

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.55

Tuesday, June 9, 2009

Fifty-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 4:11 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 Pinga to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Fifty-fourth Legislative Day of the 2009 proceedings is read in part.

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

COMMUNICATIONS

The Honorable President presents the following communications:

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

June 9, 2009

Teresa M. Paiva-Weed
Senate President
Room 318
State House
Providence, RI 02903

Dear Senate President Paiva-Weed

I am writing to inform you that I will not be attending Tuesday, June 9th session. My son has a school field trip of which I will be attending with him.

Thank you for your understanding in this matter.

Sincerely,

Juan M. Pichardo
Senator District -2

Read and ordered to be placed on file.

Also:

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

June 9, 2009

Honorable M. Teresa Paiva-Weed
Senate President
Room 318,
State House
Providence, RI 02903

Dear Madam President:

Please be advised that I will be absent from the Senate session on June 9, 2009.

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

Thank you for your assistance.

Sincerely,

Louis P. DiPalma
Senator District 12

Read and ordered to be placed on file.

Also:

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

June 8, 2009

Honorable M. Teresa Paiva-Weed
Senate President
Room 318,
State House
Providence, RI 02903

Dear Senate President:

This is to inform you that I will be out of state on Thursday, June 11, 2009, and, therefore, will not be present for the Senate session on that day.

Thank you for your assistance in this matter.

Best wishes

Sincerely,
Louis P. DiPalma
Senator District 12

Read and ordered to be placed on file.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5774 (Business Regulation)

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE SUPERVISION
{LC1666/1}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5975 SUB A

BY Corvese

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- BROADBAND DEPLOYMENT AND INVESTMENT ACT (would create the broadband deployment and investment act designed to implement proper regulations and oversight thereof) {LC2156/1/A}

Received and referred to the Senate Committee on Corporations

Also:

House Bill No. 5599 SUB A

BY Kennedy, Kilmartin, Baldelli-Hunt, Brien, Carter

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES -- BOSTON RED SOX/JIMMY FUND LICENSE PLATES {LC1910/1/A}

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

Also:

House Bill No. 5451 SUB A

BY Pacheco, McCauley, Ehrhardt, Williams, Fierro

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - NEW ENGLAND PATRIOTS CHARITABLE FOUNDATION {LC1303/1/A}

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

Also:

House Resolution No. 5897 as amended

BY Serpa, Vaudreuil, Mattiello, Silva, Pollard

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL BUSINESS PERMITS AND FEE COLLECTION FORMS {LC2094/1}

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

Also:

House Bill No. 5461 SUB A

BY Segal, Ruggiero, Rice A, Edwards, Kennedy

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RENEWABLE ENERGY STANDARD {LC1367/1/A}

Received and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 5690 SUB A

BY Rice M, Naughton, Walsh, Carter, Pollard

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- DISEASES AND PARASITES (would establish the Asian Longhorn Beetle & the Emerald Ash Borer as a nuisance. It would also establish penalties for unlawful importation & transportation of said pests) {LC1210/1/A}

Received and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 5089

BY Carter, Serpa

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- DESIGNERS OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS (would amend certain conditions necessary for obtaining a designers license under this chapter relative to individual sewage disposal systems)

Received and referred to the Senate Committee on Environment and Agriculture

Also:

House Resolution No. 5616

BY Walsh, Ferri, Segal, Rice M

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO DEVELOP RECOMMENDATIONS FOR ESTABLISHING A COMPREHENSIVE PRODUCT STEWARDSHIP APPROACH TO REDUCING ENVIRONMENTAL AND HEALTH RISKS POSED BY THE USE OR DISPOSAL OF PRODUCTS {LC1662/1}

Received and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 5061 SUB A

BY Edwards, Malik, Gallison, Pollard, Silva

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - INDUSTRIAL PROPERTY AND REMEDIATION REUSE (would expand the scope of liability and penalties for violations of the Industrial Property Remediation and Reuse Act.) {LC157/1/A}

Received and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 6007

BY Ruggiero, Jackson, Rice A

ENTITLED, AN ACT RELATING TO TAXATION {LC2171/1}

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

Also:

House Bill No. 6013 SUB A

BY Azzinaro, Walsh, Kennedy

ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY {LC2140/1/A}

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

Also:

House Bill No. 6211

BY Lally

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Judge Robert S. Cohen to join Caroline Elizabeth Sartor and Peter Douglas Abrams in marriage within the Town of Narragansett, Rhode Island on or about July 25, 2009.) {LC2642/1}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5290

BY O`Neill JP, Petrarca, Lally

ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS (would set the statewide poll closing time at 8:00 p.m.)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5488

BY Lally, Jackson

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- TRUSTEE POWERS (would expand the powers of a trustee to allow them to donate a conservation easement on any real property in order to obtain the benefit of the state tax exclusion)

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5490

BY Lally, Jackson

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - COLLECTION AND MANAGEMENT OF DECEDENTS' ESTATES (would allow any executor or administrator of an estate to donate a conservation easement on real estate to obtain the benefit of a federal state tax exclusion)

Received and referred to the Senate Committee on Judiciary

Also:

House Resolution No. 5896 SUB A

BY Fox, Rice M, Ajello, Melo, McNamara

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF A BLUEPRINT FOR A NEW GENERATION OF TEACHER EDUCATION IN RHODE ISLAND {LC1903/2/A}

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

Also:

House Bill No. 5600 SUB A

BY Naughton, Carter, Martin, Dennigan, Kennedy

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (would authorize the issuance of a special plate to the National M.S. Society bearing the designation "Join the Movement") {LC2029/2/A}

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

Also:

House Resolution No. 6184

BY Williams, Silva, Fox, Almeida, DaSilva

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND DEVELOP A STRATEGY FOR IMPROVING TRADE RELATIONS WITH THE COUNTRIES OF THE CONTINENT OF AFRICA {LC2586/1}

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

Also:

House Bill No. 5336 SUB A as amended

BY Kilmartin

ENTITLED, AN ACT RELATING TO WATER AND NAVIGATION - THE COASTAL RESOURCES MANAGEMENT COUNCIL (would require cities and towns to provide free parking at CRMC designated rights-of-way along the Rhode Island shore.) {LC514/1/A}

Received and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 6179

BY Shallcross Smith

ENTITLED, AN ACT IN AMENDMENT OF SECTION 4 OF AN ACT PASSED AT THE JANUARY SESSION 1930,

ENTITLED "AN ACT TO INCORPORATE THE SAYLESVILLE FIRE DISTRICT IN THE TOWN OF LINCOLN" AS AMENDED {LC2546/1}

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

Also:

House Bill No. 5730 SUB A as amended

BY Marcello, Hearn, Pollard

ENTITLED, AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS {LC2022/1/A}

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6151

BY Edwards

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE PORTSMOUTH DEMOCRATIC WOMEN'S CLUB {LC2551/1}

Received and referred to the Senate Committee on Judiciary

REPORTS OF COMMITTEES

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

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

Senate Bill No. 286 SUB A as amended

BY Senators Ciccone, Picard, Tassoni, Felag, Jabour

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - VIDEO LOTTERY TERMINAL {LC997/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 456 SUB A

BY Senators Goodwin, Connors

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - NEW ENGLAND PATRIOTS CHARITABLE FOUNDATION (would create a special registration plate for the New England Patriots Charitable Foundation.) {LC2016/2/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 459

BY Senators Tassoni, McBurney, Miller, Ciccone

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.) {LC1340/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 460 (by request)

BY Senators Felag, Paiva-Weed

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES
{LC1188/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 798 SUB A

BY Senators Perry, Jabour, Goodwin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES
{LC2044/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 855 SUB A

BY Senators Ruggerio, Lynch, Walaska, Felag

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (would require that commencing on January 1, 2010, vehicle owners would be issued new reflective plates & that reissuance would be conducted no less than every 10 years. It would further delete the reference to "general issuance wave plate.") {LC2396/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 920

BY Senators Paiva-Weed, Tassoni, Algieri, Sosnowski, Bates

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would create a special registration plate for the Audubon Society of Rhode Island/Save the Bay.) {LC2568/1}

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

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

Senate Bill No. 39 as amended

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

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT (would reduce the minimum sentences for crimes involving controlled substances.)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 274**BY** Senators McCaffrey, Gallo**ENTITLED**, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS (would change the title of the executive secretary of the parole board to administrator)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 276 SUB A**BY** Senators McCaffrey, Walaska**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION (would require the director and all board members of the Rhode Island Airport Corporation to receive the advice and consent of the senate prior to service) {LC1103/3/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 381 (Attorney General)**BY** Senator Maselli**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 760 SUB A (Governor)**BY** Senator Blais**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION (would make any individual whose name was publicly submitted to the governor by the judicial nominating commission, eligible for subsequent nomination by the governor until June 30, 2010) {LC1312/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 923**BY** Senator Jabour**ENTITLED**, AN ACT RELATING TO TAXATION -- POLITICAL ORGANIZATIONS (would impose a state tax of seven and one-half percent (7.5%) on the taxable income over one hundred dollars (\$100) of each political organization.) {LC2572/1}

Read and ordered to be placed on the Calendar

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 ordered to be placed on the Calendar

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 ordered to be placed on the Calendar

Also:

House Bill No. 5267 SUB A

BY Senator Ruggiero

ENTITLED, AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE (would allow the town of Jamestown to establish a juvenile hearing board) {LC911/1/A}

Read and ordered to be placed on the 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. 185 as amended

BY Senators Perry, Goodwin, McCaffrey, Pichardo, Sosnowski

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 & their registered primary caregivers with respect to this act.)

Read and ordered to be placed on the bottom of the Calendar.

Also:

House Bill No. 5359 SUB A

BY Senators 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 be placed on the bottom of the Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1 Nomination of Claudia Staniszewski (reappointment) of North Scituate to the Rhode Island Rivers Council for a term expiring January 1, 2012.

2. 2009-H 6162

BY Jackson

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE NEWPORT FIREMAN'S RELIEF ASSOCIATION

3. 2009-H 6170

BY Mattiello

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF LEW'S AUTO BODY, INC.

4. 2009-H 6171

BY Mattiello

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF LEW'S AUTO SALES, INC.

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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, Felag, Fogarty, Gallo, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Raptakis, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR TUESDAY, JUNE 9, 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.

Senator Perry seconded by Senators DaPonte, Tassoni, Sosnowski, Felag, Gallo, Levesque, Maselli, Bates, Blais, Algieri and Maher moves that advice and consent of the Senate be given this appointment.

Senator Tassoni discusses the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

GUESTS

Upon suggestion of Senator Tassoni and by unanimous consent, the Honorable President welcomes to the Chamber Gary D. Alexander, newly appointed Secretary of the Office of Health and Human Services, along with his wife, Tania, his son's Luke and David, his mother-in-law Dalores, Director Russo, Debbie Baffi, Director Stenning, his mother-in-law, friend Mike Bernstein and staffs of the Executive office of Health and Human Services and Department of Human Services.

CALENDAR

2. **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.

Senator Raptakis seconded by Senators Tassoni, Crowley, Miller, Blais and Metts, offers the following written motion to amend.

FLOOR AMENDMENT

2009 -- S 700

JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL BUSINESS PERMITS AND FEE COLLECTION FORMS

Madam President:

I hereby move to amend 2009 -- S 700, entitled "JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL BUSINESS PERMITS AND FEE COLLECTION FORMS", as follows:

(1) On page 2, line 14, delete the numerals "2009" and insert in lieu thereof the numerals "2010".

(2) On page 2, line 15, delete the numerals "2009" and insert in lieu thereof the numerals "2010".

Respectfully submitted,
SENATOR RAPTAKIS

Senators Felag and Raptakis discuss the amendment.

The motion to amend prevails 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, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

3 2009-S 185 as amended

BY Perry

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O.
HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA
ACT

Committee on Health & Human Services recommends passage as amended in concurrence.

Senator Perry moves passage, seconded by Senators Miller, Sosnowski, Blais, Levesque, Goodwin, Lynch and Maher.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 31 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, Doyle, Felag, Fogarty, Gallo, Goodwin, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Jabour, Pinga

4 2009-H 5359 SUB A

BY Slater

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

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

Senator Perry moves passage, seconded by Senators Connors, Algieri, Levesque, Goodwin, Sosnowski, Miller, Blais and Lynch.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, Doyle, Felag, Fogarty, Gallo, Goodwin, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Jabour, Pinga

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.

GUESTS

Upon suggestion of Senator Maher and by unanimous consent, the Honorable President, welcomes to the Chamber Troop 29 from Little Compton, Koby, Jordan, Gilbert, Jon, Matt, Miles, and troop leaders Mark and Jon Donahue

ANNOUNCEMENTS

Senator Felag announces that the Committee on Environment and Agriculture will meet tomorrow, at the rise of the Senate, in the Senate Lounge of the State House.

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

Senator Sheehan announces that the Committee on Health and Human Services will meet tomorrow, 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 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 Doyle, seconded by Senator Algieri, the Senate stands at recess at 4:40 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 Wednesday, June 10, 2009, at 4:17 o'clock P.M.

NEW BUSINESS**Senate Bill No. 969**

BY Senators Lenihan, Sosnowski

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE (would create a recreational saltwater fishing license and would make it unlawful to fish in the marine waters of the state without first obtaining a license.) {LC2701/1}

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 970

BY Senator Algieri

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE (would create the interoperable communications committee (ICC) which would deal with statewide communications interoperability.) {LC2733/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 971

BY Senators Sheehan, Lenihan

ENTITLED, AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NORTH KINGSTOWN TO EXEMPT FROM TAXATION THE GILBERT STUART MEMORIAL, INC. (would increase the Gilbert Stuart Memorial, Inc.'s property tax exemption to eight million dollars (\$8,000,000).) {LC2757/1}

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

Also:

Senate Bill No. 972 (by request)

BY Senator Sheehan

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING (would include naturally occurring rental units which fall within the low & moderate income housing levels in the definition of low & moderate income housing. Also include units which utilize the H.U.D. sec. 8 program.) {LC2758/1}

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

Also:

Senate Bill No. 973

BY Senators Algieri, Maher

ENTITLED, AN ACT RELATING TO THE CHARLESTOWN FIRE DISTRICT (would make certain changes to the charter of the Charlestown fire district.) {LC2646/1}

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

Also:

Senate Bill No. 974

BY Senators Blais, Connors

ENTITLED, AN ACT RELATING TO THE RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION (would provide that the appointment of the exec. director of RI Housing and Mortgage Finance Corp. would be for a term of 3 years & would be subject to the advice and consent of the senate.) {LC2712/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 975

BY Senator Algieri

ENTITLED, SENATE RESOLUTION PROCLAIMING THE LAST WEEK IN MAY, 2009 AS "EHLERS-DANLOS SYNDROME AWARENESS WEEK" IN THE STATE OF RHODE ISLAND {LC2777/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Bill No. 976

BY Senator Algieri

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would provide that the Class B tavern liquor lic. of the Weekapaug Inn would not lapse during the period when the Inn is closed for renovations.) {LC2746/1}

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

Also:

Senate Bill No. 977

BY Senators Raptakis, Blais, Ciccone, Connors, Felag

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ALLOCATION FOR ART FOR PUBLIC FACILITIES ACT {LC2741/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Resolution No. 978

BY Senators Doyle, McBurney

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF MAY, 2009 TO BE "PEACE MONTH" IN THE STATE OF RHODE ISLAND {LC2756/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Bill No. 979

BY Senators Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Marcia Reback to join Maureen G. Martin and Kevin W. Ryan in marriage within the Town of Narragansett, Rhode Island on or about August 1, 2009.) {LC2770/1}

Read and referred to the Senate Committee on Judiciary

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

Senator Tassoni from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

Senate Bill No. 869**BY** Senators Lenihan, Sosnowski, Miller, DiPalma**ENTITLED**, AN ACT RELATING TO HIGHWAYS - OUTDOOR ADVERTISING (prevents the director of transportation from regulating any on-premise or off- premise non-commercial speech contained within any outdoor advertising along state highways.) {LC2407/1}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5010**BY** Pacheco**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TRAFFIC CONTROL DEVICES (would permit buses and other motor vehicles owned and operated by the Rhode Island public transit authority to use traffic control signal preemption devices to prolong green traffic signals)

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5055**BY** Corvese, Schadone, San Bento, Wasylyk**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)

Read and ordered to be placed on the Consent Calendar.

Also:

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

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5181 as amended**BY** Menard, MacBeth**ENTITLED**, AN ACT RELATING TO CUMBERLAND HILL FIRE DISTRICT IN THE TOWN OF CUMBERLAND

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5268

BY Shallcross Smith, Petrarca

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

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6040

BY Jackson, Rice A, Martin

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES {LC2298/1}

Read and ordered to be placed on the Calendar.

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the Senate adjourns at 4:18 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR MICHAEL J. PINGA

We ask, you, Lord, to show us in this chamber our place, define our duties, direct our energies, and guide us as we work. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, JUNE 11, 2009:

1. 2009-S 975

BY Algieri

ENTITLED, SENATE RESOLUTION PROCLAIMING THE LAST WEEK IN MAY, 2009 AS "EHLERS-DANLOS SYNDROME AWARENESS WEEK" IN THE STATE OF RHODE ISLAND

Ordered to be placed on the Consent Calendar

2. 2009-S 978

BY Doyle

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF MAY, 2009 TO BE "PEACE MONTH" IN THE STATE OF RHODE ISLAND

Ordered to be placed on the Consent Calendar

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 10, 2009:****1. 2009-S 944 as amended****BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION**

Committee on Education recommends passage as amended.

2. 2009-S 954**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO EDUCATION**

Committee on Education recommends passage.

3. 2009-S 251**BY McCaffrey****ENTITLED, AN ACT RELATING TO ELECTIONS -- NOMINATION OF
PARTY AND INDEPENDENT CANDIDATES**

Committee on Judiciary recommends passage.

4. 2009-S 325**BY Crowley****ENTITLED, AN ACT RELATING TO ELECTIONS - PRIMARY ELECTIONS**

Committee on Judiciary recommends passage.

5. 2009-S 366**BY Crowley****ENTITLED, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING**

Committee on Judiciary recommends passage.

6. 2009-S 640 as amended**BY Ruggerio****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS**

Committee on Labor recommends passage as amended.

7. 2009-S 713**BY Perry****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
CERTIFIED SCHOOL TEACHERS ARBITRATION**

Committee on Labor recommends passage.

IN ORDER FOR THURSDAY, JUNE 11, 2009:**1. 2009-S 374 SUB A****BY Lenihan****ENTITLED, AN ACT RELATING TO PUBLIC RECORDS -- ACCESS TO
PUBLIC RECORDS**

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

2. 2009-S 568 as amended**BY McCaffrey****ENTITLED, AN ACT RELATING TO ELECTIONS -- BALLOT ARRANGEMENT**

Committee on Judiciary recommends passage as amended.

3. 2009-S 865**BY Ciccone****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
STATE PURCHASES**

Committee on Government Oversight recommends passage.

4. 2009-S 286 SUB A as amended**BY Ciccone****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
VIDEO LOTTERY TERMINAL**

Committee on Constitutional & Regulatory Issues recommends indefinite postponement of the original bill and passage of Substitute A as amended.

5. 2009-S 456 SUB A**BY Goodwin****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - NEW
ENGLAND PATRIOTS CHARITABLE FOUNDATION**

Committee on Constitutional & Regulatory Issues recommends indefinite postponement of the original bill and passage of Substitute A.

6. 2009-S 459**BY Tassoni****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

Committee on Constitutional & Regulatory Issues recommends passage.

7. 2009-S 460**BY Felag****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Constitutional & Regulatory Issues recommends passage.

8. 2009-S 798 SUB A**BY Perry****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES

Committee on Constitutional & Regulatory Issues recommends indefinite postponement of the original bill and passage of Substitute A.

9. 2009-S 855 SUB A**BY Ruggerio****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES

Committee on Constitutional & Regulatory Issues recommends indefinite postponement of the original bill and passage of Substitute A.

10. 2009-S 920**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Constitutional & Regulatory Issues recommends passage.

11. 2009-S 869**BY Lenihan****ENTITLED,** AN ACT RELATING TO HIGHWAYS - OUTDOOR ADVERTISING

Committee on Housing & Municipal Government recommends passage.

12. 2009-S 39 as amended**BY Metts****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

Committee on Judiciary recommends passage as amended.

13. 2009-S 274**BY McCaffrey****ENTITLED,** AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS

Committee on Judiciary recommends passage.

14. 2009-S 276 SUB A**BY McCaffrey****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION

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

15. 2009-S 381**BY Maselli****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION

Committee on Judiciary recommends passage.

16. 2009-S 760 SUB A**BY Blais****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION

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

17. 2009-S 923**BY Jabour****ENTITLED,** AN ACT RELATING TO TAXATION -- POLITICAL ORGANIZATIONS

Committee on Judiciary recommends passage.

18. 2009-S 928**BY Gallo****ENTITLED,** AN ACT RELATING CRIMINAL OFFENSES -- SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION

Committee on Judiciary recommends passage.

19. 2009-S 930

BY Gallo

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL
OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION

Committee on Judiciary recommends passage.

20. 2009-H 5267 SUB A

BY Ruggiero

ENTITLED, AN ACT RELATING TO EDUCATION -- COMPULSORY
ATTENDANCE

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