

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.35

Tuesday, April 21, 2009

Thirty-fifth 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 4:20 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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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 – 1: Senator Felag

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal's of the Thirty-third and Thirty-fourth Legislative Day's of the 2009 proceedings are read in part.

Upon suggestion of Senator Lenihan and by unanimous consent, further reading of the Journal's are dispensed with and the Journal's approved as recorded.

GUESTS

Upon suggestion of Senator Raptakis and by unanimous consent, the Honorable President, welcomes to the Chamber James LaShane interning for Senator Raptakis, currently attending the University of Rhode Island.

Upon suggestion of Senator O'Neill and by unanimous consent, the Honorable President, welcomes to the Chamber the State Ballet of Rhode Island, representatives for Arts Advocacy Day, Mia Godbout, Vice President, Board of Directors and Choreographer, Lori Bruce, Secretary, Board of Directors and Teaching Assistant.

COMMUNICATION

The Honorable President presents the following communication:

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

April 22, 2009

The Honorable M. Teresa Paiva Weed
President of the Senate
Room 318, State Room
Providence, RI 02903

Dear President Paiva Weed:

I am writing to inform you that I will be absent from Senate Session, Tuesday April 21st, Wednesday, April 22nd and Thursday, April 23rd, 2009.

Thank you.

Sincerely,

Walter S. Felag, Jr.
Senator-District 10

Read and ordered to be placed on file.

Also:

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

April 8, 2009

TO THE HONORABLE, THE SECRETARY OF STATE:

I have the honor to inform you that in accordance with the provisions of Section 8-16.1-2 of the Rhode Island General Laws, I have made the following appointments to the Rhode Island Judicial Nominating Commission as submitted by the President of the Senate:

Robert M. Silva

VICE

Valentino Lombardi

For a term expiring June 15, 2010.

Sincerely,

Donald L. Carcieri
Governor

Read and ordered to be placed on file.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6005

BY Gemma, Ferri, Naughton, Flaherty

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS (act would increase the maximum fine authorized to be imposed by the Warwick municipal court from \$300 to \$500) {LC2288/1}

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

Also:

House Bill No. 5681 SUB A

BY Rice M, Lally, Walsh, Caprio D

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 {LC819/1/A}

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

Also:

House Bill No. 5268

BY Shallcross Smith, Petrarca

ENTITLED, AN ACT IN AMENDMENT OF THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1948, ENTITLED "AND ACT TO INCORPORATE THE LIME ROCK FIRE DISTRICT IN THE TOWN OF LINCOLN," AS AMENDED (would change the date and time of the annual meeting of the Lime Rock Fire District and would permit the board of commissioners to designate any place of assembly in the Town of Lincoln as the venue of said meeting)

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

Also:

House Bill No. 5951

BY Ehrhardt, Lally, Carter

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES FOR AN AMOUNT NOT EXCEEDING \$10,000,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES {LC2008/1}

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

Also:

House Bill No. 5110 (by request)

BY Gablinske, Gallison

ENTITLED, AN ACT AMENDING AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDING TO AN AMOUNT NOT EXCEEDING \$10,000,000

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

Also:

House Bill No. 5237 SUB A

BY Carter, Walsh

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (would permit Exeter to assess & tax new real estate construction as completed after the assessment date on a pro rata basis.) {LC801/1/A}

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

Also:

House Bill No. 5181 as amended

BY Menard, MacBeth

ENTITLED, AN ACT RELATING TO CUMBERLAND HILL FIRE DISTRICT IN THE TOWN OF CUMBERLAND

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

Also:

House Bill No. 5447

BY Jackson, Rice A, Martin

ENTITLED, AN ACT RELATING TO THE CITY OF NEWPORT (would ratify and confirm amendments to the Newport Town Charter that were approved by the electors on November 4, 2008) {LC1258/1}

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

Also:

House Bill No. 5898

BY Lally

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF ETA ZETA OF LAMBDA CHI ALPHA {LC2113/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 6031

BY Ferri

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. MARY'S CHURCH {LC2343/1}

Read and ordered to be placed on the Senate Consent Calendar

REPORTS OF COMMITTEES

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

Senator Goodwin from the Committee on Constitutional and Regulatory Issues, reports back, with recommendation of passage of the following measures:

Senate Resolution No. 768

BY Senators Gallo, Crowley

ENTITLED, SENATE RESOLUTION HONORING A. RICHARD COMSTOCK ON THE OCCASION OF HIS 90TH BIRTHDAY {LC2109/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 453 (General Treasurer)

BY Senator Walaska

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF UNIVERSAL VOLUNTARY RETIREMENT ACCOUNTS {LC1771/1}

Read and ordered to be placed on the Calendar

Also:

Senate Resolution No. 716

BY Senators Doyle, Algieri, 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 ordered to be placed on the Calendar

Also:

Senate Resolution No. 717

BY Senators Doyle, Tassoni, Bates, Algieri, Connors
ENTITLED, SENATE RESOLUTION SUPPORTING THE REHABILITATION AND EXPANSION OF RHODE ISLAND PUBLIC SCHOOLS OF NURSING USING FEDERAL STIMULUS FUNDS {LC1907/1}

Read and ordered to be placed on the Calendar

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

Senate Bill No. 351

BY Senators Sosnowski, Felag, Walaska
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY {LC1375/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 485 SUB A

BY Senators Miller, Levesque C, Sosnowski, Tassoni, Ruggerio
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RENEWABLE ENERGY STANDARD (would allow for a check for credits to be issued on a monthly basis from the electric distribution company to the Rhode Island city or town, education institution, farm, or Narragansett Bay commission.) {LC1807/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 731 SUB A as amended

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/A}

Read and ordered to be placed on the Calendar

NEW BUSINESS

Senate Resolution No. 850

BY Senator DaPonte

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF APRIL 2009
"FINANCIAL LITERACY MONTH" IN THE STATE OF RHODE ISLAND {LC2456/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Connors, Algieri, Jabour, Metts, Pichardo and Sheehan.

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

Also:

Senate Resolution No. 851

BY Senators Bates, Cote, Raptakis, Walaska, Sheehan

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF
MARY "HAPPY" WHITE {LC2481/1}

Senator Bates requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Bates moves passage, seconded by Senators Blais, Connors and Walaska.

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

Also:

Senate Resolution No. 852

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

ENTITLED, SENATE RESOLUTION COMMEMORATING "HOLOCAUST REMEMBRANCE
DAY" ON APRIL 21, 2009 {LC2478/1}

Senator Miller requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Miller moves passage, seconded by Senators Algieri, Connors and Perry.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2009-H 5230**
BY Martin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
2. **2009-H 5363**
BY Dennigan
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
3. **2009-H 5367**
BY McNamara
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2009-H 5416**
BY DaSilva
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2009-H 5422**
BY Gallison
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
6. **2009-H 5487**
BY Lally
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
7. **2009-H 5812**
BY McNamara
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Upon motion of Senator Connors, seconded by Senator Algieri, the following 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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

CALENDAR

IN ORDER FOR TUESDAY, APRIL 21, 2009:**1. 2009-S 525****BY DiPalma****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR FUEL TAX**

Committee on Finance recommends passage.

Senator DiPalma moves passage, seconded by Senators DaPonte, Ciccone and Jabour.

Senator DiPalma seconded by Senators DaPonte, Ciccone and Jabour, offers the following written motion to amend.

F L O O R A M E N D M E N T

TO

AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX

Madam President:

I hereby move to amend 2009 -- S 525, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX", as follows:

(1) On page 1, line 1, by deleting the word and numbers "Section 31-36-1", and by inserting in place thereof the word and numbers "Sections 31-36-1 and 31-36-22."

(2) On page 1, line 2, by deleting the word "is" and inserting in place thereof the word "are".

(3) On page 2, line 31, after the words "Rhode Island", by inserting the words "at a fixed location".

(4) On page 2, line 33, after the words "motor vehicles", by inserting the words "notwithstanding the portion of biodiesel blended into any fuel, only the biodiesel portion of the fuel shall be exempt from taxation under chapter 31-36".

(5) On page 2, after line 33, by inserting the following language:

31-36-22. Rules and regulations -- Forms. -- (a) The tax administrator ~~may~~ shall prescribe rules and regulations, not inconsistent with law, to carry into effect the provisions of this chapter and chapter 37 of this title. These rules and regulations, when reasonably designed to carry out the intent and purpose of these chapters, shall be prima facie evidence of their proper interpretation. The rules and regulations may from time to time be amended, suspended, or revoked, in whole or in part, by the tax administrator.

(b) The tax administrator ~~may~~ shall prescribe, and ~~may~~ shall furnish, any forms necessary or proper for the

administration of these chapters.

(6) On page 3, line 1, by deleting the word "upon" and by inserting in place thereof the words "sixty (60) days after".

Respectfully submitted,
SENATOR DIPALMA

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

Senator DiPalma moves passage of the act, as amended, seconded by Senators DaPonte Ciccone, Jabour, Ruggerio, McBurney, Sosnowski, Levesque and Pichardo.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

2. 2009-S 413 SUB A

BY Lenihan

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- HEALTH AND
EDUCATION BUILDING CORPORATION

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

Senator Lenihan moves passage, seconded by Senators Blais and Sheehan.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

3. 2009-S 532 SUB A

BY Blais

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF BUSINESS REGULATION

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

Senator Blais moves passage, seconded by Senators Levesque, Bates and Maher.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

4. 2009-S 831

BY Ciccone

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
STATE PURCHASES

Committee on Government Oversight recommends passage.

Senator Ciccone moves passage, seconded by Senators Sosnowski, Levesque and Lenihan.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

5. 2009-S 832 SUB A

BY Ciccone

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -

STATE PURCHASES

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

Senator Ciccone moves passage, seconded by Senators Lenihan, Levesque and Sosnowski.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

6. 2009-S 833 as amended

BY Sosnowski

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
STATE PURCHASES**

Committee on Government Oversight recommends passage as amended.

Senator Sosnowski moves passage, seconded by Senators Lenihan, O'Neill, Sheehan and Levesque.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

7. 2009-S 131 as amended

BY O'Neill E

**ENTITLED, AN ACT IN AMENDMENT OF THE ACT, PASSED AT THE
JANUARY SESSION, A.D. 1948, ENTITLED "AND ACT TO
INCORPORATE THE LIME ROCK FIRE DISTRICT IN THE TOWN
OF LINCOLN," AS AMENDED**

Committee on Housing & Municipal Government recommends passage as amended.

Senator O'Neill moves passage, seconded by Senators Connors, Maher, Pinga and Lenihan

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

8. 2009-S 810

BY Walaska

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

Committee on Housing & Municipal Government recommends passage.

Senator Walaska moves passage, seconded by Senators Lenihan and Lynch.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

9. 2009-S 811

BY Tassoni

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

Committee on Housing & Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio, seconded by Senator Connors, and without objection, ordered to be placed on the Calendar for Tuesday, April 28, 2009

10. 2009-S 812

BY Algieri

ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY

Committee on Housing & Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio, seconded by Senator Connors, and without objection, ordered to be recommitted to the committee on Housing and Municipal Government

11. 2009-S 815
BY DiPalma
ENTITLED, AN ACT RELATING TO TAXATION

Committee on Housing & Municipal Government recommends passage.

Senator DiPalma moves passage, seconded by Senators Connors and Algieri

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, 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.

NAYS- 0:

12. 2009-S 818
BY Tassoni
ENTITLED, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE
NOT EXCEEDING \$1,000,000 GENERAL OBLIGATION BONDS
OR NOTES FOR LAND ACQUISITION

Committee on Housing & Municipal Government recommends passage.

Senator Tassoni moves passage, seconded by Senators Connors, DiPalma and Doyle.

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 Algieri, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

13. 2009-S 198
BY Ciccone
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF STATE GOVERNMENT

Committee on Judiciary recommends passage.

Senator Ciccone moves passage, seconded by Senators Gallo, Ruggerio, McCaffrey DeVall Sheehan and Levesque.

Senators Levesque and Blais discuss the act.

The act is read and passed, upon a roll call vote with 32 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Algieri, Blais, Maher.

14. 2009-S 211

BY Ciccone

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES

Committee on Judiciary recommends passage.

Upon suggestion of Senator Ciccone and without objection, ordered to be placed on the Calendar for Wednesday, April 22, 2009.

15. 2009-S 318

BY Ciccone

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -
APPOINTMENT, QUALIFICATION AND TENURE OF OFFICERS

Committee on Judiciary recommends passage.

Senator Ciccone moves passage, seconded by Senators Connors and Cote.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16. 2009-S 620

BY Algieri

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
LAND SURVEYORS

Committee on Labor recommends passage.

Senator Algieri moves passage, seconded by Senators Fogarty and Ruggerio.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Algieri and by unanimous consent, the Honorable President, welcomes to the Chamber the wife of Senator Blais, Beverly Blais.

ANNOUNCEMENTS

Senator Algieri would like to wish Senator David E. Bates a Happy Birthday.

Senator Jabour would like to wish Senator Louis P. DiPalma a Happy Birthday.

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

ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Connors, and upon suggestion of Senator Bates, the Senate adjourns at 5:10 o'clock P.M. in memory of Mary "Happy" White.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR J. MICHAEL LENIHAN

Lord, as we deliberate over the bills before us, grant us your wisdom and insight, and above all compassion. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 22, 2009:

1. 2009-S 768

BY Gallo

ENTITLED, SENATE RESOLUTION HONORING A. RICHARD COMSTOCK ON THE OCCASION OF HIS 90TH BIRTHDAY

Committee on Constitutional & Regulatory Issues recommends passage.

2. 2009-H 5898

BY Lally

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF ETA ZETA OF LAMBDA CHI ALPHA

Ordered to be placed on the Consent Calendar

3. 2009-H 6031

BY Ferri

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. MARY'S CHURCH

Ordered to be placed on the Consent Calendar

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 22, 2009:**

1. **2009-S 211**
BY Ciccone
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES

Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, APRIL 23, 2009:

1. **2009-S 453**
BY Walaska
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE ESTABLISHMENT OF
UNIVERSAL VOLUNTARY RETIREMENT ACCOUNTS

Committee on Constitutional & Regulatory Issues recommends passage.

2. **2009-S 716**
BY Doyle
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL JOINT
COMMISSION TO STUDY THE EDUCATION OF CHILDREN WITH
AUTISM IN THE STATE OF RHODE ISLAND

Committee on Constitutional & Regulatory Issues recommends passage.

3. **2009-S 717**
BY Doyle
ENTITLED, SENATE RESOLUTION SUPPORTING THE REHABILITATION
AND EXPANSION OF RHODE ISLAND PUBLIC SCHOOLS OF
NURSING USING FEDERAL STIMULUS FUNDS

Committee on Constitutional & Regulatory Issues recommends passage.

4. **2009-S 351**
BY Sosnowski
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

Committee on Environment & Agriculture recommends passage.

5. **2009-S 485 SUB A**
BY Miller

**ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
RENEWABLE ENERGY STANDARD**

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

6. 2009-S 731 SUB A as amended

BY Sosnowski

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- WASTE
RECYCLING**

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

IN ORDER FOR TUESDAY, APRIL 28, 2009:

1. 2009-S 811

BY Tassoni

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

Committee on Housing & Municipal Government recommends passage.