

**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.64

Tuesday, June 30, 2009 and  
Wednesday, September 9, 2009

Sixty-Fourth 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 4:34 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senator 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 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 Sixty-second 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 Perry and by unanimous consent, the Honorable President, welcomes to the Chamber Steve Brown executive Director of ACLU and Amy Vitale.

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Representative Grace Diaz.

**COMMUNICATION**

The Honorable President presents the following communication:

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

June 26, 2009

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

Dear Madame President:

Please be advised and let the record reflect that I will be out of state and therefore absent from the chamber on Tuesday, June 30 and Wednesday, July 1, 2009.

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

Thank you for your attention to this matter.

Sincerely,

Senator William A. Walaska  
Senate District 30

Read and ordered to be placed on file.

**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 measure:

**House Bill No. 5825**

**BY** Costantino

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES  
{LC2025/1}

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 measure:

**Senate Bill No. 479**

**BY** Senators Sheehan, Picard, O'Neill E, Cote, Lenihan

**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - INTEREST AND USURY ( would reinstate usury limits for credit cards by rejecting the 2003 credit card chapter and would cap interest on credit cards at 21% on 9% the domestic prime rate.) {LC1460/1}

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 measure:

**House Bill No. 6281**

**BY** Pacheco, Newberry

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS {LC2750/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON FINANCE**

Senator DaPonte from the Committee on Finance, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 501 SUB A**

**BY** Senators Felag, Tassoni, Bates, Levesque C, Ciccone

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF VETERANS' AFFAIRS {LC1950/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 1030 SUB A**

**BY** Senators Bates, Levesque C, Felag

**ENTITLED**, JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND 530 WOOD STREET ASSOCIATES, LP {LC2916/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 1039 SUB A**

**BY** Senators Sheehan, Lenihan

**ENTITLED**, JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND BAKERFORD PROPERTIES, LLC {LC2921/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 1040 SUB A**

**BY** Senator Levesque C

**ENTITLED**, JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND PUI O, INC. {LC2920/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 1041**

**BY** Senator Maselli

**ENTITLED**, AN ACT RELATING TO EDUCATION {LC2951/1}

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 5528**

**BY** Jackson, Rice A, Martin

**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES -- NEWPORT

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 5611**

**BY** Lally, Brien

**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- STATE INVESTMENT COMMISSION (would expand the powers of the state investment commission to the extent of authorizing public funds investments in accordance with the prescribed conditions) {LC1866/1}

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 6328****BY** Slater, Diaz**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$22,338,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO PROVIDE FUNDING FOR "WARM, SAFE AND DRY" PROJECTS IN PROVIDENCE PUBLIC SCHOOLS {LC2883/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 1012 SUB A** as amended**BY** Senators DaPonte, Connors, DeVall**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS {LC2867/3/A}

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 6158****BY** Lima, Marcello, Ucci, Mattiello, Handy**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC2561/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON LABOR**

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

**Senate Bill No. 825****BY** Senators Tassoni, Paiva-Weed, Connors**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORK--SHARING BENEFITS {LC2211/1}

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 5585****BY** Carter, Lima**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS {LC1871/1}

Read and ordered to be placed on the Calendar.

**CONSENT CALENDAR**

In order for the day is taken up as follows:

- 1 Nomination of David J. Wallace of Exeter to the Agricultural Lands Preservation Commission, for a term expiring January 1, 2014.**
- 2 Nomination of Allan Klepper (appointment) of Barrington VICE Richard Mignanelli (resigned) to the Water Resources Board, for a term expiring March 1, 2010.**
- 3 Nomination of Robert G. Driscoll (appointment) of Portsmouth to the Coastal Resource Management Council, for a term expiring January 31, 2011.**
- 4 Nomination of James M. Pagliarini (appointment) of Johnston to the Agricultural Lands Preservation Commission for a term expiring January 1, 2014.**
- 5 Nomination of James Celenza (reappointment) of Providence to the State Medical Examiners Commission, for a term expiring June 30, 2012.**
- 6 Nomination of Todd S. Manni (reappointment) of Smithfield to the State Medical Examiners Commission, for a term expiring June 30, 2012.**
- 7 Nomination of Michael A. Schuster (reappointment) of Narragansett to the State Medical Examiners Commission, for a term expiring June 30, 2012.**
- 8 Nomination of Susan Tasca (reappointment) of Cranston to the State Medical Examiners Commission, for a term expiring June 30, 2012.**
- 9 Nomination of William J. Clegg of Warwick VICE Monica Horan to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2011.**
- 10 Nomination of James T. Murphy, Esquire (appointment) (Rhode Island Bar Association Seat) of North Kingstown VICE Robert H. Breslin to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2010.**
- 11 Nomination of Matthew T. Oliverio, Esquire (appointment) (Rhode Island Bar Association Seat) of East Greenwich VICE James Lepore to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2011.**
- 12 Nomination of Patricia K. Rocha, Esquire (appointment) (Rhode Island Bar Association Seat) of Canton, MA VICE Jerry McIntyre to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2012.**
- 13 Nomination of Richard DuBois, MBA (appointment) of North Smithfield VICE Judith Bailey (resigned) to the State Board of Elections, for a term expiring June 1, 2018.**
- 14 Nomination of William E. West (appointment) of Portsmouth VICE Thomas V. Iannitti (resigned) to the State Board of Elections, for a term expiring June 1, 2013.**

- 15 Nomination of Clay J. Choquette (reappointment) of Gloucester to the State Crime Laboratory Commission for a term expiring January 1, 2011.**
- 16 Nomination of Nancy R. Haley (reappointment) of West Kingston to the State Crime Laboratory Commission for a term expiring January 1, 2011.**
- 17 Nomination of Chief George L. Kelley, III (reappointment) (Representing the Rhode Island Police Chiefs Association) of Pawtucket to the State Crime Laboratory Commission for a term expiring January 1, 2011.**
- 18 Nomination of Christopher H. Hannafin, D.V.M. (reappointment) (Representing the Rhode Island Veterinary Medical Association) to the Rabies Control Board, for a term expiring September 1, 2011.**
- 19 2009-S 107 SUB A  
BY Jabour  
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -  
LOCATION OF GAS REGULATORS AND GAS METERS**
- 20 2009-H 5006 SUB A  
BY Mattiello  
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - FRAUD AND  
FALSE DEALING**
- 21 2009-H 5053 SUB A  
BY Corvese  
ENTITLED, AN ACT TO AUTHORIZE THE TOWN OF NORTH PROVIDENCE  
TO TAKE LAND BY EMINENT DOMAIN**
- 22 2009-H 5127 SUB A  
BY Pacheco  
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
MOBILE AND MANUFACTURED HOMES**
- 23 2009-H 5184  
BY Williamson  
ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL  
INSTITUTIONS**
- 24 2009-H 5323  
BY Kilmartin  
ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -  
APPOINTMENT, QUALIFICATION AND TENURE OF OFFICERS**
- 25 2009-H 5329  
BY Menard  
ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS-DIVORCE AND  
SEPARATION**

- 26 **2009-H 5370**  
**BY Coderre E**  
**ENTITLED,** AN ACT RELATING TO ELECTIONS -- ADDRESS  
CONFIDENTIALITY OF DOMESTIC VIOLENCE VICTIMS
- 27 **2009-H 5488**  
**BY Lally**  
**ENTITLED,** AN ACT RELATING TO FIDUCIARIES -- TRUSTEE POWERS
- 28 **2009-H 5490**  
**BY Lally**  
**ENTITLED,** AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE  
- COLLECTION AND MANAGEMENT OF DECEDENTS' ESTATES
- 29 **2009-H 5613 SUB A**  
**BY McNamara**  
**ENTITLED,** AN ACT RELATING TO INSURANCE -- TEACHERS' HEALTH  
INSURANCE
- 30 **2009-H 5683 SUB A as amended**  
**BY Lally**  
**ENTITLED,** AN ACT RELATING TO AUTHORIZATION FOR SANITARY  
SEWER LINE FROM BONNET SHORES BEACH CLUB  
CONDOMINIUM TO TOWN OF NARRAGANSETT WASTEWATER  
TREATMENT SYSTEM
- 31 **2009-H 5696**  
**BY Handy**  
**ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE  
COMMISSION TO STUDY THE ESTABLISHMENT OF  
UNIVERSAL VOLUNTARY RETIREMENT ACCOUNTS
- 32 **2009-H 5769**  
**BY Loughlin**  
**ENTITLED,** AN ACT RELATING TO SPORTS, RACING, AND ATHLETES -  
BOXING
- 33 **2009-H 5782 SUB A**  
**BY Jackson**  
**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
MOTOR FUEL TAX
- 34 **2009-H 5786 SUB A**  
**BY Watson**  
**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CHILD  
RESTRAINTS



- 35 2009-H 5893 SUB A**  
**BY Corvese**  
**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
AUTOMOBILE BODY REPAIR SHOPS
- 36 2009-H 5936**  
**BY Almeida**  
**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE  
AND EXECUTION
- 37 2009-H 5949 SUB A**  
**BY Lally**  
**ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES - PERSONS WITH  
DISABILITIES
- 38 2009-H 6009**  
**BY Naughton**  
**ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY - NAMING THE  
NEW KENT COUNTY COURTHOUSE
- 39 2009-H 6015**  
**BY Pacheco**  
**ENTITLED,** AN ACT RELATING TO THE OAKLAND - MAPLEVILLE NUMBER  
4 FIRE DISTRICT
- 40 2009-H 6082 SUB A as amended**  
**BY Menard**  
**ENTITLED,** AN ACT RELATING TO TAXATION - TAX SALES
- 41 2009-H 6096**  
**BY Almeida**  
**ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE
- 42 2009-H 6194**  
**BY Azzinaro**  
**ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS  
SECTION 16-7-44 APPROVING THE ISSUANCE OF  
\$30,000,000 BONDS BY THE TOWN OF WESTERLY TO  
FINANCE THE RENOVATION, REHABILITATION, REPAIR,  
IMPROVEMENT, FURNISHING AND EQUIPPING OF THE  
WESTERLY HIGH SCHOOL
- 43 2009-H 6225 SUB A**  
**BY Kilmartin**  
**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF  
HEALTH CARE FACILITIES

- 44 2009-H 6232  
BY Walsh  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- 45 2009-H 6244  
BY Gallison  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- 46 2009-H 6255  
BY Caprio D  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- 47 2009-H 6256  
BY Pollard  
ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER
- 48 2009-H 6266  
BY Jackson  
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- DISTRICT  
MANAGEMENT AUTHORITIES
- 49 2009-H 6276  
BY Mattiello  
ENTITLED, AN ACT RELATING TO EDUCATION
- 50 2009-H 6279  
BY Martin  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- 51 2009-H 6291  
BY Martin  
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL  
PROCEDURE--COURTS -- NEWPORT PROBATE COURT
- 52 2009-H 6298  
BY Slater  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- 53 2009-H 6303  
BY Ruggiero  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Upon motion of Senator Connors, seconded by Senator Algieri, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: 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, Miller, O'Neill, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

### CALENDAR

#### IN ORDER FOR TUESDAY, JUNE 30, 2009:

14. **2009-H 5567**

**BY Lally**

**ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -  
JUDICIAL SELECTION

Ordered to be placed on the Senate Calendar

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

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Jabour, Lanzi, Levesque, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Sosnowski, Tassoni.

NAYS- 0:

### NOW PRESIDING

The Honorable President yields the rostrum to the Honorable John F. McBurney, III President Pro Tempore of the Senate at 4:42 o'clock P.M.

### CALENDAR

1. **2009-S 286 SUB B as amended**

**BY Ciccone**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
VIDEO LOTTERY TERMINAL

Ordered to be placed on the Senate Calendar

Senator Ciccone moves passage, seconded by Senators Doyle McBurney and Tassoni.

Senator O'Neill discusses the act.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 25 Senators voting in the affirmative and 11 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 25: Senators Bates, Ciccone, Connors, Crowley, DaPonte, Devall, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Miller, Perry, Picard, Pichardo, Ruggerio, Sosnowski, Tassoni.

NAYS- 11: Senators Algieri, Blais, Cote, DiPalma, Lenihan, Maher, Metts, O'Neill, Pinga, Raptakis, Sheehan.

ABSTAINED- 1: Senator Paiva Weed.

**2. 2009-S 380**

**BY Doyle**

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

Committee on Judiciary recommends passage.

Senator Doyle moves passage, seconded by Senators Tassoni, McCaffrey, Gallo, Felag, DaPonte, Goodwin and Levesque

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

NAYS- 0:

**3. 2009-S 463 SUB A**

**BY Blais**

**ENTITLED, AN ACT RELATING TO INSURANCE**

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

Senator Blais moves passage, seconded by Senators Miller and Doyle.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: 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.

NAYS- 0:

**4. 2009-S 465 SUB A**

**BY Blais**

**ENTITLED, AN ACT RELATING TO INSURANCE**

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

Senator Blais moves passage, seconded by Senator Miller.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: 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.

NAYS- 0:

**5. 2009-S 569**

**BY Levesque C**

**ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES  
AND SUPERINTENDENTS**

Committee on Judiciary recommends passage.

Senator Levesque moves passage, seconded by Senators Connors and Pichardo.

Senators Maher, Felag, Lenihan and Levesque discuss the act.

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: Senators Algieri, Bates, Blais, 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, Sosnowski, Tassoni.

NAYS- 0:

**6. 2009-S 667 SUB A**

**BY Blais**

**ENTITLED, AN ACT RELATING TO INSURANCE**

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

Senator Blais moves passage, seconded by Senator Miller.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**7. 2009-H 5005**

**BY Pacheco**

**ENTITLED,** AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Perry, Miller and Jabour.

The act is read and passed, upon a roll call vote with 31 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

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

NAYS- 4: Senators Bates, Blais, Cote, Maher

**8. 2009-H 5112 SUB C**

**BY Costantino**

**ENTITLED,** AN ACT RELATING TO CENTERS FOR MEDICARE AND MEDICAID SERVICES WAIVER AND EXPENDITURE AUTHORITY

Ordered to be placed on the Senate Calendar

Senator DaPonte moves passage, seconded by Senators Levesque, Doyle, Miller and Pichardo.

The bill marked Substitute "C" is read and passed, as amended, in concurrence, 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, 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, Sosnowski, Tassoni.

NAYS- 0:

**9. 2009-H 5135**

**BY Walsh**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
THE CIVIL RIGHTS ACT OF 1990

Ordered to be placed on the Senate Calendar

Senator McCaffrey moves passage, seconded by Senators Perry, Connors

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

**10. 2009-H 5197**

**BY Carter**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
FUNERAL DIRECTORS

Ordered to be placed on the Senate Calendar

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

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

NAYS- 0:

**11. 2009-H 5253**

**BY Ajello**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
STATE POLICE

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Perry, Doyle and Crowley

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, 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, Sosnowski, Tassoni.

NAYS- 0:

**12. 2009-H 5345**

**BY McCauley**

**ENTITLED, AN ACT RELATING TO SPORTS RACING AND ATHLETICS --  
MIXED MARTIAL ARTS**

Committee on Constitutional & Regulatory Issues recommends passage in concurrence.

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

**13. 2009-H 5445**

**BY Driver**

**ENTITLED, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING**

Committee on Judiciary recommends passage in concurrence.

Senator Maher moves passage, seconded by Senator Blais.

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, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

**15. 2009-H 6088**

**BY Lima**

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

Committee on Constitutional & Regulatory Issues recommends passage in concurrence.



Senator Goodwin moves passage, seconded by Senator Felag

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

NAYS- 0:

ABSTAINED- 1: Senator Miller

**16. 2009-H 6294**

**BY Silva**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO PROVIDE FOR THE RENOVATION, REHABILITATION, REPLACEMENT, IMPROVEMENT, AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS AND SCHOOL FACILITIES IN THE CITY OF CENTRAL FALLS AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$5,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR

Ordered to be placed on the Senate Calendar

Senator Crowley moves passage, seconded by Senator Connors.

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, 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, Sosnowski, Tassoni.

NAYS- 0:

**17. 2009-H 6299**

**BY Kilmartin**

**ENTITLED,** JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT OF PORT FACILITIES IN THE STATE OF RHODE ISLAND

Ordered to be placed on the Senate Calendar

Senator Bates moves passage, seconded by Senators Pichardo

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, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

**18. 2009-H 6335**

**BY Costantino**

**ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY  
CERTAIN CLAIMS**

Ordered to be placed on the Senate Calendar

Senator DaPonte moves passage, seconded by Senators Bates 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, 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, Sosnowski, Tassoni.

NAYS- 0:

**19. Nomination of Thomas Deller of Providence to the Rhode Island Public Transit  
Authority for a term expiring April 4, 2011**

Ordered on the Calendar.

Senator McCaffrey seconded by Senator Goodwin moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**20. Nomination of Stephen Durkee of Providence to the Rhode Island Public Transit Authority for a term expiring April 1, 2011.**

Ordered on the Calendar.

Senator Miller seconded by Senator Connors moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**21. Nomination of William Kennedy of Coventry to the Rhode Island Public Transit Authority for a term expiring April 4, 2012.**

Ordered on the Calendar.

Senator Connors seconded by Senator Tassoni moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, 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.

NAYS- 0:

**22. 2009-H 5825**

**BY Costantino**

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

Committee on Constitutional & Regulatory Issues recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Lynch and Jabour.

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, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**23. 2009-S 479**

**BY Sheehan**

**ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - INTEREST AND USURY

Committee on Corporations recommends passage.

Senator Sheehan moves passage, seconded by Senators Raptakis and Picard.

Senators Bates and Sheehan discuss the act.

The act is read and passed, upon a roll call vote with 21 Senators voting in the affirmative and 14 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 21: The Honorable President Paiva Weed and Senators Connors, Cote, Crowley, Devall, Fogarty, Gallo, Jabour, Lanzi, Lenihan, Maselli, Metts, Miller, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski.

NAYS- 14: Senators Bates, Blais, Ciccone, DaPonte, DiPalma, Doyle, Felag, Goodwin Lynch Maher McBurney, McCaffrey, O'Neill, Tassoni

ABSTAINED- 1: Senator Algieri

**24. 2009-H 6281**

**BY Pacheco**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS

Ordered to be placed on the Senate Calendar

Senator Fogarty moves passage, seconded by Senator Connors.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, 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.

NAYS- 0:

**25. Nomination of Dr. William Croasdale (reappointment) of Kingston to the Rhode Island Higher Education Assistance Authority, for a term expiring July 1, 2013.**

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

Senator DaPonte seconded by Senators Connors moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**26. Nomination of Morris Weintraub (reappointment) of Providence to the Personnel Appeal Board, for a term expiring April 1, 2015.**

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

Senator Perry seconded by Senator Levesque moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**27. 2009-S 501 SUB A**

**BY Felag**

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
DEPARTMENT OF VETERANS' AFFAIRS**

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

Senator Felag moves passage, seconded by Senators Tassoni, Sosnowski, Raptakis, McBurney, Connors and Jabour.

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

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

NAYS- 0:

**28. 2009-S 1030 SUB A**

**BY Bates**

**ENTITLED,** JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND 530 WOOD STREET ASSOCIATES, LP

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

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

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

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

NAYS- 0:

**29. 2009-S 1039 SUB A**

**BY Sheehan**

**ENTITLED,** JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND BAKERFORD PROPERTIES, LLC

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

Senator Sheehan moves passage, seconded by Senators Levesque and Bates.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, 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.

NAYS- 0:

**30. 2009-S 1040 SUB A**

**BY Levesque C**

**ENTITLED,** JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND PUI O, INC.

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

Senator Levesque moves passage, seconded by Senator Bates.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**31. 2009-S 1041**

**BY Maselli**

**ENTITLED,** AN ACT RELATING TO EDUCATION

Committee on Finance recommends passage.

Senator Maselli moves passage, seconded by Senators Gallo and Fogarty.

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

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

NAYS- 0:

**32. 2009-H 5528**

**BY Jackson**

**ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT  
OF LOCAL TAXES -- NEWPORT

Committee on Finance recommends passage in concurrence.

Senator DiPalma moves passage, seconded by Senator Connors.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: 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.

NAYS- 0:

**33. 2009-H 5611**

**BY Lally**

**ENTITLED,** AN ACT RELATING TO PUBLIC FINANCE -- STATE  
INVESTMENT COMMISSION

Committee on Finance recommends passage in concurrence.

Senator Sosnowski moves passage, seconded by Senator Ruggerio

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Algieri



**34. 2009-H 6328****BY Slater****ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$22,338,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO PROVIDE FUNDING FOR "WARM, SAFE AND DRY" PROJECTS IN PROVIDENCE PUBLIC SCHOOLS

Committee on Finance recommends passage in concurrence.

Senator Goodwin moves passage, seconded by Senators Metts and Miller.

Senators Lenihan, Goodwin and DaPonte discuss the act.

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

NAYS- 0:

**35. 2009-S 1012 SUB A as amended****BY DaPonte****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS

Committee on Finance recommends indefinite postponement of the original bill and passage of Substitute A as amended.

Senator DaPonte moves passage, seconded by Senators DeVall, Doyle and Connors.

Senator Lenihan seconded by Senator Picard, offers the following oral motion to amend.

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator DaPonte seconded by Senator Connors, offers the following oral motion to amend.

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator DaPonte moves passage of the act, as amended, seconded by Senator Connors.

Senator DiPalma discusses the act.

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, 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.

NAYS- 0:

**36. Nomination of Susan Tasca (reappointment) of Cranston to the State Medical Examiners Commission, for a term expiring June 30, 2012.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Senator Perry seconded by Senators Gallo, Goodwin and Jabour moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**37. Nomination of Michael A. Schuster (reappointment) of Narragansett to the State Medical Examiners Commission, for a term expiring June 30, 2012.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Senator Perry seconded by Senator Sheehan moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**38. Nomination of Todd S. Manni (reappointment) of Smithfield to the State Medical Examiners Commission, for a term expiring June 30, 2012.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Senator Perry seconded by Senator Miller moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**39. 2009-S 1048**

**BY DaPonte**

**ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY MUNICIPAL PENSIONS**

Ordered on the Calendar

Senator Connors moves passage, seconded by Senator DaPonte.

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

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

NAYS- 0:

**40. 2009-S 825**

**BY Tassoni**

**ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
WORK--SHARING BENEFITS

Committee on Labor recommends passage.

Senator Tassoni moves passage, seconded by Senators Doyle, Connors, Fogarty and Maselli.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni.

NAYS- 1: Senator Sheehan

**41. 2009-H 5585**

**BY Carter**

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

Committee on Labor recommends passage in concurrence.

Senator Fogarty moves passage, seconded by Senators Sheehan and Ruggerio.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**42. 2009-H 6158**

**BY Lima**

**ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO  
TAXATION

Committee on Finance recommends passage in concurrence.

Senator Gallo moves passage, seconded by Senator Miller.

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

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

NAYS- 0:

### NEW BUSINESS

#### **Senate Resolution No. 1042**

**BY** Senator Perry

**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE RHODE ISLAND AFFILIATE, AMERICAN CIVIL LIBERTIES UNION ON THE OCCASION OF THEIR 50TH ANNIVERSARY {LC2946/1}

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by Senator Connors.

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

Also:

#### **Senate Bill No. 1043**

**BY** Senators Gallo, Lanzi, Miller

**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC2953/1}

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators Lanzi and Miller.

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

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

NAYS- 0:

Also:

**Senate Resolution No. 1044**

**BY** Senators Levesque C, Felag

**ENTITLED**, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF COMMANDER VIRGIL B. MELVIN, UNITED STATES NAVY RETIRED {LC2950/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by Senator Felag.

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

Also:

**Senate Resolution No. 1045**

**BY** Senators Bates, Levesque C, Felag

**ENTITLED**, SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF GEORGE L. SISSON, JR. {LC2952/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

**Senate Resolution No. 1046**

**BY** Senator Levesque C

**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF LYDIA J. MEDEIROS {LC2949/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by Senator Felag.

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

Also:

**Senate Resolution No. 1047****BY** Senator Goodwin**ENTITLED**, SENATE RESOLUTION PROCLAIMING THE MONTH OF SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH IN THE STATE OF RHODE ISLAND {LC2903/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Perry, Gallo, Lanzi, Crowley and Lynch.

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

Also:

**Nomination of Jerome Williams (appointment) of Barrington to the Rhode Island Public Transit Authority, for a term expiring April 1, 2012.**

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, 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.

NAYS- 0:

**TRANSMITTAL**

By unanimous consent, some Senate matters and House Bills 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.

**TRANSMITTED TO THE GOVERNOR****Senate Bill No. 286 SUB B as amended****BY** Ciccone, Picard, Tassoni, Felag, Jabour**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - VIDEO LOTTERY TERMINAL

**House Bill No. 5112 SUB C****BY** Costantino, Naughton, Slater, Giannini, Almeida**ENTITLED**, AN ACT RELATING TO CENTERS FOR MEDICARE AND MEDICAID SERVICES WAIVER AND EXPENDITURE AUTHORITY**House Bill No. 5135****BY** Walsh, Ajello, Almeida, Williams, Handy**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE CIVIL RIGHTS ACT OF 1990**House Bill No. 5528****BY** Jackson, Rice A, Martin**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES -- NEWPORT**House Bill No. 6155****BY** Martin, Shallcross Smith, Walsh, DaSilva**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**House Bill No. 6211****BY** Lally**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**House Bill No. 6216****BY** Savage**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**House Bill No. 6217****BY** Ehrhardt**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**House Bill No. 6231****BY** Menard**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**House Bill No. 6240****BY** Lally**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF ETA ZETA OF LAMBDA CHI ALPHA**House Bill No. 6264****BY** Ehrhardt, Schadone**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE SOPHIA LITTLE HOME



**House Bill No. 6294**

**BY** Silva, Vaudreuil

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO PROVIDE FOR THE RENOVATION, REHABILITATION, REPLACEMENT, IMPROVEMENT, AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS AND SCHOOL FACILITIES IN THE CITY OF CENTRAL FALLS AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$5,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR

**House Resolution No. 6335**

**BY** Costantino

**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS

**RECESS**

Upon motion of Senator Doyle, seconded by Senator Connors, the Senate stands at recess at 6:14 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, September 9, 2009, at 3:15 o'clock P.M.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**GUESTS**

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President welcomes to the Chamber Associate Justice Gilbert V. Indeglia and his clerk.

COMMUNICATION

The Honorable Madam President presents the following communications:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE

December 22, 2009

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

Dear Madame President:

Please be advised and let the record reflect that I will be absent from the chamber on Wednesday, September 9, 2009..

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

Thank you for your attention to this matter.

Sincerely,

Senator J. Michael Lenihan  
Senate District 35

Read and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE

December 22, 2009

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

Dear Madame President:

Please be advised that I will be absent from the Senate Session on September 9, 2009.

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

Thank you for your attention to this matter.

Sincerely,

Senator Harold M. Metts  
Senate District 35

Read and ordered to be placed on file.

### COMMITTEE ON JUDICIARY

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

#### **Appointment of Alice B. Gibney Vice Joseph F. Rodgers, Jr. as Presiding Justice of the Rhode Island Superior Court.**

Senator McCaffrey seconded by Senators McBurney, Connors, Ruggerio, DaPonte, Perry, DeVall, Lynch, Goodwin, Algieri and Bates moves that advice and consent of the Senate be given this appointment.

Senators McCaffrey and McBurney discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

### GUESTS

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President welcomes to the Chamber Alice B. Gibney, Presiding Justice of the Rhode Island Superior Court, her husband Robert Parrillo and her son Nick Parrillo.

### COMMITTEE ON JUDICIARY

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

#### **Appointment of Brian P. Stern Vice Associate Justice Mark A. Pfeiffer as Associate Justice of the Rhode Island Superior Court.**

Senator McCaffrey seconded by Senators Ruggerio, Lynch, Maselli, Connors, Goodwin, McBurney, Jabour, DeVall, Gallo, Raptakis, Sosnowski and Felag moves that advice and consent of the Senate be given this appointment.

Senators McCaffrey, Algieri and Connors discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

#### GUESTS

Upon suggestion of Senator Raptakis and by unanimous consent, the Honorable President welcomes to the Chamber Brian P Stern, Associate Justice of the Rhode Island Superior Court his wife Jennifer Stern with three sons Adam, Andrew and Alex, and his aunt Ruth Silverman and family friend Marion Morvillo.

#### GUESTS

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President welcomes to the Chamber welcomes Lauren Heinz of Cumberland.

#### COMMITTEE ON JUDICIARY

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

#### **Appointment of John E. McCann Vice Associate Justice Gilbert T. Rocha as Associate Justice of the Rhode Island Family Court.**

Senator McCaffrey seconded by Senators Algieri, Bates, Maselli, Connors, DaPonte, Perry, McBurney and Levesque moves that advice and consent of the Senate be given this appointment.

Senators McCaffrey and Lynch discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Miller, O'Neill, Perry, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**GUESTS**

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President welcomes to the Chamber John E. McCann, III, Associate Justice of the Family Court, his wife Marann McCann, his son John E. McCann, IV and his wife Amanda, his daughters Colleen Rommell and Christine Rich and her husband Bill, his aunt Catherine Reardon, his sister Nancy Ryan and her husband Jim and his Assistant Marie Saur.

**COMMITTEE ON JUDICIARY**

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

**Appointment of J. Terence Houlihan, Jr. Vice Associate Justice Walter Gorman as Associate Justice of the Rhode Island District Court.**

Senator McCaffrey seconded by Senators Connors, Jabour, Ruggerio, McBurney, Perry and Gallo moves that advice and consent of the Senate be given this appointment.

Senators McCaffrey and Levesque discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Miller, O'Neill, Perry, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

**GUESTS**

Upon suggestion of Senator Levesque and by unanimous consent, the Honorable President welcomes to the Chamber J. Terence Houlihan, Jr. Associate Justice, his wife Pam Houlihan, and his daughters Katherine, Allison and Madeline.

**NEW BUSINESS****Senate Resolution No. 1049**

**BY** Senators McBurney, Paiva-Weed, McCaffrey, Connors, Algieri

**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE HONORABLE JOSEPH F. RODGERS, JR. ON THE OCCASION OF HIS RETIREMENT AS PRESIDING JUSTICE OF THE RHODE ISLAND SUPERIOR COURT {LC2986/1}

Senator McBurney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McBurney moves passage, seconded by Senators Connors, Jabour, Ruggerio and Pichardo.

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

### GUESTS

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President welcomes to the Chamber Superior Court Associate Justice Francis Darrigan, and Magistrate Colleen Hastings of the Family Court.

### NEW BUSINESS

#### **Senate Resolution No. 1050**

**BY** Senators Pichardo, Jabour, Pinga, Cote, Sosnowski

**ENTITLED**, SENATE RESOLUTION PROCLAIMING SEPTEMBER 15TH THROUGH OCTOBER 15TH OF 2009 TO BE "HISPANIC HERITAGE MONTH" IN THE STATE OF RHODE ISLAND  
{LC2990/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Connors, Algieri and Jabour.

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

### RECESS

Upon motion of Senator Ruggerio, seconded by Senator Connors, the Senate stands at recess at 3:59 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 Thursday, October 29, 2009, at 4:10 o'clock P.M.

### ADJOURNMENT

Upon motion of Senator Connors, seconded by Senator Algieri, the Senate adjourns at 4:09 o'clock P.M. on Thursday, October 29, 2009.

JOSEPH R. BRADY  
Secretary of the Senate

JOHN S. BAXTER  
Reading Clerk

GABRIEL REI  
Deputy Clerk

BRENDEN T. OATES  
Senate Voting Clerk

NICHOLAS R. MELO  
Sound System Technician

SETH E. MESSIER  
KENNETH J. MARANDOLA, Jr.  
CHRISTOPHER J. MARTINELLI  
Special Assistants to the Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR ROGER A. PICARD**

Eternal Father, we thank you for the privilege of having served the people of our state. We thank you for the good times we have shared with our colleagues and the many accomplishments this body was able to achieve. As we conclude our business, may we always have with us Your grace and peace. Amen.

**SENATOR ERIN P. LYNCH**

As we reconvene in the Senate Chamber, let us once again contemplate our reasons for being here. Let us also ask of our Creator that he bestow special blessings today on us all and properly guide us in serving the people of our State. Amen.