

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 sixth day of January in the year of Our Lord two thousand and nine.

Volume 136, No.19

Thursday, February 26, 2009

Nineteenth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 4:16 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

The Honorable President, by unanimous consent, presents Reverend Charles Jones, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Seventeenth Legislative Day of the 2009 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Picard and by unanimous consent, the Honorable President, welcomes to the Chamber the wife of Senator Metts, Dayus Metts and his sister-in-law Deborah Tunstall.

Upon suggestion of Senator Levesque and by unanimous consent, the Honorable President, welcomes to the Chamber former Senator J. Clement "Bud" Cicciline.

Upon suggestion of Senators Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Representative Grace Diaz and the Honorable Maria Lopes and guests

Upon suggestion of Senators Crowley and by unanimous consent, the Honorable President, welcomes to the Chamber Viola Davis from Central Falls who majored in theater at Rhode Island College. She won a Tony Award for Best Actress in 2001 and was nominated for Best Supporting Actress in 2009 for the role she played in "Doubt".

Upon suggestion of Senators Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber Wayne Montague, John J. Lombardi, City Council President of Providence and Jonathan Lewis, National Non-Violent Institution.

Upon suggestion of Senators Metts and by unanimous consent, the Honorable President, welcomes to the Chamber former State Representative George Lima.

NATIONAL ANTHEM

The National Anthem is performed by Shane Lee a former Senate page.

COMMUNICATION

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

February 26, 2009

TO THE HONORABLE, THE SENATE:

Pursuant to P.L. 2007, ch73, art. 3, I hereby appoint Patrick T. Burke of Providence to the position of Special Magistrate to succeed Joseph A. Keough, who has retired, until the expiration of his term on June 19, 2018, and for this appointment I seek the advice and consent of the Senate.

Very truly yours,

Joseph F. Rodgers, Jr.
Presiding Justice

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON HEALTH AND HUMAN SERVICES**

Senator Perry from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

Senate Bill No. 48

BY Senators Pichardo, Miller, Metts, Crowley, Jabour

ENTITLED, AN ACT RELATING TO HUMAN SERVICES – PUBLIC ASSISTANCE ACT (would limit to one the number of visits a food stamp applicant must make in order to receive benefits.)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 49

BY Senators Pichardo, Miller, Metts, Perry, Jabour

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY – CENTER FOR HEALTH PROFESSIONS ACT (would create a center for health professionals for the development of a healthcare workforce.)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 306

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO HUMAN SERVICES – INTERPRETER SERVICES (would set forth various standards for the department of human services to properly ensure that persons who are not proficient in English are informed of receiving appropriate interpreter services in various languages.)

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 664

BY Senator Pichardo

ENTITLED, SENATE RESOLUTION COMMEMORATING THE 165TH ANNIVERSARY OF DOMINICAN REPUBLIC INDEPENDENCE ON FEBRUARY 27, 2009 {LC2115/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Bates and Connors.

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

Also:

Senate Resolution No. 665

BY Senators Metts, Paiva-Weed, Jabour, Pichardo, Perry

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY AS
“BLACK HISTORY MONTH” IN THE STATE OF RHODE ISLAND

Senator Metts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Metts moves passage, seconded by Senator Connors, Bates, Lynch and Walaska.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2009-S 663

BY Paiva-Weed

ENTITLED, SENATE RESOLUTION CONGRATULATING HELEN DETOUR ON
THE OCCASION OF HER 100TH BIRTHDAY

Upon motion of Senator Ruggerio, seconded by Senator Bates, the measures on today’s Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Paiva Weed and Senators Bates, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, O’Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sosnowski, Tassoni, 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.

ANNOUNCEMENTS

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

Senator Levesque announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 of the State House.

RECESS

Upon motion of Senator Ruggerio, seconded by Senator Doyle, the Senate stands at recess at 4:32 o'clock P.M. in memory of Teresa Gill.

CALLED TO ORDER

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Tuesday, March 3, 2009, at 4:13 o'clock P.M.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No. 5888

BY Gemma, Fox, Loughlin, Watson, Williams

ENTITLED, JOINT RESOLUTION REQUESTING FEDERAL USURY RATE {LC2013/1}

Received and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

House Resolution No. 5691

BY Palumbo

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY THE EDUCATION OF CHILDREN WITH AUTISM IN THE STATE OF RHODE ISLAND {LC1704/1}

Received and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 5079

BY Malik, Gablinske

ENTITLED, AN ACT RELATING TO THE TOWN OF WARREN

Received and referred to the Senate Committee on Housing and Municipal Government

Also:

House Bill No. 5296

BY Serpa, Williamson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Patrick J. Cafferty to join Amy Farnsworth and Andrew Nagel in marriage within the City of East Providence, Rhode Island) {LC1012/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5292

BY Loughlin, Carter, Gallison, Serpa, Fellela

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Major General Robert T. Bray to join Sandra Ann Morse and Ronald William Barnes in marriage within the city of Cranston, Rhode Island)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5230

BY Martin, DaSilva, Kilmartin, Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Kevin Horbowicz to join Maria E. Barg and Thomas T. Moniz in marriage)

Received and referred to the Senate Committee on Judiciary

COMMITTEE ON FINANCE

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

Nomination of Gary S. Sasse(appointment) of East Greenwich VICE Jerome Williams as the Director of Administration.

Read and ordered to be placed on the Calendar for Wednesday, March 4, 2009.

NEW BUSINESS

Senate Bill No. 666

BY Senator McBurney

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - MOTOR FUEL DISTRIBUTION AND SALES (would make it unlawful for any producer or refiner of motor fuel to sell motor fuel at a retail outlet owned or operated by it for less than the non-refiner wholesale cost) {LC1881/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 667 (Business Regulation)

BY Senator Blais

ENTITLED, AN ACT RELATING TO INSURANCE (omnibus bill which clarifies and amends certain sections of insurance law) {LC1325/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 668

BY Senators Ruggerio, Sosnowski, Connors, Miller, Picard

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT (would revise the mercury reduction and education act in order to require thermostat manufacturers to submit plans for the collection and disposal of mercury thermostats) {LC1858/1}

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 669

BY Senator Gallo

ENTITLED, AN ACT RELATING TO TAXATION -- PROVIDENCE SMALL BUSINESS TRANSPORTATION TAX CREDIT {LC1815/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Resolution No. 670 (Transportation)

BY Senator Blais

ENTITLED, JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT (extend commuter rail service) {LC1657/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 671

BY Senators DiPalma, Felag, Tassoni, Levesque C, DeVall

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- GREEN BUILDING AND ENERGY EFFICIENCY (create a permanent subcommittee of the building code standards committee known as the green building and energy efficiency advisory committee) {LC2024/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 672

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (would require the chief purchasing officer as well as all public corporations and quasi-public agencies to monitor all state contracts with a value of greater than five hundred thousand dollars (\$500,000) {LC1419/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 673

BY Senator McBurney

ENTITLED, AN ACT RELATING TO HUMAN SERVICES (would limit cost-sharing to families with income at or above 150% of the federal poverty level, and limit cost-sharing to 3% of annual income and exclude pregnant women and children under the age of one from cost-sharing) {LC1528/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 674 (by request)

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION -- CIGARETTE TAX (would increase the fees for a cigarette dealer's licenses from twenty five dollars (\$25.00) to two hundred fifty dollars (\$250) annually) {LC1744/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 675

BY Senators Perry, Miller, Blais, Maher

ENTITLED, AN ACT RELATING TO TAXATION - SOFT DRINK AND SYRUP TAX (would impose a tax on soft drinks and syrups and require all distributors, manufacturers or sellers of soft drinks and syrups to obtain a license in order to conduct such business) {LC1351/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 676 (General Treasurer)

BY Senators Maselli, Jabour, Walaska, DaPonte, Bates

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (would impose a tax on soft drinks and syrups and require all distributors, manufacturers or sellers of soft drinks and syrups to obtain a license in order to conduct such business) {LC1629/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 677

BY Senator Miller

ENTITLED, AN ACT RELATING TO TAXATION -- TAXATION OF INSURANCE COMPANIES (would establish a fund to expand coverage for the uninsured through the RIte Care program) {LC2092/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 678

BY Senators Lenihan, Sheehan

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES (would permit the property committee to hire or consult outside experts) {LC1417/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 679

BY Senators Raptakis, Cote, Walaska, Connors

ENTITLED, AN ACT RELATING TO EDUCATION -- PROFESSIONAL DEVELOPMENT (would eliminate the requirement for a state funded education professional fund) {LC1097/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 680 (National Guard)

BY Senators Algieri, Bates

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- CRIMINAL FORFEITURE OF PROPERTY (would permit the Rhode Island national guard to participate in the funds awarded by criminal property forfeiture proceedings) {LC1488/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 681 (General Treasurer)

BY Senators Felag, Bates, Walaska, Raptakis, Lynch

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - PRACTICE IN PROBATE COURTS (would provide that any medals awarded to United States military personnel and delivered to the general treasurer would not be offered for public sale, and would be returned to the owner or heirs of the owner) {LC1631/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 682

BY Senators Doyle, McBurney

ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS (would repeal those provisions of section 16-2-21.4 which permits a school committee to seek additional appropriations by bringing an action in Superior Court seeking more funding from the appropriating authority) {LC1154/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 683

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES (would require that determinations made regarding state purchases be in detail and made available to the public) {LC1421/1}

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 684

BY Senators Pichardo, Tassoni, Jabour, Metts

ENTITLED, AN ACT RELATING TO PROPERTY - MORTGAGE FORECLOSURE (would establish a "Foreclosure Registry" within the Rhode Island Housing and Mortgage Finance Corporation and in conjunction with the Housing Resource Commission) {LC1400/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 685

BY Senators O'Neill E, Ruggerio, Ciccone

ENTITLED, AN ACT TO AUTHORIZE THE TOWN OF NORTH PROVIDENCE TO TAKE LAND BY EMINENT DOMAIN (would authorize the Town of North Providence to take by eminent domain the parcel) {LC1972/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 686

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS (would require a fee of ten dollars (\$10.00) to be paid in order to release a lis pendens filed by bailbondsmen) {LC2100/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 687 (Administration)

BY Senator Blais

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - PRE-JUDGMENT INTEREST {LC1576/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 688 (Business Regulation)

BY Senator Bates

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF BUSINESS REGULATIONS -- MALPRACTICE INSURANCE (would require a list of all settlements or judgments against all licensed health care professionals be reported to the director of health) {LC2106/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 689

BY Senator Miller

ENTITLED, AN ACT RELATING TO ELECTIONS (would allow any candidate eligible to receive public funds, who elects to receive those funds and whose opponent exceeds by one hundred percent (100%) the applicable maximum allowable expenditure limit) {LC2090/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 690

BY Senator Picard

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- ESTABLISHING THE PROTECTIVE PARENT REFORM ACT (would protect parents who make a good faith allegation based on a reasonable belief that his/her child has been or is in danger of becoming a victim of child abuse or neglect) {LC1793/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 691 (Attorney General)

BY Senator Gallo

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- DOMESTIC VIOLENCE PREVENTION ACT (would create a mandatory two hundred fifty dollar (\$250) assessment for those convicted of a crime of domestic violence, which occurred in the physical or audible presence of a child)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 692

BY Senator Picard

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION - BENEFITS {LC1716/1}

Scheduled for hearing and/or consideration

Also:

Senate Bill No. 693 (Administration)

BY Senator Blais

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - ARBITRATION OF LABOR CONTROVERSIES (would exempt the state from any arbitration decision pertaining to the imposition of mandates on the state requiring minimum staffing levels) {LC1579/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 694 (Administration)

BY Senator Blais

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - FIREFIGHTERS' AND MUNICIPAL POLICE ARBITRATION (would allow for arbitration decisions and negotiated contracts to be the obligation of cities or towns to negotiate in good faith. It would also provide that the term of a contract would not exceed one year) {LC1558/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 695

BY Senators Ruggerio, Fogarty P, Ciccone, Tassoni, Maselli

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION {LC1371/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 696

BY Senators Ruggerio, McCaffrey, Tassoni, Gallo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS (would require an individual to attend an apprenticeship program in order to be granted a journeyman's license and would increase penalties for violations under this chapter) {LC1063/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 697

BY Senators Pichardo, Jabour, Levesque C

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - IDENTIFICATION CARDS - EXPANSION OF ISSUANCE (would permit the issuance of state identification cards to any person possessing certain qualifications) {LC1582/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Bill No. 698

BY Senators Gallo, DeVall, Levesque C

ENTITLED, AN ACT RELATING TO EDUCATION - BOARD OF REGENTS (would provide for an elected Board of Regents for Elementary and Secondary Education) {LC1968/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Resolution No. 699

BY Senators Gallo, DeVall, Levesque C

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENTS TO THE CONSTITUTION OF THE STATE (BOARD OF REGENTS) {LC1904/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Resolution No. 700

BY Senators Raptakis, Miller, Walaska, DaPonte, O'Neill E

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL BUSINESS PERMITS AND FEE COLLECTION FORMS (would create a eighteen (18) member special legislative commission whose purpose it would be to study the consolidation of retail business permits and fee collection forms and who would report back to the General Assembly no later than June 30, 2009) {LC1884/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Resolution No. 701

BY Senators Metts, Pichardo, Jabour, Perry, Miller

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE STATE)

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Bill No. 702 (Business Regulations)

BY Senator Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE SUPERVISION (would repeal chapter 27-12.2 which is, in effect, a duplicate of chapter 27-14.1. Both chapters apply to the administrative supervision of insurance companies. The act would also correct typographical errors in chapter 27-14.1) {LC1309/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 703 (Lieutenant Governor)

BY Senators Miller, Sosnowski, Levesque C, Tassoni, Felag

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - THE GROW RENEWABLE ENERGY NOW (GREEN) ACT OF 2009 {LC2080/1}

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 704

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO IN AMENDMENT OF AND IN ADDITION TO THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1883, ENTITLED "AN ACT TO INCORPORATE THE UNION FIRE DISTRICT OF SOUTH KINGSTOWN", AS AMENDED

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 705

BY Senator Picard

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- MOTOR CARRIERS OF PROPERTY (would eliminate the requirement that an applicant prove a "public need" (public convenience and necessity) for such services to be granted authority to perform intrastate transportation) {LC1991/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 706

BY Senators Gallo, Fogarty P, DeVall, Crowley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 {LC1989/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 707

BY Senators Miller, Perry

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH (would create The Prescription Drug and Medical Device Marketing Restrictions and Disclosure Act) {LC2091/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 708

BY Senators Pichardo, Metts, Miller, Jabour, Levesque C

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF HEALTH EQUITY (would establish the office of health equity which would seek to reduce or eliminate racial or ethnic health and health care disparities) {LC1727/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 709

BY Senators Gallo, DeVall, Crowley

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - MEDICAL LICENSURE (would add the defined term "surgery" to the clarification of the practice of medicine) {LC1988/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 710

BY Senators Gallo, DeVall, Crowley

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- RADIOLOGIC TECHNOLOGISTS LICENSING (repeal the existing radiologic technology licensing act and adopt a revised radiologic technology licensing act) {LC1987/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 711 (Lieutenant Governor)

BY Senators Miller, Perry, Sosnowski, Connors, Levesque C

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT {LC2081/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 712 (State Police)

BY Senator Algieri

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS (would give the state police and department of attorney general administrative subpoena power for information from Internet service providers) {LC1338/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 713

BY Senators Perry, Levesque C, McCaffrey, Miller, Sosnowski

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - CERTIFIED SCHOOL TEACHERS ARBITRATION (would amend section 28-9.3-9 to provide that if a successor collective bargaining agreement has not been agreed to by the parties) {LC1814/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 714

BY Senators Blais, Connors

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS -COPPER THEFT PREVENTION ACT {LC1498/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 715

BY Senators Maselli, Connors, Ruggerio

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND (would establish the position of historian laureate in Rhode Island) {LC1860/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Resolution No. 716

BY Senators Doyle, Algiere, Maselli, Tassoni, McBurney

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY THE EDUCATION OF CHILDREN WITH AUTISM IN THE STATE OF RHODE ISLAND (would create a twenty-four (24) member special joint commission whose purpose it would be to make a comprehensive study of the education of children with autism) {LC2062/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Resolution No. 717

BY Senators Doyle, Tassoni, Bates, Algiere, Connors

ENTITLED, SENATE RESOLUTION SUPPORTING THE REHABILITATION AND EXPANSION OF RHODE ISLAND PUBLIC SCHOOLS OF NURSING USING FEDERAL STIMULUS FUNDS {LC1907/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Bill No. 718

BY Senator Blais

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE EMBLEMS (would establish as the State poem, "Jeriomth Hill" written by Tom Chandler)

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Bill No. 719

BY Senators Lynch, Sosnowski, Miller

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY (would expand the scope of the provisions against unnecessary cruelty to animals) {LC1827/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Bill No. 720

BY Senators Perry, Miller, Blais, Maher, Sosnowski

ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS (would establish a new Uniform Compulsive and Problem Gambling Program) {LC1393/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Resolution No. 721

BY Senators Sheehan, Perry, Goodwin, Sosnowski, Gallo

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND DEPARTMENT OF ADMINISTRATION TO ESTABLISH A STATE EMPLOYEE WELLNESS PROGRAM {LC1281/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues

Also:

Senate Bill No. 722 (Business Regulation)

BY Senator Bates

ENTITLED, AN ACT RELATING TO INSURANCE - FRAUD PREVENTION (would adopt portions of the National Association of Insurance Commissioners Model Insurance Fraud Prevention Act that would strengthen insurance regulation) {LC1311/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 723**BY** Senators Pichardo, Jabour, DiPalma**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - UNFAIR SALES PRACTICES (would prohibit a person, firm, business, partnership or corporation which issues rebates to its customers from applying an expiration date to the rebate) {LC1578/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 724**BY** Senators Doyle, Connors**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CHECK CASHING (would authorize the director of the department of business regulation in his or her discretion to require appropriate security measures at licensed check cashing facilities) {LC1857/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 725 (Business Regulation)**BY** Senator Bates**ENTITLED**, AN ACT RELATING TO INSURANCE - FIRE AND MARINE INSURANCE RATING (would establish new standards for the issuance, cancellation and renewal of insurance policies and contracts covering damages to property) {LC1327/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 726**BY** Senators Raptakis, Lenihan**ENTITLED**, AN ACT RELATING TO EDUCATION -- EAST GREENWICH (would allow the East Greenwich school department or school committee to accept donations, gifts or grants for specific purposes) {LC1905/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 727**BY** Senators Pichardo, Jabour, Metts, DiPalma**ENTITLED**, AN ACT RELATING TO EDUCATION - COLLEGE AND CAREER SUCCESS FOR ALL STUDENTS ACT (would require the establishment of clear training guidelines for teachers who will teach advanced placement classes in Rhode Island public schools) {LC1567/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 728

BY Senators Pichardo, Jabour, Metts, Gallo

ENTITLED, AN ACT RELATING TO EDUCATION (would require the adoption and implementation of a formula to calculate information about "on-time" graduation from students in Rhode Island public high schools) {LC1566/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 729 (Elementary & Secondary Education)

BY Senator Blais

ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS - MANAGEMENT RIGHTS OF SCHOOL COMMITTEE (would expand and clarify the general powers and duties of school committees) {LC1499/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 730

BY Senator Miller

ENTITLED, AN ACT RELATING TO EDUCATION -- THE FACULTY AND COLLEGE EXCELLENCE ACT OF 2009 (would require that, by 2015, 75% of all classes taught at each public institution of higher education be taught by full-time, tenured or tenure-track faculty) {LC1718/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 731

BY Senators Sosnowski, Walaska, Bates, Ciccone, Miller

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- WASTE RECYCLING (would provide for municipal oversight of recycling with respect to commercial and multi-family entities) {LC1709/1}

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 732

BY Senators Sosnowski, Bates, Walaska, Ciccone

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - THE WATER USE AND GOVERNMENT EFFICIENCY ACT OF 2009 (would amend the standards which would enable all of Rhode Island to make a more efficient use of its water supply) {LC1344/1}

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 733 (Elementary and Secondary Education)

BY Senator Blais

ENTITLED, AN ACT RELATING TO EDUCATION - STATE AID (would repeal the statewide purchasing system as it currently stands and would institute a new statewide purchasing system for municipalities of regional school districts) {LC1492/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 734 (Administration)

BY Senator Algieri

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE - POST AUDIT OF ACCOUNTS (would provide that the bureau of audits would be responsible for performing audits and investigations of agencies based on risk assessment methodology) {LC1333/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 735

BY Senators Paiva-Weed, Pichardo, Perry, Miller, Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - HEALTH CARE FOR CHILDREN AND PREGNANT WOMEN {LC1622/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 736

BY Senators Lynch, Crowley, Sosnowski, Miller

ENTITLED, AN ACT RELATING TO HUMAN SERVICES (would increase the amount of child support "passed through" to a family receiving RI Works cash assistance from a maximum of \$50 per month to \$100 per month. In addition, the amount of child support excluded as income is set at \$100 per month) {LC1729/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 737

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION - CIGARETTE TAX (would raise the cigarette tax an importer or distributor would pay based on his or her gross receipts) {LC1747/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 738

BY Senator Miller

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HEALTH CARE REFORM ACT OF 2009 {LC1533/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 739

BY Senators Miller, Picard, Crowley, DiPalma, Pichardo

ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES -- LIABILITY AND COMPUTATION (would exempt from the definition of "sales price" items of equal exchange or items that have been returned or exchanged if the retailer knows sales taxes have been paid) {LC2093/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 740

BY Senators Pichardo, Miller, Connors, Levesque C, Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX LC1563/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 741

BY Senators Lynch, Crowley, Sosnowski, Miller

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- THE RHODE ISLAND WORKS PROGRAM (would allow a parent who is working at 25 hours per week to qualify for subsidized child care during time spent at an educational or training program that will lead to increased earning capacity) {LC1732/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 742

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION -- CIGARETTE TAX (would prevent and reduce tobacco use and also prevent below market sales of tobacco products) {LC1736/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 743**BY** Senators Perry, Levesque C, Tassoni, Connors, DeVall**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES (creates the long-term care system rebalancing trust fund and would extend the loan forgiveness program for nursing and C.N.A students) {LC1085/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 744 (Elementary & Secondary Education)**BY** Senator Blais**ENTITLED**, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS (would state that if state aid to education of general revenue sharing is revealed or suspended then school budget compliance with the provisions of subsections 16-2-21.4(a) through 16-2-21.4(c) would be suspended for that year) {LC1497/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 745**BY** Senators Pichardo, Jabour, Miller, Levesque C**ENTITLED**, AN ACT RELATING TO TAXATION -- BUSINESS TAX CREDIT (would create a tax credit for businesses that provide English language classes for its non-English speaking employees) {LC1584/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 746**BY** Senators Pichardo, Crowley, Sosnowski, Jabour, Levesque C**ENTITLED**, AN ACT RELATING TO TAXATION -- CIGARETTE TAX (would clarify that a little cigar is not a cigarette for purposes of taxation, and would include all such items not defined as a cigarette) {LC1831/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 747**BY** Senators Pichardo, Metts, Miller, Jabour, Levesque C**ENTITLED**, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (would increase the maximum capital gains rate for tax years beginning on or after January 1, 2009) {LC1918/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 748 (Lieutenant Governor)

BY Senators Lynch, Gallo, DiPalma, Miller, Levesque C

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LONG TERM CARE COORDINATING COUNCIL (would change the composition of the long-term care coordinating council and would designate the lieutenant governor as its chairperson) {LC1760/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 749

BY Senators Lynch, Miller

ENTITLED, AN ACT RELATING TO INSURANCE - NONPROFIT DENTAL SERVICE CORPORATION (would prohibit a contract between a nonprofit dental service corporation and dentist from requiring that a dentist provide services at a set fee, unless the nonprofit dental service corporation compensates the dentist for such services) {LC1921/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 750

BY Senator Walaska

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS (would require that all video clips and voice-recorded clips on state and public-sponsored websites be made accessible to people with hearing impairment) {LC1345/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 751

BY Senator Picard

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - NATUROPATHIC MEDICINE (would create the Naturopathic Medicine Act and would regulate the practice and licensure of naturopathic practitioners) {LC1993/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 752

BY Senators Doyle, Maselli, Tassoni, McBurney, Connors

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- STROKE PREVENTION ACT OF 2009 (would create "the Stroke Prevention Act of 2009) {LC1809/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 753**BY** Senator Blais**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- FISCAL YEAR (would authorize the Scituate town council to modify the fiscal year for the town) {LC1082/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 754**BY** Senator Maselli**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES (would address expiration periods pertaining to any approval, permit, variance or license issued pursuant to any state statute or municipal ordinance) {LC1482/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 755**BY** Senators Blais, Lenihan, Raptakis**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING (would require that year-round mobile homes be included in year-round housing units and rented year-round mobile homes be included in year-round rental housing units for purposes of determining the need for low and moderate income housing units) {LC1916/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 756**BY** Senator DiPalma**ENTITLED**, AN ACT RELATING TO LITTLE COMPTON AGRICULTURAL CONSERVANCY TRUST {LC1990/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 757**BY** Senators Raptakis, McCaffrey, Cote, Walaska, Sosnowski**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- PUBLIC-PRIVATE TRANSPORTATION INITIATIVES (would allow public-private partnerships (PPP) which are contractual agreements formed between a public agency and private sector entity that would allow for greater private sector participation in the delivery of transportation projects)

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 758**BY** Senators Walaska, Connors**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND WORKING WATERFRONTS PROTECTION ACT (would establish a working waterfronts protection act to preserve and promote working waterfronts as a workplace for commercial shipping, fishing, passenger transportation, boat building and repair, marinas and other activities) {LC1893/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 759**BY** Senator Ciccone**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- UNIFORM RELOCATION PAYMENTS (would add to the provision for moving and related expenses a requirement that a "water-dependent use" be replaced in kind) {LC1895/1}

Read and referred to the Senate Committee on Housing and Municipal Government

Also:

Senate Bill No. 760 (Governor)**BY** Senator Blais**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION {LC1312/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 761**BY** Senators Pichardo, Metts, Jabour, Ciccone**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- FAIR EMPLOYMENT PRACTICES {LC1583/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 762**BY** Senators Pichardo, Jabour, Metts, Crowley**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - IMMIGRANT ASSISTANCE IN CRIME FIGHTING {LC1586/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 763

BY Senators Raptakis, Sosnowski, Maselli, Jabour, Blais

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES {LC1218/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 764

BY Senators DiPalma, Picard, Pinga, O'Neill E, Tassoni

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ADMINISTRATIVE PROCEDURES {LC1102/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 765

BY Senators Lynch, Sosnowski

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR ACTIONS {LC1284/1}

Read and referred to the Senate Committee on Judiciary

ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Connors, the Senate adjourns at 4:14 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

REVEREND CHARLES JONES

Almighty God, on this holy day we assemble as a part of Your people who gather throughout the world. In homes and halls, in chapels and cathedrals, we praise and honor You. Strengthen Your church, O God, so that with one heart and one voice we may lift up Christ and draw others to Him. In Jesus' name, Amen

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 4, 2009:****1 Nomination of Gary S. Sasse(appointment) of East Greenwich VICE Jerome Williams as the Director of Administration.**

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

2. 2009-S 48**BY Pichardo****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- PUBLIC ASSISTANCE ACT**

Committee on Health & Human Services recommends passage.

3. 2009-S 49**BY Pichardo****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CENTER FOR HEALTH PROFESSIONS ACT**

Committee on Health & Human Services recommends passage.

4. 2009-S 306**BY Goodwin****ENTITLED, AN ACT RELATING TO HUMAN SERVICES - INTERPRETER SERVICES**

Committee on Health & Human Services recommends passage.