weed

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- AWARD OF MUNICIPAL CONTRACTS

Committee on Housing & Municipal Government recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be recommitted to the committee on Finance.

1. 2013-S 836 SUB A

BY Sheehan

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - MUNICIPAL STREETLIGHT INVESTMENT ACT

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Sheehan moves passage, seconded by Senators Sosnowski, O'Neill, Crowley and Kettle.

Senator Sheehan seconded by Senators Sosnowski, Crowley and Ruggerio, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2013 -- S 836 SUBSTITUTE A

AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - MUNICIPAL STREETLIGHT INVESTMENT ACT

Madam President:

I hereby move to amend 2013 -- S 836 SUBSTITUTE A, entitled "AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - MUNICIPAL STREETLIGHT INVESTMENT ACT", as follows:

- 1. On page 2, line 13 by adding a period "." after the word "customers".
- 2. On page 2, by deleting the language on lines 14 and 15.
- 3. On page 3, line 14, after the number "(3)" add the following language: "After due diligence, including an analysis of the cost impact to the municipality,".
 - 4. On page 3, line 14, delete the word "Acquire" and insert in its place the word "acquire".
- 5. On page 3, line 23, after the word "appropriate." add the following language: "Any contract a municipality enters for such services must require appropriate levels of training and certification of personnel providing pole service for public and worker safety, evidence of twenty-four (24) hour call capacity and a committed timely response schedule for both emergency and routine outages."

Respectfully submitted, SENATOR SHEEHAN

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Sheehan moves passage of the act, as amended, seconded by Senator Crowley.

Senators Raptakis and Sheehan discuss the act.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

(See Appendix for List)

ANNOUNCEMENTS

Senator Nesselbush announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator DaPonte announces that the Senate Budget Briefing will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Cote announces that the Committee on Commerce will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Goodwin orders that item # 18 on today's Calendar (Senate Bill 322 Sub A) be placed on the desk.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:51 o'clock P.M.

JOSEPH R. BRADY Secretary of the Senate

Appendix

INVOCATION

SENATOR V. SUSAN SOSNOWSKI

Dear God, we ask you today to grant us the strength and confidence to make the decisions that will be of the greatest benefit to our citizens. We are eternally grateful to have the opportunity to serve the people of our state, and therefore, serve you. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, JUNE 25, 2013:

1. 2013-S 1004

BY Fogarty

ENTITLED, SENATE RESOLUTION CONGRATULATING FATHER CLIFFORD CABRAL ON HIS RETIREMENT

Ordered on the Consent Calendar.

2. 2013-S 1005

BY Kettle

ENTITLED, SENATE RESOLUTION PROCLAIMING AUGUST 14, 2013, AS "LIBERTY TREE DAY" IN THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar.

3. 2013-S 1006

BY Sosnowski

ENTITLED, SENATE RESOLUTION COMMEMORATING THE EIGHTY-FIFTH ANNIVERSARY OF THE FOUNDING OF THE FIRST CHURCH OF GOD, PEACE DALE

Ordered on the Consent Calendar.

4. 2013-S 1007

BY Fogarty

ENTITLED, SENATE RESOLUTION CONGRATULATING FATHER BERNARD M. O'REILLY ON HIS RETIREMENT

Ordered on the Consent Calendar.

5. 2013-S 1008

BY Ottiano

ENTITLED, SENATE RESOLUTION RECOGNIZING KATHLEEN VIERA BEAUDOIN FOR HER MANY YEARS OF SERVICE TO THE TOWN OF PORTSMOUTH AND CONGRATULATING HER ON THE OCCASION OF HER RETIREMENT

Ordered on the Consent Calendar.

6. 2013-S 1009

BY Miller

ENTITLED, SENATE RESOLUTION CONGRATULATING MRS. HAZEL BRADLEY ON THE MARVELOUS OCCASION OF HER 100TH BIRTHDAY

Ordered on the Consent Calendar.

7. 2013-H 5494 SUB B

BY DeSimone

ENTITLED, AN ACT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and the Substitute A and passage of Substitute B.

8. 2013-H 5597 SUB B

BY DeSimone

ENTITLED, AN ACT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and the Substitute A and passage of Substitute B.

9. 2013-H 5802 SUB A as amended

BY Handy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - BIODIESEL HEATING OIL ACT OF 2013

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A as amended in concurrence.

10. 2013-H 5940 SUB A

BY McNamara

 $\mbox{\bf ENTITLED},$ AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

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

11. 2013-H 5941 SUB A

BY McNamara

ENTITLED. AN ACT

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

12. 2013-H 6163

BY Canario

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF DERBYSHIRE WOODWORKING, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 26, 2013:

1. Reappointment of George Nee of Cranston to the Convention Center Authority for a term expiring June 30, 2017.

Committee on Commerce recommends that the Senate give its Advice and Consent to this nomination.

2. Reappointment of Jeffrey Hirsh of Warren to the Convention Center Authority for a term expiring June 30, 2017.

Committee on Commerce recommends that the Senate give its Advice and Consent to this nomination.

3. Appointment of Charity Pennock (Construction of Renewable Generation Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2014.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

4. Appointment of Christine Malecki West (Residential User Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

5. Appointment of Hannah Morini (Ex-Officio/Economic Development Corporation Representative) to the Distributed Generation Standard Contracts Board.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

6. Appointment of Kenneth F. Payne, Ph.D. (Energy Regulation and Law Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2014.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

7. Appointment of Marion Gold (Ex-Officio/Commissioner Office of Energy Resources) to the Distributed Generation Standard Contracts Board.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

8. Appointment of Samuel J. Bradner (Small Commercial/Industrial User) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

9. Appointment of Sharon Conard-Wells (Low Income User Representative) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2014.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

10. Appointment of Thomas Teehan (Ex-Officio/Representing Electric Distribution Company) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

11. Appointment of William H. Ferguson (Large Commercial/Industrial User) to the Distributed Generation Standard Contracts Board for a term expiring May 31, 2015.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

12. Appointment of Jennifer Hutchinson (Ex-Offcio/Representing Electric Distribution Entity) VICE Ron Gerwatowski (resigned) to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

13. Reappointment of Joseph A. Cirillo (Representative with Knowledge of Energy Design and Codes) to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

14. Appointment of Julie Gill (Ex-Officio/Representing the Fuel Oil/Heating Industry) VICE Victor Allienello to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

15. Appointment of Marsha A. Garcia (Residential User) VICE Marion Gold to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2016.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

16. Appointment of Michael McAteer (Ex-Offcio/Representing Natural Gas Distribution Entity) VICE Timothy Stout (resigned) to the Rhode Island Energy Efficiency and Resource Management Council for a term expiring April 1, 2017.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

17. Appointment of Thomas E. Kutcher (Representing private, nonprofit environmental advocacy organization) to the Derelict and Abandoned Vessel and Obstruction Removal Commission for a term expiring May 31, 2016.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

18. Appointment of Christopher G. Rein (Representing Conservation) VICE J. Christopher Powell (resigned) to the Marine Fisheries Council for a term expiring April 1, 2014.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

19. Appointment of Jason Pamental of Rumford VICE Dana Neugent to the Rhode Island State Council on the Arts for a term expiring March 1, 2016.

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

20. Appointment of David Gorelick, MD FACP (Licensed RI Physician Employed by Health Care Delivery Organization) to the Health Information Exchange (HIE) Advisory for a term expiring June 1, 2015.

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

21. Appointment of Edward Almon (Business Professional Representative) to the Health Information Exchange (HIE) Advisory for a term expiring June 1, 2015.

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

22. Appointment of Lisa Shea, MD (Licensed RI Physician Employed by Health Care Delivery Organization) to the Health Information Exhange (HIE) Advisory for a term expiring June 1, 2015.

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

23. Appointment of Nicole Lagace (Healthcare Comsumer/Consumer Advocate) to the Health Information Exchange (HIE) Advisory for a term expiring June 1, 2015.

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

24. Appointment of Paula Hemond (Experienced in HIPAA and Privacy & Security of Health Care Information Requirements to the Health Information Exchange (HIE) Advisory for a term expiring June 1, 2015.

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

25. 2013-H 5347

BY Shekarchi

 $\mbox{\bf ENTITLED},$ AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

Committee on Housing & Municipal Government recommends passage in concurrence.

26. 2013- H 5612

BY Azzinaro, Corvese, Gallison, Fellela, Kennedy
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE EMERGENCY MANAGEMENT (would enact the International Emergency Management
Assistance Compact into Rhode Island law)
{LC1494/B/1}

Committee on Special Legislation and Veterans Affairs recommends passage in concurrence.

27. 2013-H 5890

BY Coderre

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - NAMING BRIDGE NO. 550 IN PAWTUCKET

Committee on Special Legislation and Veterans Affairs recommends passage in concurrence.

28. 2013-H 6121

BY Palumbo

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage in concurrence.

29. 2013-H 6126

BY Baldelli-Hunt

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING AND LOTTERIES

Committee on Special Legislation and Veterans Affairs recommends passage in concurrence.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, JUNE 25, 2013:

1. 2013-S 990

BY Hodgson

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

2. 2013-S 279 SUB A

BY Lynch

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - PALLIATIVE CARE AND QUALITY OF LIFE - SERVICES AND EDUCATION

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

3. 2013-S 711 SUB A

BY Lombardo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

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

4. 2013-S 522

BY Pearson

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT SECURITY ACT FOR LOCALLY ADMINISTERED PENSION FUNDS

Committee on Finance recommends passage.

5. 2013-S 675 SUB A

BY Fogarty

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

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

6. 2013-S 944

BY Fogarty

ENTITLED, AN ACT RELATING TO TAXATION - COLLECTION OF TAXES GENERALLY

Committee on Finance recommends passage.

7. 2013-S 958 SUB A

BY Pearson

ENTITLED, AN ACT RELATING TO THE CONSOLIDATION OF THE CUMBERLAND, NORTH CUMBERLAND, CUMBERLAND HILL, AND VALLEY FALLS FIRE DISTRICTS INTO THE CUMBERLAND FIRE DISTRICT

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

8. 2013-S 138

BY Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MISCELLANEOUS RULES

Committee on Health & Human Services recommends passage.

9. 2013-S 277 SUB A

BY Cool Rumsey

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY CAPTIONING AND AUDIO DESCRIPTIONS FOR PERSONS WHO ARE HEARING OR VISUALLY IMPAIRED IN RHODE ISLAND COMMERCIAL AND RESIDENTIAL SETTINGS

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

10. 2013-S 352 SUB A as amended

BY Miller

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MISCELLANEOUS RULES

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

11. 2013-S 412 SUB A

BY Metts

ENTITLED, AN ACT RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT

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

12. 2013-S 563 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOTOR VEHICLE OFFENSES

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

13. 2013-H 5456 SUB A

BY Johnston

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS

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

IN ORDER FOR WEDNESDAY, JUNE 26, 2013:

1. Appointment of Margaret Curran of Providence VICE Elia Germani as Chairman of the Public Utilities Commission for a term expiring March 1, 2019.

Committee on Commerce recommends that the Senate give its Advice and Consent to this nomination.

2. 2013-S 26 SUB A

BY Archambault

ENTITLED, AN ACT RELATING TO BRYANT UNIVERSITY

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

3. 2013-S 191 SUB A

BY Doyle

ENTITLED, AN ACT RELATING TO EDUCATION - FUNDING OF CHARTER PUBLIC SCHOOLS

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

4. 2013-S 947

BY DiPalma

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - NEWPORT AND BRISTOL COUNTY CONVENTION AND VISITORS' BUREAU

Committee on Housing & Municipal Government recommends passage.

5. 2013-S 376 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Commerce recommends indefinite postponement of the original bill and

passage of Substitute A.

6. 2013-S 387 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- CERTIFICATES OF INSURANCE MODEL ACT

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

7. 2013-S 685

BY Pichardo

ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND BOARD OF EDUCATION ACT

Committee on Education recommends passage.

8. 2013-S 405 SUB A

BY Gallo

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- ARBORISTS

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

9. 2013-S 231 SUB A

BY Goldin

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE

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

10. 2013-S 943

BY Hodgson

ENTITLED, AN ACT EXEMPTING FROM TAXATION THE REAL, MIXED AND PERSONAL PROPERTY OF THE OCEAN STATE SOCCER SCHOOL, INC.

Committee on Finance recommends passage.

11. 2013-S 293 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO LABOR -- APPRENTICESHIP

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

12. 2013-S 368 SUB A

BY McCaffrey

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY--GENERAL PROVISIONS

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

13. 2013-S 843 SUB A

BY Lombardo

 $\ensuremath{\textbf{ENTITLED}}$, AN ACT RELATING TO LABOR AND LABOR RELATIONS - DRUG TESTING

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

14. 2013-S 980

BY Picard

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - PAYMENT OF WAGES

Committee on Labor recommends passage.

15. 2013-S 993

BY Ruggerio

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY BUILDING STRUCTURED PARKING AT THE GARRAHY JUDICIAL COMPLEX

Committee on Special Legislation and Veterans Affairs recommends passage.

16. 2013-H 5520 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- THE RHODE ISLAND FAIR DEALERSHIP ACT

Committee on Commerce recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

Appendix

BILLS TRANSMITTED TO THE GOVERNOR

House Bill No. 5265 SUB A

BY Mattiello, Marcello, Ackerman, Lima, Tomasso

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (would extend the expiration dates pertaining to any approval or permit pursuant to any state law or pursuant to the local ordinances promulgated under state law)

{LC851/A/1}

House Bill No. 5425 SUB A

BY Serpa, Fellela, Nunes, Shekarchi, Chippendale

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT--JURISDICTION (would empower the department of environmental management as the central review agency for review of land development and subdivision proposals)

{LC1220/A/1}

House Bill No. 5794

BY Keable, Newberry

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

{LC1742/1}