

## State of Rhode Island and Providence Plantations

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# Journal of the Senate

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**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.**

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Volume 136, No.58

Tuesday, June 16, 2009

Fifty-eighth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 4:28 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 Maselli, to deliver the invocation.

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### APPROVAL OF RECORD

The Senate Journal's of the Fifty-sixth and Fifty-seventh Legislative Day of the 2009 proceedings are read in part.

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

## GUESTS

Upon suggestion of Senator Maher and by unanimous consent, the Honorable President, welcomes to the Chamber Larry Valencia, the new President of Operation Clean Government.

## COMMUNICATION

The Honorable President presents the following communication:

**State of Rhode Island and Providence Plantations  
State House**

Providence, Rhode Island  
401-222-2080  
Donald L. Carcieri  
Governor

June 12, 2009

TO THE HONORABLE, THE PRESIDENT OF THE SENATE:

In accordance with the provisions of Section 14, Article IX of the Constitution of the State of Rhode Island and Section 43-1-4 of the Rhode Island General Laws, I transmit, with my disapproval, 2009 S 185, as amended, "An Act Relating to Food and Drugs-The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act."

This act would provide for the creation and regulation of non-profit medical marijuana compassion centers to acquire, possess, cultivate, manufacture, deliver, transfer, transport, supply or dispense marijuana or related equipment in Rhode Island.

The Supreme Court, in *Us. v. Oakland Cannabis Buyers' Coop.*, 532 U.S. 483 (2001), affirmed that federal law classifies marijuana as a controlled substance, and as such, is afforded no exclusion from the prohibitions found in the Controlled Substances Act, despite attempts to argue "medical necessity." Although it has been argued that because federal officials have stated that they will not be proactive in enforcing federal drug laws in the case of medicinal marijuana, these federal officials cannot choose to ignore the laws effectively passed by Congress.

In *Gonzales v. Raich*, 454 U.S. I (2005), the Supreme Court ruled that it is Congress' constitutional responsibility to regulate the interstate drug market, whether legal or not. This ruling puts the individual grower and any future "compassion center," regardless of licensing status with the State, at risk for prosecution by the federal government, while significantly complicating the responsibilities of state and local law enforcement officials. In fact, yesterday a federal judge sentenced a medical marijuana dealer in California to prison.

If enacted, this legislation would move Rhode Island further down the path of weakening the laws governing illicit drugs. Additionally, the passage of this act would create a public perception that Rhode Island is complacent towards drugs that are illegal in the United States, especially as Rhode Island has already experienced a recent significant increase in marijuana usage among persons 12 years and older as well as a decrease in the perception of the risk of marijuana use among that same population. The General Assembly should be passing stronger drug laws, not passing laws that condone the growth, manufacture and sale of a drug that is deemed illegal by the federal government.

Allowing the manufacture and sale of federally illegal drugs would send the wrong message to our children and would place them at risk. Although the intent of the legislation is to allow consenting adults to use marijuana only for medicinal purposes based on illness, the increased availability, along with a complacent attitude, will no doubt result in increased usage, and will negatively impact the children of Rhode Island.

For these reasons, I disapprove of this legislation and respectfully urge your support of this veto.

Sincerely,



Donald L. Carcieri  
Governor

**FROM THE HOUSE OF REPRESENTATIVES**

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

**House Bill No. 6088**

**BY** Lima, Wasylyk, Williams

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would prohibit any liquor licensee from knowingly allowing the use of its premises as part of an organized pub crawl) {LC2371/1}

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

Also:

**House Bill No. 5773 SUB A (Business Regulation)**

**BY** Watson

**ENTITLED**, AN ACT RELATING TO INSURANCE {LC1673/1/A}

Received and referred to the Senate Committee on Corporations

Also:

**House Bill No. 5794 SUB A**

**BY** Malik, Walsh, Gablinske, Winfield

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT {LC1118/1/A}

Received and referred to the Senate Committee on Environment and Agriculture

Also:

**House Bill No. 5655**

**BY** Naughton, Handy, Walsh, Jacquard

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - HEARING AID DEALERS AND FITTERS (would require that a receipt for a hearing aid includes language that the client has been informed about other technologies and services for the deaf and hard of hearing) {LC1863/1}

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

Also:

**House Bill No. 6195 SUB A****BY** Azzinaro, Walsh, Kennedy**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY (would reduce the membership of the housing board of review of the town of Westerly to three members) {LC2597/1/A}

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

Also:

**House Bill No. 6219****BY** Ehrhardt, Lally, Carter**ENTITLED**, AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NORTH KINGSTOWN TO EXEMPT FROM TAXATION THE GILBERT STUART MEMORIAL, INC. {LC2679/1}

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

Also:

**House Bill No. 6216****BY** Savage**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Harry W. Cary III to join Ronald A. Russell and Mary E. Kent in marriage within the Town of Barrington, Rhode Island on or about August 29, 2009.) {LC2669/1}

Received and referred to the Senate Committee on Judiciary

Also:

**House Bill No. 6217****BY** Ehrhardt**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Kimberly Giampietro, Esquire to join Erika Pearson and Philip Giampietro in marriage within the Town of North Kingstown, Rhode Island on or about August 15, 2009.) {LC2599/1}

Received and referred to the Senate Committee on Judiciary.

**REPORTS OF COMMITTEES  
COMMITTEE ON JUDICIARY**

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

**Senate Bill No. 428 SUB A****BY** Senators Sheehan, Jabour, Lenihan, Cote, Sosnowski

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- JUDICIAL SELECTION (would increase the time that the governor has to fill a judicial vacancy after a list of names is submitted from twenty-one (21) days to forty-five (45) days) {LC1779/1/A}

Read and ordered to be placed on the Calendar.

#### **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:

**House Bill No. 6007**

**BY** Ruggiero, Jackson, Rice A

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

Read and ordered to be placed on the Consent Calendar

Also:

**House Bill No. 6144** as amended

**BY** Pacheco, Newberry

**ENTITLED**, AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION {LC2417/1}

Read and ordered to be placed on the Consent Calendar

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 ordered to be placed on the Calendar

#### **COMMITTEE ON CORPORATIONS**

Senator Miller from the Committee on Corporations, reports back, with recommendation of passage of the following measures:

**House Bill No. 5193** SUB A

**BY** Kennedy, Kilmartin, Pacheco, Lima, Petrarca

**ENTITLED**, AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE RATINGS {LC800/1/A}

Read and ordered to be placed on the Consent Calendar.

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 be placed on the Consent Calendar.

Also:

**Senate Bill No. 968**

**BY** Senators Walaska, Connors, Miller

**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.) {LC2715/1}

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 229 SUB A**

**BY** Senators Walaska, Bates

**ENTITLED**, AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT (would create comprehensive standards in the establishment and administration of life settlements contracts.) {LC1017/1/A}

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 475**

**BY** Senator Walaska

**ENTITLED**, AN ACT RELATING TO FIDUCIARIES - UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS (would update Rhode Island's "Uniform Management of Institutional Funds Act" which was enacted in 1972.) {LC1283/1}

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 953**

**BY** Senators Fogarty P, Gallo

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - HOME PROPANE GAS SALES (regulate retail contracts for the home sale of propane gas that offer guaranteed price plans/It would require that the contract clearly define in plain language the terms and conditions of the price plans and not cover a period longer than 12 months) {LC2675/1}

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 387** (Business Regulation)

**BY** Senator Bates

**ENTITLED**, AN ACT RELATING TO INSURANCE -- EXAMINATIONS (would update the insurance laws to the most recent revision to the National Association of Insurance Commissioner Model Act and would add additional clarification to the financial analysis process) {LC1423/1}

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 461 SUB A** (Business Regulation)

**BY** Senators Bates, Blais, Walaska

**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS ( would amend existing requirements for the licensing of mortgage loan originators in order to effect the provisions of the Secure & Fair Enforcement for Mortgage Licensing Act.) {LC1503/1/A}

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 462 SUB A** (Business Regulation)

**BY** Senators Blais, Connors

**ENTITLED**, AN ACT RELATING TO INSURANCE - RHODE ISLAND LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT {LC1326/1/A}

Read and ordered to be placed on the Calendar

Also:

**House Bill No. 5088 SUB A**

**BY** Costantino, Fox, Slater, Ajello, Williams

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - LOCATION OF GAS REGULATORS AND GAS METERS {LC47/1/A}

Read and ordered to be placed on the Calendar

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 be placed on the Consent 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 measure:

**Senate Bill No. 450****BY** Senator Goodwin

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AUTOMOBILE BODY REPAIR SHOPS (would provide that body shop licensees must perform repairs to the vehicle indoors.) {LC1353/1}

Read and ordered to be placed on the Calendar.

**NEW BUSINESS****Senate Bill No. 985****BY** Senators O'Neill E, Connors

**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 {LC2795/1}

Read and ordered to the Committee on Housing and Municipal Government

Also:

**Senate Bill No. 986****BY** Senators Sheehan, Lenihan

**ENTITLED**, AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NORTH KINGSTOWN TO EXEMPT FROM TAXATION THE COCUMCUSSOC ASSOCIATION {LC2702/1}

Read and ordered to the Committee on Housing and Municipal Government

Also:

**Senate Bill No. 987****BY** Senator Paiva-Weed

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2752/1}

Read and ordered to the Committee on Judiciary

Also:

**Senate Bill No. 988****BY** Senator DiPalma

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2765/1}



Read and ordered to the Committee on Judiciary

Also:

**Senate Resolution No. 989**

**BY** Senators Sosnowski, Maher

**ENTITLED**, SENATE RESOLUTION CONGRATULATING FRANCIS KENYON AND RITA KENYON-NUTILLA ON BEING NAMED THE 2009 AGRICULTURALISTS OF THE YEAR BY RICHMOND GRANGE #6 {LC2814/1}

Read and ordered to be placed on the Consent Calendar.

### CONSENT CALENDAR

In order for the day is taken up as follows:

- 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. .**
- 2 **Nomination of David M. Spinella (appointment) of North Providence VICE Mary F. McMahon (retired) as Hearing Officer in the Div. of Administrative Adjudication in the State DEM, for a term expiring March1, 2012..**
3. **2009-H 5393**  
**BY Slater**  
**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- CENTER FOR HEALTH PROFESSIONS ACT
4. **2009-H 5449 SUB A**  
**BY Naughton**  
**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - LONG TERM CARE COORDINATING COUNCIL
5. **2009-H 5454 SUB A as amended**  
**BY McCauley**  
**ENTITLED**, AN ACT RELATING TO INSURANCE - DENTAL SERVICE CORPORATIONS
6. **2009-H 5479 SUB B**  
**BY McNamara**  
**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT
7. **2009-H 5536 SUB A**  
**BY Kennedy**

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

**8. 2009-H 5581**

**BY Lally**

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

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 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, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**CALENDAR**

**IN ORDER FOR TUESDAY, JUNE 16, 2009:**

**7 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

Ordered to be placed on the Calendar.

Upon suggestion of Senator Connors and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Perry moves passage, as amended, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Goodwin, Sosnowski, Connors, Miller, Crowley Levesque and Pichardo.

The act is read and passed, as amended, notwithstanding, the disapproval of the Governor, upon a roll call vote with 35 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Cote, Jabour, Pinga

**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.

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

**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.

Senator Connors moves passage, seconded by Senators Tassoni and Felag.

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

NAYS- 0:

**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.

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

**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.

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, 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:

ABSTAINED- 1: Senator Fogarty

**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.

Senator Levesque moves passage, seconded by Senators Perry, Miller and Maher.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, 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-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.

Senator Perry moves passage, seconded by Senator Levesque.

Senator Perry seconded by Senator Levesque, offers the following written motion to amend.

**FLOOR AMENDMENT**

2009 -- H 5797 SUBSTITUTE A, AS AMENDED

AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

Madam President:

I hereby move to amend 2009 -- H 5797 SUBSTITUTE A, AS AMENDED, entitled "AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH", as follows:

On page 1, line 7, by deleting the word "cost" and inserting in place thereof the word "charge".

Respectfully submitted,  
SENATOR PERRY

The motion to amend prevails 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:

Senator Perry moves passage of the act, as amended, seconded by Senator Levesque.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37 The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**FROM THE HOUSE OF REPRESENTATIVES**

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

**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}

Upon suggestion of Senator Connors and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Perry moves passage, as amended, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Crowley, Felag and Sosnowski.

The act is read and passed, as amended, in concurrence, upon a roll call vote with 35 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Cote, 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.

**ANNOUNCEMENTS**

Senator Felag announces that the Committee on Environment and Agriculture will meet tomorrow, at the rise of the Senate, in Room 310 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.

**GUESTS**

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Cristian Picahrdo and Dante Correia.

**ADJOURNMENT**

Upon motion of Senator Doyle, seconded by Senator Connors, the Senate adjourns at 4:48 o'clock P.M.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR CHRISTOPHER B MASELLI**

Dear Lord, when the day is long and wearisome, the hours tense and tiring, keep the minds and spirits of Thy servants here alert, strong, forgiving and patient. Amen.



## Appendix

## CONSENT CALENDAR

## IN ORDER FOR THURSDAY, JUNE 18, 2009:

1. 2009-S 989

BY Sosnowski

ENTITLED, SENATE RESOLUTION CONGRATULATING FRANCIS KENYON AND RITA KENYON-NUTILLA ON BEING NAMED THE 2009 AGRICULTURALISTS OF THE YEAR BY RICHMOND GRANGE #6

Ordered to be placed on the Consent Calendar

2. 2009-H 5193 SUB A

BY Kennedy

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

Committee on Corporations recommends passage in concurrence.

3. 2009-H 5195

BY Walsh

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOLICITATION BY CHARITABLE ORGANIZATIONS

Committee on Corporations recommends passage in concurrence.

4. 2009-H 5827

BY Ehrhardt

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF ADMINISTRATION

Committee on Corporations recommends passage in concurrence.

5. 2009-H 6007

BY Ruggiero

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Housing & Municipal Government recommends passage in concurrence.

6. 2009-H 6144 as amended

BY Pacheco

ENTITLED, AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION

Committee on Housing & Municipal Government recommends passage as amended in concurrence.

**Appendix****CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 17, 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 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.

**3. 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.

**4. 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.

**5. 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.

**2. 2009-S 450****BY Goodwin****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
AUTOMOBILE BODY REPAIR SHOPS**

Committee on Constitutional &amp; Regulatory Issues recommends passage.

**3. 2009-S 229 SUB A****BY Walaska****ENTITLED, AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT**

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

**4. 2009-S 387****BY Bates****ENTITLED, AN ACT RELATING TO INSURANCE -- EXAMINATIONS**

Committee on Corporations recommends passage.

**5. 2009-S 461 SUB A****BY Bates****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS**

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

**6. 2009-S 462 SUB A****BY Blais****ENTITLED, AN ACT RELATING TO INSURANCE - RHODE ISLAND LIFE  
AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT**

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

**7. 2009-S 475****BY Walaska****ENTITLED, AN ACT RELATING TO FIDUCIARIES - UNIFORM  
MANAGEMENT OF INSTITUTIONAL FUNDS**

Committee on Corporations recommends passage.

8. **2009-S 953**

**BY Fogarty P**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
HOME PROPANE GAS SALES

Committee on Corporations recommends passage.

9. **2009-S 968**

**BY Walaska**

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS  
-- BROADBAND DEPLOYMENT AND INVESTMENT ACT

Committee on Corporations recommends passage.

10. **2009-S 973**

**BY Algieri**

**ENTITLED,** AN ACT RELATING TO THE CHARLESTOWN FIRE DISTRICT

Committee on Housing & Municipal Government recommends passage.

11. **2009-S 428 SUB A**

**BY Sheehan**

**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.

12. **2009-H 5088 SUB A**

**BY Costantino**

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

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

13. **2009-H 5181 as amended**

**BY Menard**

**ENTITLED,** AN ACT RELATING TO CUMBERLAND HILL FIRE DISTRICT  
IN THE TOWN OF CUMBERLAND

Committee on Housing & Municipal Government recommends passage as amended in concurrence.