

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Journal of the Senate

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the third day of January in the year of Our Lord two thousand and twelve.

Volume 139, No.46

Wednesday, May 9, 2012

Forty-sixth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:20 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, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty-fifth Legislative Day of the 2012 proceedings is read in part.

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

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Bernard J. Bernard, III of Woonsocket
(Representing Electrical Inspectors)

for a term expiring May 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Robert E. DeBlois, Jr.
(Representing Builders)

for a term expiring May 1, 2014.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

Wayne R. Pimental of Warwick
(Minimum Housing Inspector)

VICE
Donald Gagnon

for a term expiring May 1, 2014.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

Michael Daley of Greene
(Representing Building Trades Council)

VICE
Allen Durand

for a term expiring May 1, 2014.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

Criag R. Sutton of Coventry
(Representing Heavy Construction)

VICE
Barrie Balemian

for a term expiring May 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Stephen Turner of Providence
(Public Member)

for a term expiring May 1, 2014.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

Peter R. Scorpio of North Scituate
(Building Official with populations between 20,000-60,000)

VICE
Russell Brown

for a term expiring May 1, 2014.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Robert M. Stillings of Barrington
(Representing Architects)

for a term expiring May 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

Fred B. Sarno of Warwick
(Representing Municipality with population over 60,000)

VICE
John Pagliaro

for a term expiring May 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Dana M. Newbrook of Cumberland
(Representing Architects)

for a term expiring May 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Michael A. Newman of Warwick
(Representing Master Plumber)

for a term expiring May 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Gordon W. Preiss of Westerly
(Representing Mechanical Engineers)

for a term expiring May 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

William Nash of Middletown
(Representing Building Official under 20,000 in population)

for a term expiring May 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Doris Aschman
(Representing Health Interest)

for a term expiring May 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Bruce L. Davey, P.E. of Warwick
(Representing Structural Engineers)

for a term expiring May 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

Paul M. DePace, P.E. of East Greenwich
(Representing persons with disabilities)

for a term expiring May 1, 2015.

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

Sincerely,

Lincoln D. Chafee

Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

Russell W. Brown of Wakefield
(Representing persons with disabilities)

VICE
Marc Lowenstein

for a term expiring May 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

Scott D. Caron of Greenville
(Representing Fire Interests)

VICE
William Howe

for a term expiring May 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

James Fink, PE, MBA of Exeter
(Electrical Engineer)

for a term expiring May 1, 2014.

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

Sincerely,

Lincoln D. Chafee
Governor

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

Also:

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

May 3, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following reappointment to the State Building Codes Standards Committee:

James R. Carlson of Foster
(Public Member)

for a term expiring May 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

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

**REPORTS OF COMMITTEES
COMMITTEE ON CORPORATIONS**

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

House Bill No. 7120

(Secretary of State)

BY Marcello, Kennedy

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- PARTNERSHIPS--FILING (would remove a reference to an incorrect clause in a section of the general laws pertaining to partnerships.)

{LC453/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 7121

(Secretary of State)

BY Marcello, Kennedy

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT (would require that a foreign corporation in the state of RI which converts into another be required to file for authority to transact business in this state & the provisions set forth in the general laws which requires them to do so.)

{LC457/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 7150 SUB B

(Secretary of State)

BY Keable, Edwards, Nunes

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE ISLAND NON-PROFIT CORPORATION ACT (would provide for the filing of restated articles of incorporation previously amended with guidelines for restating said articles)

{LC455/B/1}

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFAIRS

Senator Felag from the Committee on Special Legislation and Veterans' Affairs, reports back, with recommendation of passage of the following measure:

House Bill No. 7360

(Business Regulations)

BY McCauley, Corvese, Schadone, Petrarca, Carnevale

ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS - MIXED MARTIAL ARTS (would broaden the powers of the division of racing and athletics to revoke or suspend licenses granted under this chapter)

{LC1156/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 2950**

BY Doyle, Ruggiero

ENTITLED, SENATE RESOLUTION RECOGNIZING MAY 6TH-12TH AS "NATIONAL NURSES WEEK"

{LC2564/1}

Senator Ruggiero requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ruggiero moves passage, seconded by Senators Picard and McCaffrey.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2012-H 7067 SUB A

BY Petrarca

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT

2. 2012-H 7122 as amended

BY Ruggiero

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - LOBBYING

3. **2012-H 7243**
BY Walsh
ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST
4. **2012-H 7273**
BY Malik
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROBATE COURTS
5. **2012-H 7429**
BY Walsh
ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- NEW SHOREHAM WARDEN'S COURT

Committee on Judiciary recommends passage in concurrence.

6. **2012-H 7432**
BY Coderre
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - PAWTUCKET MUNICIPAL HOUSING COURT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the 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, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR WEDNESDAY, MAY 09, 2012:

1. **2012-S 2034 SUB A**
BY Tassoni
ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - ANIMAL ADVOCATE

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

Senator Tassoni moves passage, seconded by Senators Perry, Sosnowski, Pichardo, Lynch and Ruggerio.

Senator Perry discusses the act.

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

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Kettle.

2. 2012-S 2188 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE RHODE ISLAND RENEWABLE ENERGY COORDINATING BOARD

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

Senator Bates moves passage, seconded by Senators Miller, Sosnowski and DeVall.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2012-S 2395 SUB A

BY Lombardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - REFUSE DISPOSAL

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

Senator Lombardo moves passage, seconded by Senators Sosnowski, Crowley, Walaska and Lanzi.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the

affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2012-S 2753 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - AIR POLLUTION

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

Senator Walaska moves passage, seconded by Senators Nesselbush and Lynch.

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

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

TO

2012 -- S 2173 SUBSTITUTE A

AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

Madam President:

I hereby move to amend 2012 -- S 2173 SUBSTITUTE A, entitled "AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS", as follows:

(1) On page 1, line 14, by deleting the words "prevent or".

Respectfully submitted,
SENATOR FELAG

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 Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller,

Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

The act is read and passed, by unanimous consent, as amended, 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, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5. 2012-S 2173 SUB A

BY Felag

ENTITLED, AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

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

Senator Felag moves passage, seconded by Senators Perry, DeVall, Ottiano, DiPalma and Moura.

Senator Felag seconded by Senators Perry, Moura and DiPalma, offers the following written motion to amend.

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

T O

2012 -- S 2753 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY - AIR POLLUTION

Madam President:

I hereby move to amend 2012 -- S 2753 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY - AIR POLLUTION", as follows:

1. On page 1, lines 11 through 12, by deleting the language: “, upon department verification and approval.”.

Respectfully submitted,
SENATOR SOSNOWSKI

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 Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Felag moves passage of the act, as amended, seconded by Senators Perry, Ruggerio and Moura.

Senators Moura and Maher discuss the act.

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 Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6. 2012-S 2361 SUB A

BY Perry

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

Senator Perry moves passage, seconded by Senators Gallo, Miller, Nesselbush, Moura and Hodgson.

Senators Moura 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 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, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7. 2012-S 2482

BY Sheehan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - COMPREHENSIVE CHILDREN'S JEWELRY SAFETY ACT

Committee on Health & Human Services recommends passage.

Senator Sheehan moves passage, seconded by Senators Metts, Perry and Moura.

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

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8. 2012-S 2555 SUB A

BY Perry

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

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

Senator Perry moves passage, seconded by Senators Miller, Moura, Sosnowski, Nesselbush and Crowley.

Senators Shibley discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Ciccone, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Cote, Pinga, Shibley.

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.

(See Appendix for List)

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President, welcomes to the Chamber James Ford, Pastor of the First Unitarian Universalist Church and Carol Adams, former President of the Unitarian Universalist Church of Providence.

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President, welcomes to the Chamber Bob Cox and Representative Blaze Jenki.

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President, welcomes to the Chamber Jean & Anne Connor from Barrington.

ANNOUNCEMENTS

Senator Metts announces that the Committee on Education will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Walaska announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate, in Room 211 of the State House.

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

Senator Miller announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Lynch announces that the Committee on Special Legislation and Veterans' Affairs will meet today, at the rise of the Senate, in Room 310 of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Algieri the Senate adjourns at 4:50 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR JOHN J. TASSONI**

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 to reach common ground. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, MAY 10, 2012:****1. 2012-H 7120****BY** Marcello**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- PARTNERSHIPS--FILING

Committee on Corporations recommends passage in concurrence.

2. 2012-H 7121**BY** Marcello**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT

Committee on Corporations recommends passage in concurrence.

3. 2012-H 7150 SUB B**BY** Keable**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE ISLAND NON-PROFIT CORPORATION ACT

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

4. 2012-H 7360**BY** McCauley**ENTITLED**, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS - MIXED MARTIAL ARTS

Committee on Special Legislation and Veterans Affairs recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, MAY 10, 2012:**

- 1. 2012-S 2561**
BY Miller
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ALCOHOLISM

Committee on Health & Human Services recommends passage.
- 2. 2012-S 2764**
BY Pichardo
ENTITLED, AN ACT RELATING TO HUMAN SERVICES - THE RHODE ISLAND WORKS PROGRAM

Committee on Health & Human Services recommends passage.
- 3. 2012-S 2167 SUB A**
BY Felag
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.
- 4. 2012-S 2384 SUB A**
BY Felag
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.
- 5. 2012-S 2533 SUB A**
BY Felag
ENTITLED, AN ACT RELATING TO PROPERTY - FORM AND EFFECT OF CONVEYANCES

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.
- 6. 2012-S 2906**
BY Paiva Weed
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

7. **2012-S 2042**
BY Gallo
ENTITLED, AN ACT RELATING TO EDUCATION - COOPERATIVE SERVICE
AMONG SCHOOL DISTRICTS

Committee on Finance recommends passage.

8. **2012-H 7870**
BY Martin
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
STATE SAILING EDUCATION VESSEL

Committee on Special Legislation and Veterans Affairs recommends passage in concurrence.

IN ORDER FOR WEDNESDAY, MAY 16, 2012:

1. **2012-S 2277 SUB A**
BY Pichardo
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - ENVIRONMENTAL
CLEAN UP OBJECTIVES FOR SCHOOLS

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

Appendix

BILLS TRANSMITTED TO THE GOVERNOR

House Bill No. 7067 SUB A

(Secretary of State)

BY Petrarca, Ucci, Keable, Corvese**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT (would amend certain provisions relative to the secretary of state filing procedures for documents received pursuant to this chapter dealing with corporations, associations and partnerships.)

{LC456/A/1}

House Bill No. 7122 as amended

(Secretary of State)

BY Ruggiero, Valencia, Ehrhardt, Hull, Bennett**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - LOBBYING (make certain changes to style/fee structure relating to leg. lobbyist badges/ require lobbyist registered to lobby the exec. branch to have fully complied w/requirements of the chapter in the prev. yr prior to registering for the current leg. session.)

{LC450/1}

House Bill No. 7243**BY** Walsh, Ajello, Valencia, DaSilva**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST (would require custodial interrogations task force meet periodically to assess the impact of their recommendations, to conduct further research & to consider if additional legislation is needed & to thereafter submit a supplemental report.)

{LC816/1}

House Bill No. 7273**BY** Malik, Morrison**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROBATE COURTS (would permit the town solicitor in the town of Warren to temporarily serve as the town's probate court judge in proceedings where the designated probate judge is unable to serve)

{LC886/1}

House Bill No. 7429**BY** Walsh**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- NEW SHOREHAM WARDEN'S COURT (would raise the maximum fine which could be imposed by the New Shoreham wardens' court)

{LC1123/1}

House Bill No. 7432**BY** Coderre, Johnston, O'Neill, Messier, San Bento**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - PAWTUCKET MUNICIPAL HOUSING COURT (would expand the jurisdiction of the Pawtucket Housing Court to act upon violations of the RI State Building Code & violations of certain regulations promulgated by the State Building Code Comm. for properties located in the city of Pawt.)

{LC1146/1}