

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.51

Thursday, May 28, 2009

Fifty-first 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 4:11 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 Crowley to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber Alyssa Beaulieu.

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 28, 2009

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Article 10 Section 4 of the Rhode Island Constitution entitled Judicial Selection, I have made the following appointment as Chief Justice of the Rhode Island Supreme Court:

PAUL A. SUTTELL

VICE
CHIEF JUSTICE FRANK J. WILLIAMS

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5769 (Business Regulation)

BY Loughlin

ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETES - BOXING
{LC1520/1}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 5609 as amended

BY Gallison, Lima

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS (would have the contractors' registration board become a permanent division within the department of administration)

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5903 (Business Regulation)

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- EXAMINATIONS (would amend chapter 27-13.1 of the general laws regarding insurance examinations / would also provide clarification to and procedures to be followed in the financial analysis process {LC2049/1}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5199

BY Kennedy, San Bento, Gemma, Lima, Coderre E

ENTITLED, AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5905 SUB A (Attorney General)

BY Williams, Kilmartin, Silva, Ajello, Baldelli-Hunt

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HOME HEATING OIL SALES {LC1780/1/A}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5088 as amended

BY Costantino, Fox, Slater, Ajello, Williams

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - LOCATION OF GAS REGULATORS AND GAS METERS

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5827 (by request)

BY Ehrhardt

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF ADMINISTRATION {LC1594/1}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5195

BY Walsh, Carter, Ferri, Shallcross Smith, Rice A

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOLICITATION BY CHARITABLE ORGANIZATIONS (would provide that charitable land trusts organized under the laws of this state would be exempt from filing a registration statement with the department of business regulation.)

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5771 SUB A (Business Regulation)

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -RHODE ISLAND LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT {LC1674/1/A}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 5238 SUB A

BY McCauley, Diaz, Williams, Carnevale, Slater

ENTITLED, AN ACT RELATING TO TAXATION -- PAYMENT OF LOCAL TAXES (would add the city of Providence to the list of municipalities that may charge interest on unpaid quarterly local tax bills.) {LC697/2/A}

Read and ordered to the Committee on Finance

Also:

House Bill No. 5454 SUB A as amended

BY McCauley

ENTITLED, AN ACT RELATING TO INSURANCE - DENTAL SERVICE CORPORATIONS (would prohibit a dental insurance company from requiring a dentist who provides services to its subscribers to accept a fee set by the company unless it compensates the dentist for such services) {LC1675/2/A}

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

Also:

House Bill No. 5968

BY Naughton, Carter, Coderre E, Pacheco

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BLOOD BANK SERVICES

(would provide that sixteen (16) year old minors may donate blood upon obtaining the consent of his or her parent or guardian) {LC2142/1}

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

Also:

House Bill No. 5359 SUB A

BY Slater, Diaz, Williams, Williamson, Almeida

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT (would make various changes to the medical marijuana act, including the creation and regulation of compassion centers to aid qualifying patients and their registered primary caregivers with respect to this act.) {LC370/1/A}

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

Also:

House Bill No. 5479 SUB A as amended

BY McNamara, Guthrie, Ehrhardt

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED

SUBSTANCES ACT (would allow practitioners to write up to 3 separate prescriptions in Schedule II for up to a one-month supply and allow for a 90 day supply for prescriptions in Schedules IV and V) {LC1287/1/A}

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

Also:

House Bill No. 5556

BY Sullivan, Corvese, O'Neill JP, Kilmartin, Loughlin

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - UTILIZATION OF UNUSED PRESCRIPTION DRUGS ACT {LC1808/1}

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

Also:

House Bill No. 5823 SUB A

BY Slater, Segal, Diaz

ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES {LC2063/2/A}

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

Also:

House Bill No. 6022

BY Loughlin

ENTITLED, AN ACT RELATING TO LITTLE COMPTON AGRICULTURAL CONSERVANCY TRUST {LC2335/1}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 6155

BY Martin, Shallcross Smith, Walsh, DaSilva

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow William F. Jannott may join Sara M. Kwon and Casey C. Jannott in marriage within the City of Newport, Rhode Island on or about August 11, 2009) {LC2523/1}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5289 as amended

BY Gallison, Gablinske, Hearn, Malik, O'Neill JP

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - ALCOHOL BOATING SAFETY (would increase the penalties for persons under the age of 21 who operate watercraft while under the influence of intoxicating liquor.)

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5044 SUB A as amended

BY Giannini, Coderre E, Melo, Gemma, Fellela

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PROSTITUTION AND LEWDNESS (would define the crime of prostitution to include any location, would create punishments for individuals who would attempt to procure the services of a prostitute, and would define the crime of permitting prostitution within a premise) {LC32/6/A}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 6082 SUB A as amended

BY Menard, MacBeth

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES {LC2372/1/A}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5895

BY Corvese, Brien, Melo

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- UNIFORM FOREIGN MONEY CLAIMS ACT

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5819 as amended (Labor & Training)

BY Newberry

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TRADE LICENSE RENEWAL SCHEDULES {LC1608/1}

Read and ordered to the Committee on Labor

Also:

House Bill No. 5777 (Business Regulation)

BY Watson

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - LAND SURVEYORS {LC1663/1}

Read and ordered to the Committee on Labor

**REPORTS OF COMMITTEES
COMMITTEE ON LABOR**

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

Senate Bill No. 384 SUB A

BY Senators DiPalma, DeVall, Crowley, Tassoni, Cote

ENTITLED, AN ACT RELATING TO EDUCATION (act would amend the provisions regarding the dismissal, suspension, or lay-off of red teachers) {LC1091/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 639

BY Senators Ruggerio, Doyle, McCaffrey, McBurney, Jabour

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - HOISTING ENGINEERS (provide that the director of the department of labor and training appoint a hoisting engineer who meets the qualification as the chief investigator) {LC1506/1}

Read and ordered to be placed on the Calendar.

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. 25

BY Senators Ciccone, Tassoni, Jabour, Pichardo, Metts

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE UNITED STATES CONGRESS AND PRESIDENT-ELECT OBAMA PASS FEDERAL USURY LEGISLATION

Read and ordered to be placed on the Consent Calendar

Also:

Senate Resolution No. 700

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

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

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 455

BY Senators Paiva-Weed, Ciccone

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE DEPARTMENT OF CORRECTIONS INTAKE SERVICE CENTER (would rename the department of corrections intake service center as "The Anthony P. Travisano Building.") {LC1897/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 457 (by request)

BY Senators Algieri, Blais

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would make several technical amendments in the Rhode Island Uniform Commercial Driver's License Act in order to ensure state compliance with applicable federal regulations & to ensure the continued receipt of federal funds.) {LC1454/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 715**BY** Senators Maselli, Connors, Ruggerio**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND (would establish the position of historian laureate in Rhode Island) {LC1860/1}

Read and ordered to be placed on the Calendar

Also:

Nomination of Douglas J. Bennett (reappointment) to the Rhode Island State Council on the Arts, for a term expiring March 1, 2012.

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Dana Neugent (appointment) of Ashaway VICE Margaret Melozzi to the Rhode Island State Council on the Arts for a term expiring March 1, 2001

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Jean Rondeau (appointment) of Woonsocket VICE Anne T. Quintero to the Rhode Island State Council on the Arts for a term expiring March 1, 2012

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of David M. Wax (appointment) of Providence VICE Christopher McMahon to the Rhode Island State Council on the Arts for a term expiring March 1, 2011

Read and ordered to be placed on the Consent Calendar

COMMITTEE ON EDUCATION

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

Senate Bill No. 395 SUB A**BY** Senators DiPalma**ENTITLED**, AN ACT RELATING TO EDUCATION (would repeal certain provisions regarding the language associated with the Rights and Duties of Teachers Generally regarding the dismissal of teachers in the towns of Woonsocket and Cumberland) {LC1783/4/A}

Read and ordered to be placed on the Calendar.

Also:

Nomination of Kenneth G. Findlay (Representing Librarians Serving Institutionalized Persons) (appointment) of Exeter VICE Mary Cummings to the Library Board of Rhode Island, for a term expiring December 31, 2010

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Joan Retsinas (appointment) (Representing General Public) of Providence VICE William Allen to the Library Board of Rhode Island, for a term expiring December 31, 2011.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Carol S. Terry (appointment) (Representing Academic Librarians) of Providence VICE Peter Deekle to the Library Board of Rhode Island, for a term expiring December 31, 2010.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Shirley Long (reappointment) (Representing Medium/Large Public Libraries) of Hope Valley to the Library Board of Rhode Island, for a term expiring December 31, 2011.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Alison Peirce (appointment) of North Smithfield VICE Josh Teverow to the Library Board of Rhode Island, for a term expiring December 31, 2010.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Kristen Chin (appointment) (Representing Small Public Libraries) of North Scituate VICE Leslie Bennett McDonough to the Library Board of Rhode Island, for a term expiring December 31, 2011.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

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

Senate Bill No. 356 SUB A**BY** Senator McCaffrey**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES {LC1291/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 471 SUB A as amended**BY** Senator Doyle**ENTITLED**, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES (would make changes to health insurance contracts as it pertains to nurse practitioners.) {LC1896/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 537 (Children, Youth & Families)**BY** Senator Maher**ENTITLED**, AN ACT RELATING TO MENTAL HEALTH, RETARDATION, AND HOSPITALS - MENTAL HEALTH LAW {LC1427/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 542 SUB A**BY** Senators Levesque C, Blais, Miller, Walaska**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - REVISED UNIFORM ANATOMICAL GIFT ACT (would prohibit any physician, hospital or other health care provider from charging the donor's estate or family for any cost incurred in testing or removing a human organ or tissue from a donor.) {LC1469/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 560 SUB A**BY** Senator Walaska**ENTITLED**, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS (would repeal the section of law imposing a sunset provision on mandated benefits for health plans.) {LC1829/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 710**BY** Senators Gallo, DeVall, Crowley**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- RADIOLOGIC TECHNOLOGISTS LICENSING {LC1987/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 951****BY** Senator Blais**ENTITLED**, SENATE RESOLUTION RECOGNIZING AND COMMENDING NATHAN RYAN UMBRIANO ON ACHIEVING SCOUTING'S MOST DISTINGUISHED HONOR, THE RANK OF EAGLE SCOUT {LC2706/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senators Algieri and Connors.

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

Also:

Senate Bill No. 952**BY** Senators Miller, Connors**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES - TRANSFER OF VEHICLES {LC2691/1}

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

Also:

Senate Bill No. 953**BY** Senators Fogarty P, Gallo**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - HOME PROPANE GAS SALES {LC2675/1}

Read and referred to the Senate Committee on Corporations

Senate Bill No. 954**BY** Senator Paiva-Weed**ENTITLED**, AN ACT RELATING TO EDUCATION {LC2690/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 955

BY Senator Connors

ENTITLED, AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE QUINNVILLE FIRE DISTRICT IN THE TOWN OF LINCOLN, AS AMENDED {LC2686/1}

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2009-S 900**
BY DiPalma
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
2. **2009-S 931**
BY McCaffrey
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
3. **2009-H 5990**
BY Kilmartin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2009-H 6020**
BY Lally
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2009-H 6120**
BY Marcello
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
6. **2009-H 6132**
BY O'Neill JP
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
7. **2009-H 6134**
BY Caprio D
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

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

YEAS- 30: The Honorable President Paiva Weed and Senators Algieri, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, Doyle, Felag, Fogarty, Gallo, Jabour, Lanzi, Levesque, Lynch, Maher,

Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Tassoni.

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, MAY 28, 2009:

Senator Connors requests that Item # 2 (S-09 472) be removed from next Tuesday's Calendar and placed on the bottom of Today's Calendar.

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.

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

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.

Senator Tassoni moves passage, seconded by Senators Fogarty, DeVall, Miller, Ciccone and 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 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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2009-S 191

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY

Committee on Housing & Municipal Government recommends passage.

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

4. 2009-S 781

BY Levesque C

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES

Committee on Housing & Municipal Government recommends passage.

Senator Levesque moves passage, seconded by Senators Fogarty, Gallo and DeVall.

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, DiPalma, 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.

NAYS- 0:

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.

Senator Algieri moves passage, seconded by Senators Tassoni, Blais and Bates.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

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.

Senator Algieri moves passage, seconded by Senator Tassoni.

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, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7. 2009-S 143

BY Miller

**ENTITLED, AN ACT REALTING TO STATE AFFAIRS AND GOVERNMENT
ELECTIONS - CONDUCT OF ELECTION**

Committee on Judiciary recommends passage.

Senator Miller moves passage, seconded by Senators McCaffrey, Lynch, O'Neill, Jabour and Levesque.

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, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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.

Senator Ciccone moves passage, seconded by Senators Cote, Ruggiero and McCaffrey.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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.

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

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

Committee on Judiciary recommends passage.

Senator Jabour moves passage, seconded by Senators Pichardo, Metts and McCaffrey.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

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

Committee on Housing & Municipal Government recommends passage in concurrence.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

12. 2009-S 472**BY Blais****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
REGULATORY POWERS OF ADMINISTRATION**

Committee on Corporations recommends passage.

Senator Blais moves passage, seconded by Senators McBurney, Miller and Connors.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

TRANSMITTAL

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

ANNOUNCEMENTS

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

Senator Felag announces that the Committee on Finance will meet next Tuesday June 2, 2009, at 2:00 o'clock P.M. in Room 211 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 the State House.

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

ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Ruggerio, the Senate adjourns at 4:41 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR ELIZABETH A. CROWLEY

Dear Lord, bestow your special blessings on all assembled in this chamber. Help us to always bear in mind that the people who elected us to serve them have placed their trust in us. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, JUNE 2, 2009:

1 Nomination of Douglas J. Bennett (reappointment) to the Rhode Island State Council on the Arts, for a term expiring March 1, 2012.

Committee on Constitutional & Regulatory Issues recommends that the Senate give its Advice and Consent to this nomination.

2 Nomination of Dana Neugent (appointment) of Ashaway VICE Margaret Melozzi to the Rhode Island State Council on the Arts for a term expiring March 1, 2010.

Committee on Constitutional & Regulatory Issues recommends that the Senate give its Advice and Consent to this nomination.

3 Nomination of Jean Rondeau (appointment) of Woonsocket VICE Anne T. Quintero to the Rhode Island State Council on the Arts for a term expiring March 1, 2012.

Committee on Constitutional & Regulatory Issues recommends that the Senate give its Advice and Consent to this nomination.

4 Nomination of David M. Wax (appointment) of Providence VICE Christopher McMahon to the Rhode Island State Council on the Arts for a term expiring March 1, 2011.

Committee on Constitutional & Regulatory Issues recommends that the Senate give its Advice and Consent to this nomination.

5 Nomination of Kenneth G. Findlay (Representing Librarians Serving Institutionalized Persons) (appointment) of Exeter VICE Mary Cummings to the Library Board of Rhode Island, for a term expiring December 31, 2010.

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

6 Nomination of Joan Retsinas (appointment) (Representing General Public) of Providence VICE William Allen to the Library Board of Rhode Island, for a term expiring December 31, 2011.

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

7 Nomination of Carol S. Terry (appointment) (Representing Academic Librarians) of Providence VICE Peter Deekle to the Library Board of Rhode Island, for a term expiring December 31, 2010.

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

8 Nomination of Shirley Long (reappointment) (Representing Medium/Large Public Libraries) of Hope Valley to the Library Board of Rhode Island, for a term expiring December 31, 2011.

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

9 Nomination of Alison Peirce (appointment) of North Smithfield VICE Josh Teverow to the Library Board of Rhode Island, for a term expiring December 31, 2010.

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

10 Nomination of Kristen Chin (appointment) (Representing Small Public Libraries) of North Scituate VICE Leslie Bennett McDonough to the Library Board of Rhode Island, for a term expiring December 31, 2011.

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

11. 2009-S 25

BY Ciccone

**ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT
THE UNITED STATES CONGRESS AND PRESIDENT-ELECT
OBAMA PASS FEDERAL USURY LEGISLATION**

Committee on Constitutional & Regulatory Issues recommends passage.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, JUNE 2, 2009:****1. 2009-S 191****BY Sosnowski****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY**

Committee on Housing & Municipal Government recommends passage.

2. 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.

3. 2009-S 440**BY Blais****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS**

Committee on Labor recommends passage.

4. 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.

5. 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.

6. 2009-S 375**BY Maselli****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- BURGLARY
AND BREAKING AND ENTERING**

Committee on Judiciary recommends passage.

7. 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.

8. 2009-S 874**BY Picard****ENTITLED,** AN ACT RELATING TO TAXATION - TAX SALES

Committee on Judiciary recommends passage.

9. 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.

IN ORDER FOR WEDNESDAY, JUNE 3, 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 865**BY Ciccone****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Committee on Government Oversight recommends passage.

3. 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.

4. 2009-S 455**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE DEPARTMENT OF CORRECTIONS INTAKE SERVICE CENTER

Committee on Constitutional & Regulatory Issues recommends passage.

5. 2009-S 457**BY Algiere****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

Committee on Constitutional & Regulatory Issues recommends passage.

6. 2009-S 700**BY Raptakis****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL BUSINESS PERMITS AND FEE COLLECTION FORMS**

Committee on Constitutional & Regulatory Issues recommends passage.

7. 2009-S 715**BY Maselli****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND**

Committee on Constitutional & Regulatory Issues recommends passage.

8. 2009-S 395 SUB A**BY DiPalma****ENTITLED, AN ACT RELATING TO EDUCATION**

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

9. 2009-S 356 SUB A**BY McCaffrey****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES**

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

10. 2009-S 471 SUB A as amended**BY Doyle****ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES**

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

11. 2009-S 537**BY Maher****ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION, AND HOSPITALS - MENTAL HEALTH LAW**

Committee on Health & Human Services recommends passage.

12. 2009-S 542 SUB A**BY Levesque C****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - REVISED
UNIFORM ANATOMICAL GIFT ACT**

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

13. 2009-S 560 SUB A**BY Walaska****ENTITLED, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS**

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

14. 2009-S 710**BY Gallo****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
RADIOLOGIC TECHNOLOGISTS LICENSING**

Committee on Health & Human Services recommends passage.

15. 2009-S 639**BY Ruggerio****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
HOISTING ENGINEERS**

Committee on Labor recommends passage.

16 2009-S 384 SUB A**BY DiPalma****ENTITLED, AN ACT RELATING TO EDUCATION**

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