

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.57

Thursday, June 11, 2009

Fifty-seventh 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 4:41 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 3: Senators Fogarty, Lanzi, Pichardo.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator O'Neill and by unanimous consent, the Honorable President, welcomes to the Chamber Barry Schiller of North Providence, member of THE Transportation Advisory Committee.

Upon suggestion of Senator Maher and by unanimous consent, the Honorable President, welcomes to the Chamber Jeffery Parenteau from West Greenwich and Cathy Jimenez Long from West Greenwich.

Upon suggestion of Senator Ruggerio and by unanimous consent, the Honorable President, welcomes to the Chamber Principal Susan Chin, Assistant Principal Joseph Cappuccilli, Resource Teacher Peggy Szlosek and 6th grade teacher Michael Fioravanti.

NEW BUSINESS**Senate Resolution No. 981**

BY Senator Ruggerio

ENTITLED, SENATE RESOLUTION CONGRATULATING VEAZIE STREET SCHOOL ON THE JOYOUS OCCASION OF THEIR 100TH ANNIVERSARY {LC2730/1}

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ruggerio moves passage, seconded by Senators Metts Algieri and Goodwin.

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

Also:

Senate Resolution No. 982

BY Senator Pinga

ENTITLED, SENATE RESOLUTION CONGRATULATING GIANCARLO A. PALAZZO ON RECEIVING AN APPOINTMENT TO THE UNITED STATES NAVAL ACADEMY {LC2769/1}

Senator Pinga requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

GUESTS

Upon suggestion of Senator Pinga and by unanimous consent, the Honorable President, welcomes to the Chamber Giancarlo A Palazzo, Ursila E. Senerchis, Norma Jean Palazzo and Commander Alan G. Palazzo.

NEW BUSINESS**Senate Resolution No. 983****BY** Senator Blais**ENTITLED**, SENATE RESOLUTION RECOGNIZING AND COMMENDING BENJAMIN LUSIGNAN UPON ACHIEVING SCOUTING'S MOST DISTINGUISHED HONOR, THE RANK OF EAGLE SCOUT {LC2806/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Bill No. 984**BY** Senator Maher**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2807/1}

Senator Maher requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Maher moves passage, seconded by Senators Blais and Perry.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

CONSENT CALENDAR

In order for the day is taken up as follows:

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
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
3. **2009-H 5010**
BY Pacheco
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TRAFFIC CONTROL DEVICES
4. **2009-H 5055**
BY Corvese
ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE
5. **2009-H 5078**
BY Gemma
ENTITLED, AN ACT RELATING TO HIGHWAYS
6. **2009-H 5268**
BY Shallcross Smith
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
7. **2009-H 6040**
BY Jackson
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES

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

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque,

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

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, JUNE 11, 2009:

6. 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.

Senator Goodwin moves passage, seconded by Senators Tassoni, Miller, Connors, Algieri, Ciccone, Felag, Crowley and Lynch.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President, welcomes to the Chamber Coryn Drown, Andre Tippett from the New England Patriots Foundation.

1. 2009-S 713

BY Perry

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - CERTIFIED SCHOOL TEACHERS ARBITRATION

Committee on Labor recommends passage.

Senator Ruggerio moves passage, seconded by Senators Perry, Goodwin, McCaffrey, DeVall, Sheehan, Lynch, Maselli and Metts.

Senators Perry, Maher, Picard, O'Neill Ciccone, DeVall and Sheehan discuss the act.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 2 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Maher, Pinga

ABSTAINED- 1: Senator Picard

2. 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.

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Wednesday, June 17, 2009.

3. 2009-S 568 as amended

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS -- BALLOT ARRANGEMENT

Committee on Judiciary recommends passage as amended.

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Thursday, June 18, 2009.

NOW PRESIDING

The Honorable President, yields the rostrum to the Honorable John F. McBurney III, President Pro Tempore of the Senate at 5:10 o'clock P.M.

CALENDAR

4. 2009-S 865

BY Ciccone

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

Committee on Government Oversight recommends passage.

Senator Ciccone seconded by Senators Walaska, Ruggerio, Levesque and Tassoni, offers the following written motion to amend.

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

2009 -- S 865

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Madam President:

I hereby move to amend 2009 -- S 865, entitled "AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES", as follows:

By deleting all of the language following the enactment clause and inserting in place thereof the following:

"SECTION 1. Section 37-2-18 of the General Laws in Chapter 37-2 entitled "State Purchases" is hereby amended to read as follows:

37-2-18. Competitive sealed bidding. -- (a) Contracts exceeding the amount provided by section 37-2-22 shall be awarded by competitive sealed bidding unless it is determined in writing that this method is not practicable or that the best value for the state may be obtained by using an electronic reverse auction as set forth in section 37-2-18.1. Factors to be considered in determining whether competitive sealed bidding is practicable shall include whether: (1) Specifications can be prepared that permit award on the basis of either the lowest bid price or the lowest evaluated bid price; and (2) The available sources, the time and place of performance, and other relevant circumstances as are appropriate for the use of competitive sealed bidding. (b) The invitation for bids shall state whether the award shall be made on the basis of the lowest bid price or the lowest evaluated or responsive bid price. If the latter basis is used, the objective measurable criteria to be utilized shall be set forth in the invitation for bids, if available.

(c) Unless the invitations for bid are accessible under the provisions as provided in section 37-2-17.1, public notice of the invitation for bids shall be given a sufficient time prior to the date set forth therein for the opening of bids. Public notice may include publication in a newspaper of general circulation in the state as determined by the purchasing agent not less than seven (7) days nor more than twenty-eight (28) days before the date set for the opening of the bids. The purchasing agent may make a written determination that the twenty-eight (28) day limitation needs to be waived. The written determination shall state the reason why the twenty-eight (28) day limitation is being waived and shall state the number of days, giving a minimum and maximum, before the date set for the opening of bids when public notice is to be given.

(d) Bids shall be opened and read aloud publicly at the time and place designated in the invitation for bids. Each bid, together with the name of the bidder, shall be recorded and an abstract made available for public inspection.

(e) Immediately subsequent to the opening of the bids, the bid documents submitted or a copy thereof, as provided pursuant to regulations promulgated by the department of administration shall be made available for inspection by the public. Any objection to any bid on the grounds that it is non-responsive to the invitation for bids must be filed with the purchasing agent within five (5) business days of the opening of the bids. The purchasing agent shall issue a written determination as to whether the subject bid is non-responsive addressing each assertion in the objection and shall provide a copy of the determination to the objector and all those who submitted bids at least seven (7) business days prior to the award of the contract. The requirements set forth in an invitation to bid are mandatory. If a bid is non-responsive to the requirements in the invitation to bid, the bid is invalid and the purchasing agent shall reject the bid. The purchasing agent shall have no discretion to waive any requirements in the invitation to bid.

(f) Subsequent to the awarding of the bid, all documents pertinent to the awarding of the bid shall be made available and open to public inspection and retained in the bid file.

~~(e)~~(g) The contract shall be awarded with reasonable promptness by written notice to the responsive and responsible bidder whose bid is either the lowest bid price, lowest evaluated, or responsive bid price.

~~(f)~~(h) Correction or withdrawal of bids may be allowed only to the extent permitted by regulations issued by the chief purchasing officer.

SECTION 2. This act shall take effect on January 1, 2010 for all contracts greater than one million dollars (\$1,000,000); on January 1, 2011 for all contracts greater than five hundred thousand dollars (\$500,000); and on January 1, 2012 for all contracts awarded pursuant to this section.”

Respectfully submitted,
SENATOR LENIHAN

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Ciccone moves passage of the act, as amended, seconded by Senators Walaska and Ruggerio.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5. 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.

Senator Ciccone moves passage, seconded by Senators Tassoni, Ruggerio and Bates.

Senators Goodwin and Ciccone discuss the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 1 Senator voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: Senators Algieri, Bates, Blais, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Raptakis

ABSTAINED- 1: Senator Paiva Weed

7. 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.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to the Honorable Teresa M. Paiva Weed, President of the Senate at 5:16 o'clock P.M.

8. 2009-S 460

BY Felag

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Constitutional & Regulatory Issues recommends passage.

Senator Felag moves passage, seconded by Senators DiPalma, Sheehan, Crowley, Sosnowski and Bates.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, O'Neill, Perry, Picard, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0

ABSTAINED- 1: Senator Miller.

9. 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.

Upon suggestion of Senator Perry and without objection, ordered to be placed on the Calendar for Wednesday, June 17, 2009.

10. 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.

Senator Goodwin moves passage, seconded by Senators Crowley, Lynch, and Tassoni.

Senators Blais, Levesque and Crowley discuss the act.

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

NAYS- 0:

11. 2009-S 920

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Constitutional & Regulatory Issues recommends passage.

Senator Tassoni moves passage, seconded by Senator Connors.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12. 2009-S 869

BY Lenihan

ENTITLED, AN ACT RELATING TO HIGHWAYS - OUTDOOR ADVERTISING

Committee on Housing & Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Wednesday, June 17, 2009.

13. 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.

Senator Metts moves passage, seconded by Senators McCaffrey, Perry, DaPonte and Levesque.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Blais, Maher, Pinga

GUESTS

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President, welcomes to the Chamber Representative Deb Ruggiero.

14. 2009-S 274

BY McCaffrey

ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL
INSTITUTIONS

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Levesque and Ciccone.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

15. 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.

Senator McCaffrey moves passage, seconded by Senators Felag, Sheehan, Sosnowski, Ruggerio, Walaska and Ciccone.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16. 2009-S 381

BY Maselli

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION

Committee on Judiciary recommends passage.

Senator Maselli moves passage, seconded by Senators McCaffrey, Ruggerio, Sosnowski, Lynch and Jabour.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

17. 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.

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

Senators Gallo discusses the act.

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 and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED-1: Senator Lynch

18. 2009-S 923

BY Jabour

ENTITLED, AN ACT RELATING TO TAXATION -- POLITICAL ORGANIZATIONS

Committee on Judiciary recommends passage.

Senator Jabour moves passage, seconded by Senators McCaffrey and Ruggerio.

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Bates, Blais, Crowley.

19. 2009-S 928

BY Gallo

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

Committee on Judiciary recommends passage.

Senator Gallo moves passage, seconded by Senators Felag, Perry, Doyle, Goodwin, Metts and Miller.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

20. 2009-S 930

BY Gallo

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

Committee on Judiciary recommends passage.

Senator Gallo moves passage, seconded by Senators Sosnowski, Crowley, DiPalma and Metts.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

21. 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.

Senator Ruggerio seconded by Senator Connors, offers the following written motion to amend.

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

2009 -- H 5267 SUBSTITUTE A

AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE

Madam President:

I hereby move to amend 2009 -- H 5267 SUBSTITUTE A, entitled "AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE", as follows:

(1) By striking all the language after the enactment clause and inserting in place thereof the following language:

"SECTION 1. Chapter 8-10 of the General Laws entitled "Family Court" is hereby amended by adding thereto the

following section:

8-10-23.3. Jamestown Juvenile hearing board. -- The town of Jamestown shall have the authority to create a juvenile hearing board subject to the provisions of section 8-10-23.1, and the requirements of the town's regulations, charter or ordinances.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,
SENATOR Ruggiero

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Ruggiero moves passage of the act, as amended, seconded by Senators Blais, Maher, O'Neill and DiPalma.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggiero, 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.

GUESTS

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President, welcomes to the Chamber Representative Peter Martin.

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President, welcomes to the Chamber John and Barbara Cullen.

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 today, at the rise of the Senate, in Room 211 of the State House.

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

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

ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Connors, the Senate adjourns at 5:40 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR ROGER A. PICARD

Almighty God, may we pursue our tasks with a sense of Your presence. Give us the wisdom not to squander energy on things that do not matter nor put off until tomorrow that which can be done today. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, JUNE 16, 2009:

- 1 Nomination of David P. Kerins, Esquire (reappointment) of Newport as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management: for a term expiring March 1, 2014. .**

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

- 2 Nomination of David M. Spinella (appointment) of North Providence VICE Mary F. McMahan (retired) as Hearing Officer in the Div. of Administrative Adjudication in the State DEM, for a term expiring March1, 2012..**

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

- 3. 2009-H 5393**

BY Slater

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CENTER FOR HEALTH PROFESSIONS ACT

Committee on Health & Human Services recommends passage in concurrence.

- 4. 2009-H 5449 SUB A**

BY Naughton

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 in concurrence.

- 5. 2009-H 5454 SUB A as amended**

BY McCauley

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 as amended in concurrence.

- 6. 2009-H 5479 SUB B**

BY McNamara

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 the Substitute A and passage of Substitute B.

7. **2009-H 5536 SUB A**

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER
HEALTH INSURANCE

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

8. **2009-H 5797 SUB A as amended**

BY Carnevale

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

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

9. **2009-H 5581**

BY Lally

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

Committee on Labor recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, JUNE 16, 2009:****1. 2009-S 111 SUB A****BY Miller****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS**

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

2. 2009-S 955**BY Connors****ENTITLED, AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE QUINNVILLE FIRE DISTRICT IN THE TOWN OF LINCOLN, AS AMENDED**

Committee on Housing & Municipal Government recommends passage.

3. 2009-S 86 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION**

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

4. 2009-S 330 SUB A**BY Maher****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TRADE LICENSE RENEWAL SCHEDULES**

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

5. 2009-H 5415 SUB B**BY Naughton****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

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

IN ORDER FOR WEDNESDAY, JUNE 17, 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 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.

3. 2009-S 869

BY Lenihan

ENTITLED, AN ACT RELATING TO HIGHWAYS - OUTDOOR ADVERTISING

Committee on Housing & Municipal Government recommends passage.

IN ORDER FOR THURSDAY, JUNE 18, 2009:

1. 2009-S 568 as amended

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS -- BALLOT ARRANGEMENT

Committee on Judiciary recommends passage as amended.