

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.45

Thursday, May 14, 2009

Forty-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 4:33 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 Senator Cote, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMUNICATION

The Honorable President presents the following communications:

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

May 13, 2009

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

Dear Madam President:

Please be advised that I will be absent from the Senate Sessions on Thursday May 14, 2009, due to a scheduling conflict.

I would appreciate you recording my letter in the appropriate Senate Journal. Thank you for your attention to this matter.

Sincerely,

Frank A. Ciccone, III
State Senator D-7

Read and ordered to be placed on file.

Also:

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

May 14, 2009

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

Dear President Paiva Weed:

I am writing this letter to respectfully notify you that I will be absent from Senate Session today, Thursday, May 14, 2009, due to a death in the family.

Thank you.

Sincerely,

James E. Doyle, II
Senator – District 8

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 measure:

Nomination of Gary D. Alexander VICE Jane A. Hayward Secretary, Office of Health and Human Services Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this Nomination.

Read and ordered to be placed on the Calendar.

COMMITTEE ON GOVERNMENT OVERSIGHT

Senator Lenihan, from the Committee on Government Oversight, reports back, with recommendation of passage of the following measures:

Senate Bill No. 414 SUB A as amended

BY Senators Sosnowski, Felag, Sheehan, Lenihan, McCaffrey

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - SEPARATION OF POWERS - COASTAL RESOURCES MANAGEMENT COUNCIL (would change how members to the Coastal Resource Management Council are appointed to comply with the Separation of Powers Constitutional Amendment) {LC614/3/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 672 SUB A

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) {LC1419/3/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 828 as amended

BY Senators Levesque C, Lenihan, Sosnowski, Blais, Sheehan

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES {LC2277/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 918

BY Senators DeVall, Crowley, Maselli, Tassoni, Gallo

ENTITLED, SENATE RESOLUTION CELEBRATING MAY 15, 2009 AS "NATIONAL POLICE MEMORIAL DAY" AND THE WEEK OF MAY 10 - 16 AS "NATIONAL POLICE WEEK" {LC2610/1}

Senator DeVall requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DeVall moves passage, seconded by Senators Connors, Algieri and Ruggerio.

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

Also:

Senate Bill No. 919

BY Senators McCaffrey, Lynch, Walaska, Ruggerio

ENTITLED, AN ACT RELATING TO NAMING THE NEW KENT COUNTY COURTHOUSE
{LC2567/1}

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

Also:

Senate Bill No. 920

BY Senators Algieri, Sosnowski, Bates

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC2568/1}

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

Also:

Senate Bill No. 921

BY Senators Gallo, DeVall, Fogarty P, DiPalma, Sosnowski

ENTITLED, AN ACT RELATING TO EDUCATION-- THE EDUCATION ADEQUACY ACT
{LC2549/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 922

BY Senators Doyle, Tassoni, Connors, Bates

ENTITLED, AN ACT RELATING TO TAXATION -- TAX INCENTIVES FOR NURSING
FACULTY {LC2493/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 923

BY Senator Jabour

ENTITLED, AN ACT RELATING TO TAXATION -- POLITICAL ORGANIZATIONS {LC2572/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 924

BY Senator Lenihan

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES {LC2635/1}

Read and referred to the Senate Committee on Government Oversight

Also:

Senate Bill No. 925

BY Senators Fogarty P, Gallo

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- SANITATION IN FOOD ESTABLISHMENTS {LC2625/1}

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

Also:

Senate Bill No. 926 (By Request)

BY Senator Algieri

ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY {LC2629/1}

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

Also:

Senate Bill No. 927

BY Senator Algieri

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY {LC2576/1}

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

Also:

Senate Bill No. 928**BY** Senators Gallo, Miller, Lanzi**ENTITLED**, AN ACT RELATING CRIMINAL OFFENSES -- SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION {LC2627/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 929**BY** Senators Crowley, Pinga, DeVall, Lynch**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - ASSAULTS {LC2578/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 930**BY** Senators Gallo, Tassoni, Doyle, Lanzi, Miller**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION {LC2594/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 931**BY** Senators McCaffrey, Lynch, Walaska**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2624/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 932**BY** Senators Tassoni**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND VANDALISM {LC2632/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 933**BY** Senators Ruggerio, DaPonte, Goodwin, Tassoni**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ENERGY {LC2411/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 934 (Attorney General)

BY Senators Jabour, McCaffrey, McBurney, Maselli, Cote

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE IN PARTICULAR ACTIONS - POST CONVICTION REMEDY {LC2332/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 935

BY Senators Walaska, Raptakis

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY {LC2590/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 936

BY Senator Tassoni

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - OVERTIME CALCULATION {LC2616/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 937

BY Senator Tassoni

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - OVERTIME CALCULATION {LC2543/1}

Read and referred to the Senate Committee on Labor

CONSENT CALENDAR

In order for the day is taken up as follows:

Item #1 is removed from the Consent Calendar and placed on the Calendar.

2. **2009-S 917**

BY Algieri

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE WESTERLY MASONIC FOUNDATION

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 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, MAY 14, 2009:

1 Nomination of Thomas F. Ahern, Administrator (reappointment) of East Greenwich as Administrator to the Division of Public Utilities and Carriers, for a term expiring March 1, 2015..

Senator McCaffrey seconded by Senators Tassoni, Felag, Sosnowski, Connors, DaPonte, Bates, Blais, Goodwin, Metts and Picard moves that advice and consent of the Senate be given this appointment.

Senator Blais discusses the appointment.

The advice and consent of the Senate is given this appointment, 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, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, 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 Walaska and by unanimous consent, the Honorable President welcomes to the Chamber Thomas F. Ahern

CALENDAR

2. 2009-S 256**BY McCaffrey****ENTITLED, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS**

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Blais, Levesque and Jabour.

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, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, 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:

3. 2009-S 269 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF LICENSES**

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

Senator Raptakis moves passage, seconded by Senators Sosnowski, Sheehan, Crowley, O'Neill, Maher, Algieri and Jabour.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2009-S 764 SUB A**BY DiPalma****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ADMINISTRATIVE PROCEDURES**

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

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Tuesday, May 19, 2009.

TRANSMITTAL

By unanimous consent, Senate bills 09-S 324, 346, 430, 598, 916 and House bills 09-H 6180 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 Felag announces that the Committee on Finance will meet on Tuesday, May 19, 2009, at 2:00 o'clock P.M. in Room 211 of the State House.

Senator DeVall announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 310 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 Algieri, the Senate stands at recess at 4:55 o'clock P.M..

CALLED TO ORDER

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Tuesday, May 19, 2009, at 4:19 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 Bill No. 5483

BY McNamara, Guthrie, Gallison, Azzinaro, Ehrhardt

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES (would provide for a voluntary course of instruction for parents or guardian relative to the content of the driver education curriculum) {LC1044/1}

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

Also:

House Resolution No. 6101

BY McNamara, Dennigan, Ferri, Fox, Menard

ENTITLED, JOINT RESOLUTION RECOGNIZING APRIL 16, 2009 AS "NATIONAL HEALTHCARE DECISIONS DAY" IN THE STATE OF RHODE ISLAND {LC2399/1}

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

Also:

House Bill No. 5825

BY Costantino

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2025/1}

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

Also:

House Bill No. 5114

BY Lima, Coderre E, Ajello, Ruggiero, Rice A

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES (would define the term "regular price" for purposes of the law regulating discount price advertisements.)

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5244

BY Corvese

ENTITLED, AN ACT RELATING TO FIDUCIARIES - UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5826 SUB A (Business Regulation)

BY Newberry

ENTITLED, AN ACT RELATING TO INSURANCE {LC1672/1/A}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5906 SUB A

BY Serpa, Silva, Mattiello, Vaudreuil

ENTITLED, AN ACT RELATING TO PROPERTY - CONDOMINIUM MANAGEMENT

{LC1818/1/A}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5779 (Business Regulation)

BY Ehrhardt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT {LC1518/1}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5193 SUB A

BY Kennedy, Kilmartin, Pacheco, Lima, Petrarca

ENTITLED, AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE RATINGS

{LC800/1/A}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5822 SUB A (Business Regulation)

BY Newberry

ENTITLED, AN ACT RELATING TO INSURANCE {LC1669/1/A}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5704 SUB A (Business Regulation)

BY Kennedy

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS (would amend existing requirements for the licensing of mortgage loan originators in order to effect the provisions of the Secure and Fair Enforcement for Mortgage Licensing Act) {LC2048/2/A}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5802

BY Fox, Silva, Ferri, Kilmartin, Martin

ENTITLED, AN ACT RELATING TO EDUCATION {LC2012/1}

Received and referred to the Senate Committee on Education

Also:

House Bill No. 5607 SUB A

BY Slater, Diaz, Williams

ENTITLED, AN ACT RELATING TO TAXATION - CIGARETTE TAX (would provide that no license or permit to sell cigarettes would be issued or renewed unless the licensee has paid all current, fees, fines or other outstanding charges) {LC1717/1/A}

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 6158

BY Lima, Marcello, Ucci, Mattiello, Handy

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC2561/1}

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 5227 SUB A

BY Coderre E, Giannini, Serpa, Shallcross Smith

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND EXECUTION {LC486/1/A}

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 5103

BY Serpa

ENTITLED, AN ACT AUTHORIZING RHODE ISLAND COLLEGE STUDENT COMMUNITY GOVERNMENT, INC., TO INCREASE ITS HOLDINGS TO AN AMOUNT NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000)

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 5767 as amended

BY Naughton, Rice M, McNamara

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - HEALTH INSURANCE -- EARLY INTERVENTION SERVICES {LC1838/1}

Received and referred to the Senate Committee on Finance

Also:

House Bill No. 5536 SUB A**BY** Kennedy, Costantino, Carter, Naughton, Melo**ENTITLED**, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER HEALTH INSURANCE (would limit any increased adjustments to premium rates based on age and gender, to 20%. It would also allow for differences in rates based on age and gender in otherwise identical groups) {LC1832/1/A}

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

Also:

House Bill No. 5824**BY** Kilmartin**ENTITLED**, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS {LC1934/1}

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

Also:

House Bill No. 5266 SUB A**BY** Palumbo, Corvese, Naughton, DeSimone, Caprio D**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND AUTISM SPECTRUM DISORDER EVALUATION AND TREATMENT ACT (would create a special governmental joint venture between the department of health, the department of elementary and secondary education, and the department of human services) {LC650/1/A}

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

Also:

House Bill No. 5415 SUB A as amended**BY** Naughton, McNamara**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (would add a new chapter on the prevention and supervision of contagious diseases, specifically HIV/AIDS and make technical amendments affected by that new chapter) {LC1238/2/A}

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

Also:

House Bill No. 5393**BY** Slater, Diaz, Williams, Almeida, Lima**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) {LC1069/1}

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

Also:

House Bill No. 5055**BY** Corvese, Schadone, San Bento, Wasyluk**ENTITLED**, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE (would change the date of inauguration from the first Sunday in January to the first Saturday at a time set by the town council)

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

Also:

House Bill No. 5677 SUB A**BY** Ruggiero**ENTITLED**, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN (would change the property tax abatement for Jamestown emergency medical services & volunteer fire dept., from an exemption of \$75,000 of the assessed valuation of property to a flat amount of \$700 per year) {LC1029/2/A}

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

Also:

House Bill No. 6040**BY** Jackson, Rice A, Martin**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES {LC2298/1}

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

Also:

House Bill No. 5821 (Transportation)**BY** Ehrhardt**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND PUBLIC RAIL CORPORATION ACT {LC1616/1}

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

Also:

House Bill No. 5078**BY** Gemma, Ferri, Trillo**ENTITLED**, AN ACT RELATING TO HIGHWAYS

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

Also:

House Bill No. 5595 (by request)

BY Edwards

ENTITLED, AN ACT RELATING TO THE NORTH TIVERTON FIRE DISTRICT {LC1874/1}

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

Also:

House Bill No. 5596 (by request)

BY Edwards

ENTITLED, AN ACT RELATING TO AN ACT TO INCORPORATE THE STONE BRIDGE FIRE DISTRICT AND TO FINANCE A SUPPLY OF WATER FOR THE TOWN OF TIVERTON (would amend the Stone Bridge Fire District) {LC1776/1}

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

Also:

House Bill No. 5992 SUB A

BY Pollard

ENTITLED, AN ACT RELATING TO THE ABBEY LANE COMMUNITY ASSOCIATION, INC. WATER DISTRICT {LC2145/1/A}

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

Also:

House Bill No. 5957

BY Gallison, Gablinske

ENTITLED, AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX - BRISTOL (would permit the town of Bristol to list motor vehicle taxes due and owning on their municipal lien certificates) {LC2148/1}

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

Also:

House Bill No. 6081

BY Driver

ENTITLED, AN ACT CREATING THE OAK RIDGE CONDOMINIUM WATER DISTRICT {LC2373/1}

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

Also:

House Bill No. 6108**BY** Edwards, Loughlin**ENTITLED**, AN ACT RELATING TO THE TOWN OF TIVERTON (would ratify several amendments to the Home Rule Charter of the town of Tiverton.) {LC2440/1}

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

Also:

House Bill No. 6015**BY** Pacheco**ENTITLED**, AN ACT RELATING TO THE OAKLAND - MAPLEVILLE NUMBER 4 FIRE DISTRICT {LC2118/1}

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

Also:

House Bill No. 5121 SUB A**BY** Fox**ENTITLED**, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION (would make technical revisions to various statutes pursuant to the recommendations of the Law Revision Office.) {LC465/2/A}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5143**BY** Brien, Gemma, Mattiello, Gablinske, Trillo**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS (would establish the E-Verify compliance chapter. It would also require all non- governmental employers within the state with three (3) or more employees to apply to participate in the E-Verify program and to participate if accepted.)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5376**BY** Ajello, Fox, Walsh, Lally, Handy**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ADMINISTRATIVE PROCEDURES (would require the secretary of state to post advanced notices of proposed agency rulemaking on its website)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5949 SUB A**BY** Lally**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - PERSONS WITH DISABILITIES (would amend the state's civil rights laws so as to incorporate definitions and other changes made by the federal ADA Amendments Act) {LC2085/1/A}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5175**BY** Savage, DaSilva, Melo**ENTITLED**, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT (would provide greater benefits to residential tenants sixty-two (62) years of age and older who move from a rental premises.)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6120**BY** Marcello**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Charles Michael Blais to join Robin Jo Pichette and Nicholas Blais DiMario in marriage within the Town of Narragansett, Rhode Island on or about August 28, 2009.) {LC2418/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5432**BY** Ajello, Walsh, Handy, Rice A, Segal**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE (would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1) {LC1166/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6134**BY** Caprio D**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE (would allow Douglas Hall to join Elizabeth Meade and Anibal Santiago Moran Alvarado in marriage within the Town of Narragansett, Rhode Island on or about July 25, 2009.) {LC2457/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6132

BY O'Neill JP

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Reverend James Gertmenian to join Jessica D. Lanning and Judah H. Rome in marriage within the Town of Bristol, Rhode Island on or about August 15, 2009.) {LC2475/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5568

BY Lally, Brien

ENTITLED, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER TAXES - ENFORCEMENT AND COLLECTION (require the termination of a real property estate tax lien upon the expiration of 10 years after the death of the individual whose act, failure to act, or death gave rise to the lien, regardless of when the date of death occurred) {LC1682/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5560

BY Gallison, Azzinaro, Edwards, Silva, Jackson

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND VANDALISM {LC1998/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5657 SUB A

BY Ruggiero, Gallison, Rice M, Pacheco, Ajello

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE SALES DISCLOSURES (would amend the real estate sales disclosure requirements to make specific reference to conservation and preservation easements and restrictions) {LC1571/1/A}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5489

BY Lally, Jackson

ENTITLED, AN ACT RELATING TO PROPERTY (would reduce the time after which a recorded mortgage would be unenforceable against the real estate securing the mortgage) {LC1076/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5370

BY Coderre E, Naughton, Serpa, Williams, Giannini

ENTITLED, AN ACT RELATING TO ELECTIONS -- ADDRESS CONFIDENTIALITY OF DOMESTIC VIOLENCE VICTIMS (would expand the list of those persons/voters who may protect the confidentiality of their addresses from the recipients of domestic violence restraining orders to include members of their household.)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5053 SUB A

BY Corvese, Schadone, San Bento, Wasylyk

ENTITLED, AN ACT TO AUTHORIZE THE TOWN OF NORTH PROVIDENCE TO TAKE LAND BY EMINENT DOMAIN {LC23/2/A}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5581

BY Lally

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS BY CONTRACTORS (would require contractors and subcontractors who are awarded projects for public works contracts to furnish payroll records to the director of labor and training on a monthly basis) {LC1761/1}

Received and referred to the Senate Committee on Labor

Also:

House Bill No. 6057

BY Corvese, Melo, Palumbo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - OVERTIME CALCULATION {LC2295/1}

Received and referred to the Senate Committee on Labor

Also:

House Bill No. 5302**BY** Corvese, Melo**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS (would amend various requirements for electricians to include journeypersons with class B and M licenses.)

Received and referred to the Senate Committee on Labor

Also:

House Bill No. 5246 SUB A**BY** Corvese, Petrarca, San Bento, Carter, Melo**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS (would add maintenance to those services for which a licensed electrician is required. In addition, it would include members of the board of examiners among those permitted to conduct inspections) {LC804/1/A}

Received and referred to the Senate Committee on Labor

Also:

House Bill No. 5247**BY** Corvese, Petrarca, San Bento, Carter, Melo**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS (would limit the types of power companies that are excluded from the requirements of chapter 5-6 to those power companies that are power utility companies)

Received and referred to the Senate Committee on Labor

COMMITTEE ON JUDICIARY

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

Nomination of Magistrate Jeanne L. Shepard (appointment) as Magistrate for the Domestic Violence Calendar for a term of ten (10) years..

Read and ordered to be placed on the Consent Calendar.

ADJOURNMENT

Upon motion of Senator Connors, seconded by Senator Algieri, the Senate adjourns at 4:20 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR MARC A. COTE

Heavenly Father, grant that we may never abuse our office nor the knowledge that has been given to us.
Amen

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MAY 20, 2009:

1 Nomination of Magistrate Jeanne L. Shepard (appointment) as Magistrate for the Domestic Violence Calendar for a term of ten (10) years..

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

Appendix

CALENDAR

IN ORDER FOR TUESDAY, MAY 19, 2009:

1. 2009-S 764 SUB A

BY DiPalma

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
ADMINISTRATIVE PROCEDURESCommittee on Judiciary recommends indefinite postponement of the original bill and
passage of Substitute A.2. 2009-S 480

BY Gallo

ENTITLED, AN ACT RELATING TO EDUCATION

Committee on Education recommends passage.

3. 2009-S 482 SUB A

BY Gallo

ENTITLED, AN ACT RELATING TO EDUCATION -- COOPERATIVE
SERVICE AMONG SCHOOL DISTRICTSCommittee on Education recommends indefinite postponement of the original bill and
passage of Substitute A.4. 2009-S 726

BY Raptakis

ENTITLED, AN ACT RELATING TO EDUCATION -- EAST GREENWICH

Committee on Education recommends passage.

5. 2009-S 728

BY Pichardo

ENTITLED, AN ACT RELATING TO EDUCATION

Committee on Education recommends passage.

6. 2009-S 732 SUB A as amended

BY Sosnowski

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - THE
WATER USE AND GOVERNMENT EFFICIENCY ACT OF 2009Committee on Environment & Agriculture recommends indefinite postponement of the
original bill and passage of Substitute A as amended.7. 2009-S 161

BY Connors

ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

8. **2009-S 212**
BY Levesque C
ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST

Committee on Judiciary recommends passage.

9. **2009-S 429**
BY Perry
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND
INFORMATION ACT -- HEALTH CARE COMMUNICATIONS AND
INFORMATION

Committee on Judiciary recommends passage.

10. **2009-S 572**
BY Perry
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL
ASSAULT PROTECTIVE ORDERS

Committee on Judiciary recommends passage.

11. **2009-S 614**
BY McCaffrey
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
MOTOR VEHICLE OFFENSES

Committee on Judiciary recommends passage.

IN ORDER FOR WEDNESDAY, MAY 20, 2009:

- 1 Nomination of Gary D. Alexander VICE Jane A. Hayward Secretary, Office of Health and Human Services.**

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

2. **2009-S 726**
BY Raptakis
ENTITLED, AN ACT RELATING TO EDUCATION -- EAST GREENWICH

Committee on Education recommends passage.

3. **2009-S 732 SUB A as amended**
BY Sosnowski
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - THE
WATER USE AND GOVERNMENT EFFICIENCY ACT OF 2009

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

4. 2009-S 292 SUB A as amended**BY Sheehan****ENTITLED,** AN ACT RELATING TO THE RHODE ISLAND ECONOMIC DEVELOPMENT

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

5. 2009-S 474 SUB A as amended**BY DeVall****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- UNDERGROUND UTILITY FACILITIES

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

6. 2009-S 414 SUB A as amended**BY Sosnowski****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION - SEPARATION OF POWERS - COASTAL RESOURCES MANAGEMENT COUNCIL

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

7. 2009-S 672 SUB A**BY Lenihan****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.

8. 2009-S 828 as amended**BY Levesque C****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES

Committee on Government Oversight recommends passage as amended.