

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.50

Wednesday, May 27, 2009

Fiftieth 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 4:27 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, Felag, 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.

ABSENT – 1: Senator Lenihan

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal's of the Forty-eighth and Forty-ninth Legislative Day's of the 2009 proceedings are read in part.

Upon suggestion of Senator DiPalma and by unanimous consent, further reading of the Journals are dispensed with and the Journals approved as recorded.

GUESTS

Upon suggestion of Senator DeVall and by unanimous consent, the Honorable President, welcomes to the Chamber Catherine Browning.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 900**BY** Senator DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Rachel Gettys to join Ainsley Marie Sullivan and John Jay Perry in marriage on or about July 31, 2009 within the City of Newport, Rhode Island.) {LC2519/1}

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 931**BY** Senators McCaffrey, Lynch, Walaska

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Scott Avedisian, Mayor of the city of Warwick to join Stephanie Rose Picozzi and Paul Lawrence Kirchner in marriage within the city of Warwick, Rhode Island on or about April 24, 2010.) {LC2624/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5990**BY** Kilmartin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow David W. Piccerelli to join Alexa Marie Tedoldi and Matthew Joseph Piccerelli in marriage on or about October 3, 2009 within the Town of Barrington, Rhode Island.) {LC2167/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6020**BY** Lally

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael Anthony Cardi to join Danielle Lynn Pard and Derek Joseph Tomaselli in marriage within the Town of North Kingstown, Rhode Island) {LC2218/1}

Read and ordered to be placed on the Consent Calendar

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}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6032

BY Malik

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - DIESEL EMISSIONS REDUCTION ACT (would create the diesel pollution reduction fund) {LC2283/1}

Read and ordered to be placed on the Consent Calendar

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}

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 195 SUB A

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

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE ESTABLISHMENTS (would define "domestic partner" for the purpose of granting authority to domestic partners of deceased for funeral arrangements of deceased.) {LC823/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 613 as amended

BY Senators Ciccone, McCaffrey, Jabour, Bates, Felag

ENTITLED, AN ACT RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT (would provide that any property left by a tenant who abandons a dwelling unit would become abandoned property after thirty (30) days) {LC2047/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 874

BY Senators Picard, Connors

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES {LC2472/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 875 SUB A

BY Senators Ciccone, Blais, Pichardo, Lanzi, Tassoni

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRESPASS AND VANDALISM {LC2395/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 375

BY Senators Maselli, Walaska, Blais, McCaffrey, Jabour

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- BURGLARY AND BREAKING AND ENTERING (would expand the list of vehicles that would subject a person to a felony sentence of 10 years in prison if the person broke into any of the types of vehicles named with the intent to commit a larceny or other crime) {LC1182/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 371 SUB A

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO PROPERTY - MECHANICS' LIENS (require contractors to give notice to the owner, lessee or tenant, or owner of less than the fee simple in writing, by certified mail return receipt requested, at least 10 business days prior to commencing work) {LC1126/2/A}

Read and ordered to be placed on the Calendar.

COMMUNICATION

The Honorable President presents the following communication:

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

May 27, 2009

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

Dear Madame President:

Please be advised and let the record reflect that I will be absent from the chamber on Wednesday, May 27, 2009, due to illness.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Senator J. Michael Lenihan
Senate District 35

Read and ordered to be placed on the file.

APPOINTMENTS BY THE GOVERNOR

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

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

May 26, 2009

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-17.7-3 of the Rhode Island General Laws, I have made the following reappointment as a Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management:

David P. Kerins, Esquire of Newport

for a term expiring March 1, 2014.

To this reappointment, I respectfully request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

May 26, 2009

TO THE HONORABLE, SECRETARY OF STATE:

I have the honor to inform you that in accordance with the provisions of Section 42-17.7-3 of the Rhode Island General Laws, I have made the following appointment as a Chief Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management:

**David P. Kerins, Esquire of Newport
Chief Hearing Officer**

To serve at the pleasure of the Governor.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

NEW BUSINESS

Senate Bill No. 942

BY Senators Gallo, Miller, Levesque C

ENTITLED, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS {LC2662/1}

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

Also:

Senate Bill No. 943

BY Senators DiPalma, Jabour, Bates, Pinga, Cote

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- MANUFACTURING AND WHOLESALE LICENSES {LC2660/1}

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

Also:

Senate Bill No. 944

BY Senators Gallo, Ruggerio, Blais, DeVall, DiPalma

ENTITLED, AN ACT RELATING TO EDUCATION {LC2639/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 945

BY Senators Felag, Paiva-Weed, Connors, Algieri, Bates

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION {LC2650/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 946

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION {LC2671/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 947

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO EDUCATION - HIGHER EDUCATION ASSISTANCE AUTHORITY {LC2666/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 948

BY Senator DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2664/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 949

BY Senator Miller

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2656/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 950

BY Senators Maher, Blais, Algieri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2661/1}

Read and referred to the Senate Committee on Judiciary

CALENDAR

IN ORDER FOR WEDNESDAY, MAY 27, 2009:

1. **2009-S 865**

BY Ciccone

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

Committee on Government Oversight recommends passage.

Upon suggestion of Senator Ciccone and without objection, ordered to be placed on the Calendar for Wednesday, June 3, 2009.

2. **2009-S 924 as amended**

BY Lenihan

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

Committee on Government Oversight recommends passage as amended.

Upon suggestion of Senator Ciccone and without objection, ordered to be placed on the Calendar for Wednesday, June 3, 2009.

3. **2009-S 242 SUB A as amended**

BY Perry

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL
ASSISTANCE--LONG-TERM CARE AND FINANCE REFORM

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

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

4. 2009-S 390 SUB A

BY Lynch

**ENTITLED, AN ACT RELATING TO INSURANCE - DENTAL SERVICE
CORPORATIONS**

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

Senator Lynch moves passage, seconded by Senators DeVall and Algieri.

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, Felag, 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:

5. 2009-S 545

BY Tassoni

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

Committee on Health & Human Services recommends passage.

Senator Tassoni seconded by Senators Perry and Doyle, offers the following written motion to amend.

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

2009 -- S 545

AN ACT RELATING TO HEALTH AND SAFETY

Madam President:

I hereby move to amend 2009 -- S 545, entitled "AN ACT RELATING TO HEALTH AND SAFETY", as follows:

(1) On page 1, line 14, by deleting the word "This".

(2) On page 1, lines 15 through 17, by deleting all language thereon and inserting in place thereof the following language: "The director is authorized to promulgate and adopt rules and regulations to establish a process for this temporary

emergency license."

Respectfully submitted,
SENATOR TASSONI

The motion to amend prevails 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, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Tassoni moves passage of the act, as amended, seconded by Senators Perry and Doyle

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, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6. 2009-S 546 as amended

BY Doyle

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT
OF HEALTH**

Committee on Health & Human Services recommends passage as amended.

Senator Doyle moves passage, seconded by Senators Perry, Tassoni, Miller, DaPonte, Connors, Maselli, Blais and Pichardo.

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, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7. 2009-S 552 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM
CONTROLLED SUBSTANCES ACT**

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

Senator Perry moves passage, seconded by Senators Doyle, Blais, Bates 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 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, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8. 2009-S 706**BY Gallo****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
RHODE ISLAND HEALTH CARE REFORM ACT OF 2004**

Committee on Health & Human Services recommends passage.

Senator Gallo moves passage, seconded by Senators Blais, Metts, Pichardo and Perry.

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, Felag, 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:

9. 2009-S 748 SUB A**BY Lynch****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LONG TERM
CARE COORDINATING COUNCIL**

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

Senator Lynch moves passage, seconded by Senator DiPalma.

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, Felag, 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:

10. 2009-S 440

BY Blais

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS**

Committee on Labor recommends passage.

Upon suggestion of Senator Blais and without objection, ordered to be placed on the Calendar for Tuesday, June 2, 2009.

11. 2009-S 441

BY Blais

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage.

Senator Blais moves passage, seconded by Senators Bates and Fogarty.

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, Felag, 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:

12. 2009-S 641

BY Ruggerio

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS**

Committee on Labor recommends passage.

Senator Ruggiero moves passage, seconded by Senators Maselli, Bates, Metts, Ciccone, Fogarty and Gallo.

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, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

13. 2009-S 659

BY Raptakis

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
MINIMUM WAGES**

Committee on Labor recommends passage.

Senator Raptakis seconded by Senators Ruggiero, Fogarty, Ciccone and Connors, offers the following written motion to amend.

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

2009 -- S 659

AN ACT RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES

Madam President:

I hereby move to amend 2009 -- S 659, entitled "AN ACT RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES", as follows:

1. On page 1, by deleting all the language on lines 13 through 19, inclusive.
2. On page 2, by deleting all the language on lines 1 and 2, and inserting in place thereof the following language:

"(e) On January 1, 2011, and on January 1st of each year thereafter, the minimum wage then in effect shall be increased by an amount equal to the percentage increase calculated to the nearest increment of five cents (\$.05) in the United States Department of Labor consumer price index for urban wage earners and clerical workers for the northeast region during the most recent calendar year for which such data is available; provided, however, that no annual increase so calculated shall exceed three percent (3%)."

Respectfully submitted,
SENATOR RAPTAKIS

The motion to amend prevails upon a roll call vote with 33 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 4: Senators Bates Blais, Maher, Pinga

Senator Raptakis moves passage of the act, as amended, seconded by Senators Fogarty and Connors.

Senators Blais, Felag, Metts, Levesque and Raptakis discuss the act.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 31 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Bates, Blais, Maher, Metts, O'Neill, Pinga.

3. 2009-S 242 SUB A as amended

BY Perry

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE--LONG-TERM CARE AND FINANCE REFORM

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

Senator Perry, seconded by Senators Metts Levesque, Sheehan, Miller, Pichardo, offers the following written motion to amend.

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

2009 -- S 242 SUBSTITUTE A, As Amended

AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE--LONG-TERM CARE AND FINANCE REFORM

Madam President:

I hereby move to amend 2009 -- S 242 SUBSTITUTE A, As Amended entitled "AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE--LONG-TERM CARE AND FINANCE REFORM", as follows:

(1) On page 3, line 16, by deleting the numbers "2012" and inserting in place thereof the following language:

"2013; provided, further, the executive office of health and human services shall report annually as part of its budget submission, the percentage distribution between institutional care and home community-based care by population and shall report current and projected waiting lists for long-term care and home and community-based care services".

Respectfully submitted,
SENATOR PERRY

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, Felag, 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:

Senator Perry moves passage of the act, as amended, seconded by Senators Levesque, Sheehan, Pichardo and Metts.

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, Felag, 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:

ANNOUNCEMENTS

Senator Lynch announces that the Committee on Constitutional and Regulatory Issues will meet today, at the rise of the Senate, in Room 310 of the State House.

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

Senator Metts announces that the Committee on Education will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Felag announces that the Committee on Environment and Agriculture will meet next Wednesday , June 3rd, 2009, at the rise of the Senate in Room 310 of the State House.

Senator Walaska announces that the Committee on Finance will meet tomorrow, at 2:00 o'clock P.M. in Room 211 of the State House.

Senator Sheehan announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator DeVall announces that the Committee on Housing and Municipal Government will meet tomorrow, at the rise of the Senate, in Room 310 of the State House.

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

Senator Ciccone announces that the Committee on Labor will meet today, at the rise of the Senate, in Room 211 of the State House.

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.

ADJOURNMENT

Upon motion of Senator Doyle seconded by Senator Connors the Senate adjourns at 5:09 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR LOUIS P. DIPALMA

Heavenly Father, Let us deliberate the issues of the day with brevity, sincerity, and humility. Silence the cynics, expose the devious and bring victory to the righteous. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, MAY 28, 2009:**

1. **2009-S 900**
BY DiPalma
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
2. **2009-S 931**
BY McCaffrey
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
3. **2009-H 5990**
BY Kilmartin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.
4. **2009-H 6020**
BY Lally
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.
5. **2009-H 6120**
BY Marcello
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.
6. **2009-H 6132**
BY O'Neill JP
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.
7. **2009-H 6134**
BY Caprio D
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, MAY 28, 2009:****1. 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.

2. 2009-S 133 SUB A**BY Tassoni****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
PUBLIC BUILDINGS**

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

3. 2009-S 191**BY Sosnowski****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY**

Committee on Housing & Municipal Government recommends passage.

4. 2009-S 781**BY Levesque C****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

Committee on Housing & Municipal Government recommends passage.

5. 2009-S 926**BY Algieri****ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE
OFFICERS OF THE TOWN OF WESTERLY**

Committee on Housing & Municipal Government recommends passage.

6. 2009-S 927**BY Algieri****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM
HOUSING STANDARDS -- TOWN OF WESTERLY**

Committee on Housing & Municipal Government recommends passage.

7. 2009-S 143**BY Miller****ENTITLED,** AN ACT REALTING TO STATE AFFAIRS AND GOVERNMENT ELECTIONS - CONDUCT OF ELECTION

Committee on Judiciary recommends passage.

8. 2009-S 148 as amended**BY Ciccone****ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- GENERAL OFFICERS

Committee on Judiciary recommends passage as amended.

9. 2009-S 205 SUB A**BY Sosnowski****ENTITLED,** AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS

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

10. 2009-S 249**BY Jabour****ENTITLED,** AN ACT RELATING TO ELECTIONS - PARTY COMMITTEES AND CONVENTIONS

Committee on Judiciary recommends passage.

11. 2009-H 5079**BY Malik****ENTITLED,** AN ACT RELATING TO THE TOWN OF WARREN

Committee on Housing & Municipal Government recommends passage in concurrence.

IN ORDER FOR TUESDAY, JUNE 2, 2009:**1. 2009-S 440****BY Blais****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS

Committee on Labor recommends passage.

2. 2009-S 472**BY Blais****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF ADMINISTRATION

Committee on Corporations recommends passage.

3. **2009-S 195 SUB A**

BY Perry

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE
ESTABLISHMENTS

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

4. **2009-S 371 SUB A**

BY McCaffrey

ENTITLED, AN ACT RELATING TO PROPERTY - MECHANICS' LIENS

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

5. **2009-S 375**

BY Maselli

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- BURGLARY
AND BREAKING AND ENTERING

Committee on Judiciary recommends passage.

6. **2009-S 613 as amended**

BY Ciccone

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

Committee on Judiciary recommends passage as amended.

7. **2009-S 874**

BY Picard

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES

Committee on Judiciary recommends passage.

8. **2009-S 875 SUB A**

BY Ciccone

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRESPASS
AND VANDALISM

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