

State of Rhode Island and Providence Plantations

Journal of the Senate

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

Volume 136, No.65

Thursday, October 29, 2009

Sixty-fifth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 4:10 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

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

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Sixty-third Legislative Day of the 2009 proceedings is read in part.

Upon suggestion of Senator Felag 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**

October 16, 2009

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 20-3-1 of the Rhode Island General Laws, I have made the following appointment to the Marine Fisheries Council:

Richard J. Bellavance, Jr. of North Kingstown
(Representing Recreational Fishing Industry)

VICE
David Preble
(resigned)

for a term expiring April 1, 2010.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

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

October 21, 2009

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

Pheamo R. Witcher of Cranston
(Representative of Community Based Organization)

VICE
Armeather Gibbs

(resigned)

for a term expiring January 1, 2011.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Labor.

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

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

House Bill No. 5451 SUB B

BY Pacheco, McCauley, Ehrhardt, Williams, Fierro

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

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5409 SUB A

BY Ehrhardt, Carter, Lally, Rice M

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (would allow the registry to issue special license plates for the Friends of Plum Beach Lighthouse, Inc.) {LC738/1/A}

Read and ordered to be placed on the Calendar

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measure:

House Bill No. 5794 SUB B as amended

BY Malik, Walsh, Gablinske, Winfield

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT {LC1118/2/B}

Read and ordered to be placed on the Calendar.

COMMITTEE ON CORPORATIONS

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

House Bill No. 5773 SUB A (Business Regulation)
BY Watson
ENTITLED, AN ACT RELATING TO INSURANCE {LC1673/1/A}

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5822 SUB A (Business Regulation)
BY Newberry
ENTITLED, AN ACT RELATING TO INSURANCE {LC1669/1/A}

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5826 SUB A (Business Regulation)
BY Newberry
ENTITLED, AN ACT RELATING TO INSURANCE {LC1672/1/A}

Read and ordered to be placed on the Senate Consent Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Perry from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

House Bill No. 5655
BY Naughton, Handy, Walsh, Jacquard
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - HEARING AID DEALERS AND FITTERS (would require that a receipt for a hearing aid includes language that the client has been informed about other technologies and services for the deaf and hard of hearing) {LC1863/1}

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5453 SUB B

BY Kennedy, Naughton, Gemma

ENTITLED, AN ACT RELATING TO INSURANCE -- RENTAL NETWORK CONTRACT ARRANGEMENTS (would allow for the rental of health care providers' services and contractual discounts, while ensuring that network access information is available to health care providers) {LC1039/1/B}

Read and ordered to be placed on the Calendar

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

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

Also:

House Bill No. 5992 SUB A

BY Pollard

ENTITLED, AN ACT RELATING TO THE ABBEY LANE COMMUNITY ASSOCIATION, INC. WATER DISTRICT {LC2145/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6013 SUB A

BY Azzinaro, Walsh, Kennedy

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6081

BY Driver

ENTITLED, AN ACT CREATING THE OAK RIDGE CONDOMINIUM WATER DISTRICT {LC2373/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

House Bill No. 5039 SUB A (Attorney General)

BY Gablinske, Brien

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS -- MOTOR VEHICLE OFFENSES {LC30/4/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5094

BY Fierro, Pacheco, Gablinske, Sullivan, Savage

ENTITLED, AN ACT RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5730 SUB A as amended

BY Marcello, Hearn, Pollard

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5895 SUB A

BY Corvese, Brien, Melo

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- UNIFORM FOREIGN MONEY CLAIMS ACT {LC683/1/A}

Read and ordered to be placed on the Calendar

Also:

Nomination of Magistrate Patricia K. Asquith (appointment) as Magistrate of the Family Court Committee on Judiciary recommends that the Senate give its Advice and Consent to this Nomination.

Read and ordered to be placed on the Senate Consent Calendar.

Also:

Nomination of Jeffrey Hirsh (reappointment) of Warren to the Convention Center Authority, for a term expiring June 30, 2013.

Read and ordered to be placed on the Senate Consent Calendar.

Also:

Nomination of John E. Chartier (appointment) of Wakefield VICE Frank M. Sylvester as the State Fire Marshal for a term expiring July 1, 2013

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5054 SUB A

BY Corvese, Schadone, San Bento, Wasylyk

ENTITLED, AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE (allow the town of North Providence to establish a juvenile hearing board) {LC28/1/A}

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5560

BY Gallison, Azzinaro, Edwards, Silva, Jackson

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND VANDALISM {LC1998/1}

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5712

BY Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS (would remove outdated language relating to the election of spousal benefits) {LC2071/1}

Read and ordered to be placed on the Senate Consent Calendar.

Also:

House Bill No. 5902 SUB A (Attorney General)

BY Sullivan, Kilmartin, Guthrie

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS {LC1782/2/A}

Read and ordered to be placed on the Senate Consent Calendar.

COMMITTEE ON LABOR

Senator Connors, from the Committee on Labor, reports back, with recommendation of passage of the following measure:

House Bill No. 6057

BY Corvese, Melo, Palumbo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - OVERTIME CALCULATION {LC2295/1}

Read and ordered to be placed on the Senate Consent Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 195 SUB B

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

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE ESTABLISHMENTS (would define "domestic partner" for the purpose of granting authority to domestic partners of deceased for funeral arrangements of deceased.) {LC823/1/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 245 SUB B

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY (would add a new chapter on the prevention and supervision of contagious diseases, specifically HIV/AIDS and make technical amendments affected by that new chapter.) {LC584/2/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 311 SUB A

BY Senators Lynch, Connors, McCaffrey, Paiva-Weed, DaPonte

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - FEES (would provide that a portion of the fees collected in district court and family court would be forwarded to Rhode Island legal services.) {LC1853/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 346 as amended

BY Senators Sheehan, Lenihan, Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (would allow the registry to issue special license plates for the Friends of Plum Beach Lighthouse, Inc.) {LC1697/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 562 SUB A

BY Senators Picard, Connors

ENTITLED, AN ACT RELATING TO VALIDATING AND RATIFYING CERTAIN AMENDMENTS TO THE HOME RULE CHARTER OF THE CUMBERLAND HILL FIRE DISTRICT {LC1257/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 906 SUB A

BY Senators Fogarty P, Gallo

ENTITLED, AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION {LC2512/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5007 as amended

BY Almeida

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

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 5291

BY Almeida, Williams, Diaz

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE STATE)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5294

BY Segal, Edwards, Sullivan, Fierro

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE ESTABLISHMENTS (would define "domestic partner" for the purpose of granting authority to domestic partners of deceased for funeral arrangements of deceased.)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5509 SUB A

BY Gallison, Corvese

ENTITLED, AN ACT RELATING TO EDUCATION (would repeal certain provisions regarding the dismissal of teachers in Woonsocket and Cumberland) {LC1296/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5537 SUB A

BY Dennigan, Mattiello, McNamara

ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES (would make changes to health insurance contracts as it pertains to nurse practitioners) {LC1933/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5653 SUB A

BY McNamara

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED LIVING RESIDENCE LICENSING ACT (would establish minimum standards for the licensing of "assisted living residences-adult foster care") {LC1902/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5686 SUB A**BY** San Bento, DaSilva, Shallcross Smith, Corvese**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES (would address expiration periods pertaining to any approval, permit, variance or license issued pursuant to any state statute or municipal ordinance) {LC1859/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5732**BY** Lally**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOTOR VEHICLE OFFENSES (establish that RI Traffic Tribunal judges/magistrates have the ability to impose not only monetary penalties, but all of those sanctions provided by this chapter including license suspension/community service for motorists under the age of 20 twenty.) {LC2072/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5828 SUB A as amended**BY** Ferri, Walsh, McNamara, Rice A, Handy**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER CONSERVATION {LC1040/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5913 SUB A**BY** Fox, Ajello, Williamson, Mattiello, Marcello**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - FEES (would provide that a portion of the fees collected in district court and family court would be forwarded to Rhode Island legal services) {LC1626/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6034**BY** Williamson**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES {LC2307/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6052 as amended (Attorney General)

BY Fellela, Ucci, Petrarca, Carnevale

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION {LC2299/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6226 as amended

BY Kilmartin, Rice M, Gallison, Naughton, Malik

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE (would create a recreational saltwater fishing license and would make it unlawful to fish in the marine waters of the state without first obtaining a license) {LC2693/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6309

BY Kennedy

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING (would extend the expiration date for the Housing Act of 2004 Implementation Oversight Commission to March 31, 2010.) {LC2858/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6318 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - SMALL BUSINESS REGULATORY FAIRNESS IN ADMINISTRATIVE PROCEDURES (would create the small business regulatory fairness in administrative procedures chapter designed to reduce the burden of unfair regulations on small business.) {LC2917/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5355 SUB A

BY Dennigan, Ferri, Edwards, Coderre E, Naughton

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ESTABLISHING A GREEN BUILDINGS ACT (would require all public buildings, including schools, to be constructed or renovated, to meet standards established by the United States Green Building Council Leadership in Energy and Environmental Design green building rating silver standard.) {LC1200/3/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5594 SUB A

BY Jackson, Rice A, Martin

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (would allow the city of Newport to collect delinquent hotel room taxes in the same manner as it collects delinquent property taxes) {LC1847/2/A}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 6209

BY Lally

ENTITLED, AN ACT RELATING TO PUBLIC OFFICIALS, CITY AND TOWN EMPLOYEES AND ELECTED OR APPOINTED OFFICIALS (would require cities, towns, and fire districts to indemnify officials for claims arising out of the performance of their official duties.) {LC2641/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 6243

BY Fox, Coderre E, Gemma, Petrarca, Pollard

ENTITLED, AN ACT RELATING TO THE COMMUNITY COLLEGE OF RHODE ISLAND FOUNDATION {LC2732/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 6267

BY Azzinaro, Carnevale, Walsh

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would provide that the Class B tavern liquor license of the Weekapaug Inn would not lapse during the period when the Inn is closed for renovations) {LC2747/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Resolution No. 6272

BY Diaz, Savage, Fierro, Slater, Almeida

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE ESTABLISHMENT OF A HEALTH CARE CONSULTANT PROGRAM FOR LICENSED CHILD CARE CENTERS IN THE STATE OF RHODE ISLAND {LC2792/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 6315

BY Lally, Caprio D

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO FINANCE THE ACQUISITION OF REAL ESTATE AND/OR DEVELOPMENT RIGHTS THERETO AND TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES THEREFOR {LC2856/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 5083 as amended

BY Azzinaro, Guthrie, Pollard, Kennedy, Walsh

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DIVISION OF MOTOR VEHICLES (would require the administrator of the division of motor vehicles to maintain an office in Westerly.)

Read and ordered to be placed on the Senate Calendar

COMMITTEE ON FINANCE

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

House Bill No. 5607 SUB A

BY Slater, Diaz, Williams

ENTITLED, AN ACT RELATING TO TAXATION - CIGARETTE TAX (would provide that no license or permit to sell cigarettes would be issued or renewed unless the licensee has paid all current, fees, fines or other outstanding charges) {LC1717/1/A}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 5708 (Revenue)

BY Ehrhardt

ENTITLED, AN ACT RELATING TO TAXATION (would provide that any abatement of uncollectable taxes be approved by the director of revenue) {LC1628/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 5082 SUB A as amended

BY Carter, Gemma, Jacquard, Gallison, Almeida

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF VETERANS' AFFAIRS {LC209/1/A}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 5227 SUB A

BY Coderre E, Giannini, Serpa, Shallcross Smith

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND EXECUTION {LC486/1/A}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 5103

BY Serpa

ENTITLED, AN ACT AUTHORIZING RHODE ISLAND COLLEGE STUDENT COMMUNITY GOVERNMENT, INC., TO INCREASE ITS HOLDINGS TO AN AMOUNT NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5597 (General Treasurer)

BY Carter, Gemma, Gallison, Gablinske, Fellela

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - ABANDONED PROPERTY (provide that if medals awarded to US military personnel are delivered to the General Treasurer, they cannot be offered for sale, but must be returned to owner of the safety deposit box in which the medal(s) were located, or to his or her heirs) {LC1294/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6245 SUB A

BY Walsh, Fox, Gallison, Malik, Ferri

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION (would increase the number of the members of the economic

development corporation & would also create a permanent joint oversight committee on economic development) {LC2745/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5914 SUB A

BY Costantino, Dennigan, Carter, Jacquard, Melo

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (would require that the names and compensation of those providing professional services to public corporations be made public) {LC2101/1/A}

Read and ordered to be placed on the Calendar

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

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

House Resolution No. 5272

BY Dennigan, Savage, Hearn, Malik, Walsh

ENTITLED, JOINT RESOLUTION REINSTATING, EXTENDING, AND AMENDING THE MEMBERSHIP OF THE KARLA HARRY COMMISSION ON LIBRARIES IN RHODE ISLAND

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Resolution No. 6053 SUB A

BY Kilmartin

ENTITLED, JOINT RESOLUTION RELATING TO HEALTH AND SAFETY -- ENERGY {LC382/5/A}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 6073 SUB A as amended

BY Gemma, Schadone, Diaz, Ferri, Baldelli-Hunt

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF MOTOR VEHICLES - BREAST CANCER SUPPORT LICENSE PLATES {LC2369/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6103**BY** Williams, McNamara, Carnevale, Rice A, Kilmartin**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2166/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6316 SUB A**BY** Gallison, Gablinske, Malik, Rice A, Martin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- NEWPORT CONVENTION AND VISITORS' BUREAU (would expand the composition of the Newport County Convention and VisitorsÆ Bureau to include representatives from Warren, Bristol and Barrington. It would also expand its jurisdiction to include Bristol County.) {LC2853/2/A}

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 5896 SUB A**BY** Fox, Rice M, Ajello, Melo, McNamara**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF A BLUEPRINT FOR A NEW GENERATION OF TEACHER EDUCATION IN RHODE ISLAND {LC1903/2/A}

Read and ordered to be placed on the Calendar

Also:

House Resolution No. 6101 SUB A**BY** McNamara, Dennigan, Ferri, Fox, Menard**ENTITLED**, JOINT RESOLUTION RECOGNIZING APRIL 16, 2010 AS "NATIONAL HEALTHCARE DECISIONS DAY" IN THE STATE OF RHODE ISLAND {LC2399/1/A}

Read and ordered to be placed on the Calendar

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measure:

Nomination of Richard J. Bellavance, Jr. (Representing Recreational Fishing Industry) (appointment) of North Kingstown VICE David Preble (resigned) to the Marine Fisheries Council for a term expiring April 1, 2010

Read and ordered to be placed on the Senate Consent Calendar.

COMMITTEE ON LABOR

Senator Connors, from the Committee on Labor, reports back, with recommendation of passage of the following measure:

Nomination of Pheamo R. Witcher (Representative of Community Based Organization) (appointment) of Cranston VICE Armeather Gibbs (resigned) to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2011

Read and ordered to be placed on the Senate Consent Calendar.

COMMITTEE ON CORPORATIONS

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

House Bill No. 5609 as amended

BY Gallison, Lima

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS (would have the contractors' registration board become a permanent division within the department of administration)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5566 SUB B as amended

BY Lally

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- COMMUNITY OBLIGATIONS AND BANKING OFFENSES (expand the practice of law to the evaluation of legal rights of real estate buyers/sellers/lenders/borrowers, and would not prevent a domestic, attorney-owned title insurance co. officer/agent from engaging in real estate closings) {LC1684/1/B}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5906 SUB A as amended

BY Serpa, Silva, Mattiello, Vaudreuil

ENTITLED, AN ACT RELATING TO PROPERTY - CONDOMINIUM MANAGEMENT {LC1818/1/A}

Read and ordered to be placed on the Calendar.

COMMITTEE ON EDUCATION

Senator Gallo from the Committee on Education, reports back, with recommendation of passage of the following measure:

House Bill No. 5286

BY McNamara, Ferri, Diaz, Savage, Jacquard

ENTITLED, AN ACT RELATING TO EDUCATION -- HIGHER EDUCATION

Read and ordered to be placed on the Calendar

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Perry from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

House Bill No. 5968

BY Naughton, Carter, Coderre E, Pacheco

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BLOOD BANK SERVICES
{LC2142/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5266 SUB A

BY Palumbo, Corvese, Naughton, DeSimone, Caprio D

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND AUTISM SPECTRUM DISORDER EVALUATION AND TREATMENT ACT (would create a special governmental joint venture between the department of health, the department of elementary and secondary education, and the department of human services) {LC650/1/A}

Read and ordered to be placed on the Calendar

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

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

House Bill No. 6325 as amended

BY Williamson

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- WEST WARWICK HOME RULE CHARTER {LC2890/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6313**BY** McCauley, Menard, Pacheco**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- SMOKE AND CARBON MONOXIDE DETECTORS (would provide that smoke detectors and carbon monoxide detector certificates be valid for a period of not less than 120 days.) {LC2749/1}

Read and ordered to be placed on the Calendar

Also:

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

Read and ordered to be placed on the Calendar

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5570**BY** Handy, Naughton, Jacquard, Walsh**ENTITLED**, AN ACT RELATING TO ELECTIONS (would identify and include communication access expenses to ensure participation by deaf and hard of hearing individuals as a permitted use of campaign funds) {LC1867/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

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

Read and ordered to be placed on the Senate Calendar

Also:

Senate Bill No. 457 as amended (by request)**BY** Senators Algiere, Blais

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would make several technical amendments in the Rhode Island Uniform Commercial Driver's License Act in order to ensure state compliance with applicable federal regulations & to ensure the continued receipt of federal funds.) {LC1454/1}

Read and ordered to be placed on the Senate Calendar

Also:

Senate Bill No. 548 SUB A as amended (by request)

BY Senator Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- RENTAL NETWORK CONTRACT ARRANGEMENTS (act would allow for the rental of health care providers' services and contractual discounts, while ensuring that network access information is available to health care providers.) {LC1083/3/A}

Read and ordered to be placed on the Senate Calendar

Also:

Senate Bill No. 614 as amended

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOTOR VEHICLE OFFENSES (would establish that RI Traffic Tribunal judges/magistrates have the ability to impose not only monetary penalties, but all of those sanctions provided by this chapter including license suspension/community service for motorists under the age of 20) {LC1995/1}

Read and ordered to be placed on the Senate Calendar

Also:

Senate Bill No. 732 SUB A as amended

BY Senators Sosnowski, Bates, Walaska, Ciccone

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - THE WATER USE AND GOVERNMENT EFFICIENCY ACT OF 2009 {LC1344/1/A}

Read and ordered to be placed on the Senate Calendar

Also:

Senate Bill No. 927 as amended

BY Senator Algieri

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY (would reduce the membership of the housing board of review of the town of Westerly to three (3) members.) {LC2576/1}

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 5297

BY Melo, Gablinske, Loughlin, Savage, Marcello

ENTITLED, AN ACT RELATING TO ELECTIONS - PARTY COMMITTEES AND CONVENTIONS (would require state committees of political parties to nominate candidates, when none had filed before the deadline, in the same location where the original declaration of candidacy should have filed)

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 5819 SUB A as amended (Labor & Training)

BY Newberry

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TRADE LICENSE RENEWAL SCHEDULES {LC1608/1/A}

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 5831 as amended (Revenue)

BY Ehrhardt, Newberry

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC1654/1}

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 6442

BY Baldelli-Hunt

ENTITLED, AN ACT RELATING TO FORFEITURE OR REVOCATION OF THE CHARTER OF NORTHERN INDUSTRIES, INC. {LC3000/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 6443

BY Almeida, Fox, Williams, Diaz, Flaherty

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE OPPORTUNITIES INDUSTRIALIZATION CENTER OF RHODE ISLAND INCORPORATED {LC3026/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Bill No. 416 SUB A (Attorney General)**BY** Senators Sosnowski, Maselli, Sheehan, Algiere, Felag**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - SEARCH WARRANTS -

MOTOR VEHICLE OFFENSES (would allow a peace officer to request a search warrant which would allow the taking of blood, breath or urine, or perform a chemical test if probable cause exists to believe that an individual has been driving under the influence) {LC412/1/A}

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 5345**BY** McCauley, Schadone, Corvese, Caprio D, Palumbo**ENTITLED**, AN ACT RELATING TO SPORTS RACING AND ATHLETICS -- MIXED MARTIAL ARTS (would permit mixed martial arts matches in Rhode Island and provides the rules, regulations and guidelines for such matches)

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 6317**BY** Martin, Rice A, Edwards**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- HISTORICAL AREA ZONING (would reduce the number of members of the historic district commission of the city of Newport from 9 to 7 members. It would also allow that the city of Newport to appoint 2 auxiliary members to its commission.) {LC2876/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Bill No. 1008 as amended**BY** Senators Bates, Felag, DiPalma, Paiva-Weed, Levesque C**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- NEWPORT CONVENTION AND VISITORS' BUREAU (would expand the composition of the Newport County Convention and Visitors' Bureau to include representatives from Warren, Bristol and Barrington. It would also expand its jurisdiction to include Bristol County.) {LC2849/1}

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 5340 as amended**BY** Gallison, Edwards, Serpa, Martin, Carnevale**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- CEMETERIES -- VETERAN HEADSTONE MEMORIALS (would require any cemetery which accepts a veteran's remains for

burial to install free of charge the plaque issued by the Veterans' Administration on the veteran's gravesite.)

Read and ordered to be placed on the Calendar

COMMITTEE ON JUDICIARY

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

House Bill No. 5657 SUB B

BY Ruggiero, Gallison, Rice M, Pacheco, Ajello

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE SALES DISCLOSURES (would amend the real estate sales disclosure requirements to make specific reference to conservation and preservation easements and restrictions) {LC1571/1/B}

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 5044 SUB B

BY Giannini, Coderre E, Melo, Gemma, Fellela

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PROSTITUTION AND LEWDNESS (define the crime of prostitution to include any location, would create punishments for individuals who would attempt to procure the services of a prostitute, would define the crime of permitting prostitution within a premise) {LC32/2/B}

Read and ordered to be placed on the Senate Calendar

Also:

House Bill No. 5661 SUB B

BY Giannini, DaSilva, Corvese, Petrarca, Gablinske

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE (would mandate a fine of no less than forty thousand dollars (\$40,000) and imprisonment for up to life for anyone found guilty of sex trafficking of a minor) {LC1936/1/B}

Read and ordered to be placed on the Senate Calendar

COMMITTEE ON FINANCE

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

House Bill No. 6206

BY San Bento, Malik, Coderre E, Jacquard

ENTITLED, AN ACT RELATING TO TAXATION - SETOFF OF REFUND OF PERSONAL INCOME TAX (would amend certain provisions relative to the setoff procedure for refunds of personal income tax and what constitutes a "debtor" and "obligations owed" for purposes of this chapter.) {LC2585/1}

Read and ordered to be placed on the Calendar.

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**

October 26, 2009

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing, the June 25, 2009 appointment of Thomas Doherty to the Fire Education and Training Coordinating Board.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

CONSENT CALENDAR

In order for the day is taken up as follows:

- 1 Nomination of Magistrate Patricia K. Asquith (appointment) as Magistrate of the Family Court.**
- 2 Nomination of Jeffrey Hirsh (reappointment) of Warren to the Convention Center Authority, for a term expiring June 30, 2013..**
- 3 Nomination of John E. Chartier (appointment) of Wakefield VICE Frank M. Sylvester as the State Fire Marshal for a term expiring July 1, 2013.**
- 4 Nomination of Richard J. Bellavance, Jr. (Representing Recreational Fishing Industry) (appointment) of North Kingstown VICE David Preble (resigned) to the Marine Fisheries Council for a term expiring April 1, 2010.**

5 Nomination of Pheamo R. Witcher (Representative of Community Based Organization) (appointment) of Cranston VICE Armeather Gibbs (resigned) to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2011.

6 2009-H 5451 SUB B

BY Pacheco

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - NEW ENGLAND PATRIOTS CHARITABLE FOUNDATION

7 2009-H 5773 SUB A

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE

8 2009-H 5822 SUB A

BY Newberry

ENTITLED, AN ACT RELATING TO INSURANCE

9 2009-H 5826 SUB A

BY Newberry

ENTITLED, AN ACT RELATING TO INSURANCE

10 2009-H 5655

BY Naughton

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - HEARING AID DEALERS AND FITTERS

11 2009-H 5054 SUB A

BY Corvese

ENTITLED, AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE

12 2009-H 5560

BY Gallison

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND VANDALISM

13 2009-H 5712

BY Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS

14 2009-H 5902 SUB A

BY Sullivan

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS

15 2009-H 6057

BY Corvese
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
OVERTIME CALCULATION

16 2009-H 5594 SUB A

BY Jackson
ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES
-- LIABILITY AND COMPUTATION

17 2009-H 6209

BY Lally
ENTITLED, AN ACT RELATING TO PUBLIC OFFICIALS, CITY AND TOWN
EMPLOYEES AND ELECTED OR APPOINTED OFFICIALS

18 2009-H 6243

BY Fox
ENTITLED, AN ACT RELATING TO THE COMMUNITY COLLEGE OF RHODE
ISLAND FOUNDATION

19 2009-H 6267

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

20 2009-H 6272

BY Diaz
ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE
ESTABLISHMENT OF A HEALTH CARE CONSULTANT PROGRAM
FOR LICENSED CHILD CARE CENTERS IN THE STATE OF
RHODE ISLAND

21 2009-H 6315

BY Lally
ENTITLED, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO
FINANCE THE ACQUISITION OF REAL ESTATE AND/OR
DEVELOPMENT RIGHTS THERETO AND TO ISSUE NOT MORE
THAN \$2,000,000 BONDS AND NOTES THEREFOR

22 2009-H 5272

BY Dennigan
ENTITLED, JOINT RESOLUTION REINSTATING, EXTENDING, AND
AMENDING THE MEMBERSHIP OF THE KARLA HARRY
COMMISSION ON LIBRARIES IN RHODE ISLAND

23 2009-H 6053 SUB A

BY Kilmartin
ENTITLED, JOINT RESOLUTION RELATING TO HEALTH AND SAFETY --
ENERGY

24 2009-H 5082 SUB A as amended**BY Carter****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF VETERANS' AFFAIRS**25 2009-H 5227 SUB A****BY Coderre E****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE
AND EXECUTION**26 2009-H 5607 SUB A****BY Slater****ENTITLED,** AN ACT RELATING TO TAXATION - CIGARETTE TAX**27 2009-H 5708****BY Ehrhardt****ENTITLED,** AN ACT RELATING TO TAXATION**28 2009-H 5570****BY Handy****ENTITLED,** AN ACT RELATING TO ELECTIONS**29 2009-H 6317****BY Martin****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- HISTORICAL
AREA ZONING**30 2009-H 6442****BY Baldelli-Hunt****ENTITLED,** AN ACT RELATING TO FORFEITURE OR REVOCATION OF THE
CHARTER OF NORTHERN INDUSTRIES, INC.**31 2009-H 6443****BY Almeida****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE OPPORTUNITIES INDUSTRIALIZATION CENTER OF
RHODE ISLAND INCORPORATED

Upon motion of Senator Connors, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

COMMITTEE ON LABOR

Senator Connors, from the Committee on Labor, reports back, with recommendation of passage of the following measure:

House Bill No. 5950

BY Diaz, Slater, Almeida, Williams, Segal

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY EMPLOYEES {LC2068/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 1051

BY Senators Ruggerio, DaPonte, Goodwin, Tassoni

ENTITLED, JOINT RESOLUTION RELATING TO HEALTH AND SAFETY -- ENERGY {LC3005/1}

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

NAYS- 0:

Also:

Senate Bill No. 1052

BY Senators Lanzi, Connors, Paiva-Weed, Gallo

ENTITLED, AN ACT RELATING TO EDUCATION -- HIGHER EDUCATION {LC3011/1}

Senator Lanzi requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lanzi moves passage, seconded by Senators Pichardo, DiPalma and Lynch.

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

NAYS- 0:

Also:

Senate Bill No. 1053

BY Senators Goodwin, Paiva-Weed, Sosnowski, Perry

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BLOOD BANK SERVICES
{LC3006/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

NAYS- 0:

Also:

Senate Bill No. 1054

BY Senator Pichardo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY
EMPLOYEES {LC3015/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Fogarty, Miller, Jabour and Metts.

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, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1055

BY Senator Gallo, Connors

ENTITLED, JOINT RESOLUTION SUPPORTING THE FEDERAL "RACE TO THE TOP" GRANT PROGRAM AND URGING THE GOVERNOR AND THE RHODE ISLAND DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TO SUBMIT A COMPETITIVE APPLICATION TO PURSUE THE FOUR REFORMS AS OUTLINED BY THE UNITED STATES DEPARTMENT OF EDUCATION {LC3009/1}

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators Connors, Algieri, DiPalma, Pichardo and DeVall.

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

NAYS- 0:

Also:

Senate Bill No. 1056

BY Senator Crowley

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CHRISTIAN BRETHERN OF PAWTUCKET {LC2962/1}

Senator Crowley requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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, Tassoni, Walaska.

NAYS- 0:

NOW PRESIDING

The Honorable President yields the rostrum to the Honorable John F. McBurney President Pro Tempore of the Senate at 6:05 P.M. o'clock.

NEW BUSINESS

Senate Resolution No. 1058

BY Senator Sheehan

ENTITLED, SENATE RESOLUTION HONORING THE PLUM BEACH GARDEN CLUB FOR ESTABLISHING A BLUE STAR BY-WAY MARKER AT THE INTERSECTION OF ROUTE 1 AND WEST MAIN STREET IN NORTH KINGSTOWN, IN HONOR OF THE MEN AND WOMEN WHO HAVE SERVED AND ARE CURRENTLY SERVING IN THE UNITED STATES ARMED FORCES {LC3007/1}

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sheehan moves passage, seconded by Senators Crowley, Cote and Lenihan.

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

NAYS- 0:

Also:

Senate Bill No. 1059

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO LABOR -- THE EMPLOYMENT OF MINORS -- ADULT ENTERTAINMENT {LC3047/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Perry, Levesque and Crowley.

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

NAYS- 0:

Also:

Senate Bill No. 1060

BY Senators Connors, O'Neill E

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - VIDEO LOTTERY TERMINAL {LC3038/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senators Goodwin, DaPonte, Doyle and O'Neil.

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 and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Paiva Weed

Also:

Senate Resolution No. 1061

BY Senators DaPonte, Connors, Ruggerio, DiPalma, Ciccone

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR TO SUBMIT A RECOMMENDED CORRECTIVE ACTION PLAN FOR FY 2010 BY NOVEMBER 16, 2009 {LC3046/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Connors, Ruggerio, Pichardo, Miller and DiPalma.

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 Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senate Resolution No. 1062

BY Senators Pichardo, Goodwin

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF OUR VENERATED COLLEAGUE, THE HONORABLE THOMAS C. SLATER {LC3031/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Goodwin.

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

Also:

Senate Bill No. 1063

BY Senator Pinga

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3043/1}

Senator Pinga requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pinga moves passage, seconded by Senator Algieri.

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

NAYS- 0:

Also:

Senate Bill No. 1064

BY Senator Maher

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3044/1}

Senator Maher requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Maher moves passage, seconded by Senator Blais.

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

NAYS- 0:

Also:

Senate Bill No. 1065

BY Senator Maher

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES {LC3039/1}

Senator Maher requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Maher moves passage, seconded by Senator Algieri.

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, Lanzi, Lenihan, Lynch,

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

NAYS- 0:

Also:

Senate Bill No. 1066

BY Senators Sosnowski, Miller, Ruggerio, Paiva-Weed, Walaska

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS {LC3042/1}

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senators Miller Lanzi and Perry.

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, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to the Honorable M. Teresa Paiva Weed President of the Senate at 6:17 P.M. o'clock.

NEW BUSINESS

Senate Bill No. 1066

BY Senators Sosnowski, Miller, Ruggerio, Paiva-Weed, Walaska

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS {LC3042/1}

Senator Felag requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Felag moves passage, seconded by Senator Gibbs.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative 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, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, OCTOBER 29, 2009:

63. 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.

Senator Ruggerio moves passage, seconded by Senators Connors, Doyle and Ciccone.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 3 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, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, Pichardo, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators O'Neill, Pinga, Sheehan.

1. 2009-S 195 SUB B

BY Perry

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE
ESTABLISHMENTS

Ordered to be placed on the Senate Calendar

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

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

NAYS- 0:

2. 2009-S 245 SUB B

BY Levesque C

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

Ordered to be placed on the Senate Calendar

Senator Levesque moves passage, seconded by Senator Perry.

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

NAYS- 0:

3. 2009-S 311 SUB A

BY Lynch

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE GENERALLY - FEES**

Ordered to be placed on the Senate Calendar

Senator Lynch moves passage, seconded by Senator Levesque, Metts and McCaffrey.

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 2 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, 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, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais, Maher

4. 2009-S 346 as amended

BY Sheehan

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
REGISTRATION OF VEHICLES**

Ordered to be placed on the Senate Calendar

Senator Sheehan moves passage, seconded by Senators Lenihan O'Neil and Goodwin

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

NAYS- 0:

5. 2009-S 562 SUB A

BY Picard

**ENTITLED, AN ACT RELATING TO VALIDATING AND RATIFYING
CERTAIN AMENDMENTS TO THE HOME RULE CHARTER OF
THE CUMBERLAND HILL FIRE DISTRICT**

Ordered to be placed on the Senate Calendar

Senator Picard moves passage, seconded by Senators Tassoni, Connors and Levesque.

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

NAYS- 0:

6. 2009-S 906 SUB A

BY Fogarty P

**ENTITLED, AN ACT RELATING TO THE BURRILLVILLE SEWER
COMMISSION**

Ordered to be placed on the Senate Calendar

Senator Fogarty moves passage, seconded by Senators Tassoni Levesque and Walaska.

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

NAYS- 0:

7. 2009-H 5409 SUB A

BY Ehrhardt

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
REGISTRATION OF VEHICLES**

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8. 2009-H 5794 SUB B as amended

BY Malik

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY
REDUCTION AND EDUCATION ACT**

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

Senator Ruggerio moves passage, seconded by Senators Connors.

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

FLOOR AMENDMENT

2009 -- H 5794 SUBSTITUTE B, AS AMENDED

AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT

Madam President:

I hereby move to amend 2009 -- H 5794 SUBSTITUTE B, AS AMENDED, entitled "AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT", as follows:

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

"SECTION 1. Sections 23-24.9-2, 23-24.9-3, 23-24.9-6, 23-24.9-9 and 23-24.9-10 of the General Laws in Chapter 23-24.9 entitled "Mercury Reduction and Education Act" are hereby amended to read as follows:

23-24.9-2. Findings. -- The general assembly has found and hereby declares that:

- (1) Mercury is a persistent and toxic pollutant that bioaccumulates in the environment;
- (2) Mercury deposition has proven to be a significant problem in the northeastern United States;
- (3) Consumption of mercury-contaminated freshwater fish poses a significant public health threat to the residents of

Rhode Island;

(4) In order to address these real threats to public health and the environment, the state has been and should continue to actively cooperate with other states in the region to help minimize harm resulting from mercury in food, soil, air and water; ~~and~~

(5) According to a 2004 study by the U.S. environmental protection agency titled "International mercury market study and the role and impact of U.S. environmental policy."

more than ten percent (10%) of the estimated mercury reservoir in the United States is in thermostats;

(6) In 1998, thermostat manufacturers General Electric, Honeywell, and White Rodgers established the thermostat recycling corporation "(TRC)", a non-profit corporation to facilitate recycling of mercury thermostats nationwide. The TRC originally operated solely through wholesalers but has since expanded to enable collection by contractors, household hazardous waste facilities, and retailers. The TRC is a voluntary program in most states, but several states make wholesalers participation in the TRC, or a similar program, a requirement under state law.

(7) The manufacturers of mercury-containing thermostats, with the cooperation of the department, should be encouraged to submit a single unified plan for the collection of mercury-containing thermostats, the cost of which should be appropriately apportioned between participating manufacturer; and

~~(5)~~ (8) The intent of this chapter is to achieve significant reductions in environmental mercury by encouraging the establishment of effective waste reduction, recycling, management and education programs.

23-24.9-3. Definitions. -- For the purpose of this chapter:

(1) "Component" means a mercury-added product which is incorporated into another product to form a fabricated mercury-added product, including, but not limited to, electrical switches and lamps.

(2) "Department" means the department of environmental management.

(3) "Director" means the director of the department of environmental management or any subordinate or subordinates to whom the director has delegated the powers and duties vested in him or her by this chapter.

(4) "Fabricated mercury-added product" means a product that consists of a combination of individual components that combine to make a single unit, including, but not limited to, mercury-added measuring devices, lamps and switches to which mercury or a mercury compound is intentionally added in order to provide a specific characteristic, appearance, or quality, or to perform a specific function or for any other reason.

(5) "Formulated mercury-added product" means a product that includes, but is not limited to, laboratory chemicals, cleaning products, cosmetics, pharmaceuticals and coating materials that are sold as a consistent mixture of chemicals to which mercury or a mercury compound is intentionally added in order to provide a specific characteristic, appearance, or quality, or to perform a specific function or for any other reason.

(6) "Healthcare facility" means any hospital, nursing home, extended care facility, long-term care facility, clinical or medical laboratory, state or private health or mental institution, clinic, physician's office or health maintenance organization.

(7) "Manufacturer" means any person, firm, association, partnership, corporation, governmental entity, organization, combination or joint venture that produces a mercury-added product or an importer or domestic distributor of a mercury-added product produced in a foreign country. In the case of a multi-component mercury-added product, the manufacturer is the last manufacturer to produce or assemble the product. If the multi-component product is produced in a foreign country, the manufacturer is the importer or domestic distributor. In the case of mercury-containing thermostats, the manufacturer is the original equipment manufacturer who sells or sold a mercury-containing thermostat under a brand or label it owns, or is or was licensed to use a mercury-containing thermostat produced by other suppliers..

(8) "Mercury-added button cell battery" means a button cell battery to which the manufacturer intentionally introduces mercury for the operation of the battery.

(9) "Mercury-added novelty" means a mercury-added product intended mainly for personal or household enjoyment or adornment. Mercury-added novelties include, but are not limited to, items intended for use as figurines, adornments, toys, games, cards, ornaments, yard statues and figures, candles, jewelry, holiday decorations, items of apparel (including footwear), or similar products.

(10) "Mercury-added product" means a product, commodity, chemical or a product with a component that contains mercury or a mercury compound intentionally added to the product, commodity, chemical or component in order to provide a specific characteristic, appearance, or quality, or to perform a specific function or for any other reason. These products include formulated mercury-added products and fabricated mercury-added products.

(11) "Mercury fever thermometer" means a mercury-added product that is used for measuring body temperature.

(12) "Mercury-containing thermostat" means a product or device that uses a mercury switch to sense and control room temperature through communication with heating, ventilating, or air-conditioning equipment. "Mercury-containing thermostat" includes thermostats used to sense and control room temperature in residential, commercial, industrial, and other buildings but does not include a thermostat used to sense and control temperature as part of a manufacturing process.

(13) "Person" means an individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, the federal government or any agency or subdivision thereof, a state, municipality, commission, political subdivision of a state, or any interstate body.

(14) "Thermostat retailer" means a person who sells thermostats of any kind directly to homeowners or other nonprofessionals through any selling or distribution mechanism, including, but not limited to, sales using the internet or catalogues. A retailer may also be a wholesaler if it meets the definition of wholesaler.

(15) "Thermostat wholesaler" means a person that is engaged in the distribution and wholesale sale of thermostats and other heating, ventilation, and air-conditioning components to contractors who install heating, ventilation, and air-conditioning components.

23-24.9-6. Restrictions on the sale of certain mercury-added products. -- (a) No later than January 1, 2003, no mercury-added novelty shall be offered for final sale or use or distributed for promotional purposes in Rhode Island. Manufacturers that produce and sell mercury-added novelties must notify retailers about the provisions of this product ban and how to dispose of the remaining inventory properly. The requirements of this section shall apply to all mercury-added novelties irrespective of whether or not the product is exempt from the phase-out requirements of section 23-24.9-11.

(b) No mercury fever thermometer may be distributed, sold or offered for sale in this state on or after January 1, 2002, except by prescription. As used in this section, the term "mercury fever thermometer" includes any device containing mercury in which the mercury is used to measure the internal body temperature of a person. This restriction shall not apply to digital thermometers utilizing mercury-added button cell batteries. The manufacturers of mercury fever thermometers shall supply clear instructions on the careful handling of the thermometer to avoid breakage and proper cleanup should a breakage occur with all mercury fever thermometers sold through prescription. Mercury fever thermometers manufacturers must also

comply with sections 23-24.9-5 and 23-24.9-7 -- 23-24.9-10.

(c) After January 1, 2003, no school in Rhode Island may use or purchase for use in a primary or secondary classroom, bulk elemental or chemical mercury, or mercury compounds. Manufacturers that produce and sell such materials must notify retailers about the provisions of this ban and how to dispose of the remaining inventory properly. Other mercury-added products that are used by schools are not subject to this prohibition.

(d) Button cell batteries. - After June 30, 2011 a person may not sell or offer to sell or distribute for promotional purposes a mercury-added cell battery for consumer use or a product for consumer use that contains a mercury-added button cell battery.

(e) Commencing April 1, 2010, the following sales prohibitions shall apply to manufacturers, thermostat wholesalers, and thermostat retailers:

(1) A manufacturer not in compliance with section 23-24.9-10.2, is prohibited from offering any thermostat for final sale in the state, selling any thermostat at final sale in the state or distributing any thermostat in the state.

(2) By January 1, 2011, a thermostat wholesaler shall not offer for final sale, sell at final sale or distribute any thermostat unless the wholesaler:

(i) Acts as a collection site for thermostats that contain mercury; and

(ii) Promotes and utilizes the collection containers provided by thermostat manufacturers to facilitate a contractor collection program as established by section 23-24.9-10.2, and performs all other tasks as needed to establish and maintain a cost-effective manufacturer collection and financial incentive program.

(3) By April 1, 2011, a thermostat retailer shall not offer for final sale, sell, or distribute any thermostat in the state unless the thermostat retailer participates in the manufacturers' education and outreach program to educate consumers on the collection program for mercury thermostats as described in section 23-24.9-10.2.

(4) A thermostat wholesaler or thermostat retailer shall not offer for final sale, sell at final sale, or distribute in this state any thermostat of a manufacturer that is not in compliance with section 23-24.9-10.2.

23-24.9-9. Disposal ban. -- (a) Except as otherwise provided for in this chapter, after July 1, 2006, no person shall dispose of mercury-added products in a manner other than by recycling or disposal as hazardous waste. Mercury from mercury-added products may not be discharged to water, wastewater treatment, and wastewater disposal systems except when it is done in compliance with local, state, and federal applicable requirements.

(b) If a formulated mercury-added product is a cosmetic or pharmaceutical product subject to the regulatory requirements relating to mercury of the federal Food and Drug Administration, then the product is exempt from the

requirements of this section.

(c) This section shall not apply to: (1) anyone who disposes of a mercury-added button cell battery; or (2) mercury-added components as contained in motor vehicles except as provided in subdivision 23-24.9-10(b)(2) and in accordance with such regulations as may be adopted by the department in order to achieve the purposes of subdivision 23-24.9-10(b)(2); and (3) households disposing of lamps and products containing lamps.

(d) The restrictions on the disposal of mercury-added components in motor vehicles shall be as set forth in subsection (a) of this section effective January 1, 2006, and shall be implemented as provided for in subdivision (c)(2) of this section and subdivision 23-24.9-10(b)(2).

(e) The restrictions on amalgam waste recycling and disposal shall be implemented as provided for in section 23-24.9-9.3.

(f) Any contractor who removes a mercury-containing thermostat from a building shall deliver the mercury-containing thermostat to an appropriate wholesaler, retailer or municipal collection location for recycling.

(g) Any contractor who demolishes a building shall remove any mercury-containing thermostats from the building prior to demolition and shall deliver the mercury-containing thermostats to an appropriate, wholesaler, retailer or collection location for recycling.

23-24.9-10. Collection of mercury-added products. -- (a) After January 1, 2006, no mercury-added product shall be offered for final sale or use or distribution for promotional purposes in Rhode Island unless the manufacturer, either on its own or in concert with other persons, has implemented a system, after review and approval of the director, for the convenient and accessible collection of such products when the consumer is finished with them. Where a mercury-added product is a component of another product, the collection system must provide for removal and collection of the mercury-added component or collection of both the mercury-added component and the product containing it. Mercury-added components in motor vehicles shall be collected and recycled as provided for in subdivision (b)(2) of this section. Mercury-containing thermostats shall be collected and recycled as provided for in section 23-24.9-10.2.

(b) (1) This section shall not apply to the collection of mercury-added button cell batteries or mercury-added lamps or products where the only mercury contained in the product comes from a mercury-added button cell battery or a mercury-added lamp; and

(2) Mercury-added components in motor vehicles at end-of-life shall be collected and recycled as provided in this subsection. Significant, willful failure to comply with rules and/or regulations to implement the provisions of this section shall constitute, as may be determined by the department, a violation of the ban established in section 23-24.9-9. No scrap

recycling facility or other person that receives a flattened, crushed or baled end-of-life vehicle shall be deemed to be in violation of subdivision 23-24.9-10(b)(2) and rules and regulations pursuant thereto or section 23-24.9-9 if a mercury switch is found in the vehicle after its acquisition.

For the purposes of subdivision 23-24.9-10(b)(2) the following terms shall have the following meanings: (i) "Capture rate" means the annual removal, collection, and recovery of mercury switches, as a percentage of the total number of mercury switches available for removal from end-of-life vehicles as determined by the department of environmental management. Capture rate shall not include mercury switches that are inaccessible due to significant damage to the motor vehicle in the area where the mercury switch is located; (ii) "Mercury added component" or "Mercury switch" means a mercury-added convenience light switch assembly or capsule from an end-of-life motor vehicle; (iii) "Scrap recycling facility" means a fixed location where machinery and equipment are utilized for processing and manufacturing scrap metal into prepared grades and whose principal product is scrap iron, scrap steel, or nonferrous metallic scrap for sale for remelting purposes; and (iv) "Vehicle recycler" means an individual or entity licensed under the provisions of section 42-14.2-3 that engages in the business of acquiring, dismantling, parts recycling from, or destroying six (6) or more end-of-life vehicles in a calendar year.

(A) Manufacturers of motor vehicles sold in Rhode Island that contain mercury switches shall, individually or collectively, establish and implement a collection program for mercury switches to achieve a capture rate of not less than fifty percent (50%) for calendar year 2006, and not less than seventy percent (70%) for calendar year 2007 and each calendar year thereafter through calendar year 2017.

(B) The department shall develop, issue, administer and enforce regulation compelling the manufacturers of motor vehicles sold in Rhode Island that contain mercury switches to undertake a collection program as set forth in this subparagraph, 23-24.9-10(b)(2)(B). The department shall determine that the capture rate in each year of the program and shall assess whether any failure to achieve the capture rate was the result of a force-majeure. The department shall report publicly on or before March 31, each year its findings with regard to the capture rate during the prior year. The manufacturer or manufacturers shall pay the total cost of the removal, replacement, collection and recovery system for mercury switches, under this subparagraph, 23-24.9-10(b)(2)(B), to the vehicle recycler or scrap recycling facility that removed the switch. The total cost shall include, but not be limited to a minimum of five dollars (\$5.00) for each mercury switch removed by a vehicle recycler or by a scrap recycling facility, as partial compensation for the labor and other costs incurred in the removal of the mercury switch.

(3) The provisions of subdivision 23-24.9-10(b)(2) shall satisfy collection programs and disposal requirements for

mercury switches for all motor vehicles sold in the state.

SECTION 2. Chapter 23-24.9 of the General Laws entitled "Mercury Reduction and Education Act" is hereby amended by adding thereto the following sections:

23-24.9-10.2. Mercury-containing thermostats. – (a) Manufacturer responsibility. Each thermostat manufacturer that has offered for final sale, sold at final sale, or has distributed mercury-containing thermostats in Rhode Island shall, individually or collectively:

(1) No later than September 1, 2010, submit a plan to the department for approval that describes a collection program for mercury thermostats. The program contained in this plan shall ensure that the following take place:

(i) That an effective education and outreach program shall be developed, and shall be directed toward wholesalers, retailers, contractors, and homeowners. There shall be no direct cost to thermostat wholesalers, thermostat retailers or contractors for participating in the program, except that thermostat wholesalers, thermostat retailers and contractors may be assessed a nominal, one-time administrative fee to offset the cost of each collection bin for each collection location of out-of-service mercury thermostats as specified in the plan. Information and education on proper management and recycling of mercury thermostats shall be provided to contractors, service technicians, wholesalers, retailers adopted by the department, and provided for without cost to thermostat retailers, wholesalers, contractors nonprofessionals and homeowner, except as provided in paragraphs (iii) of this section.

(ii) That the handling, transportation and recycling of mercury-containing thermostats is accomplished in a manner that is consistent with the provisions of the universal waste rules adopted by the department, and provided for without cost to thermostat retailers, wholesalers, contractors, nonprofessionals, and homeowners, except as provided in paragraph (iii) of this section.

(iii) That collection systems are provided to all collection points registered pursuant to subdivision 23-24.9-10.2(b)(3). Collection systems can include individual product mail back or multiple collection containers. The cost to registered collection points shall be limited to an initial, reasonable one-time fee per container as specified in the plan.

(2) No later than January 1, 2011, implement a mercury thermostat collection plan approved by the department under subsection 23-24.9-10.2(b) for thermostats collected by contractors or service technicians, and no later than April 1, 2011 implement an approved mercury thermostat collection plan for thermostats collected by homeowners or nonprofessionals.

(3) Beginning in 2012, submit an annual report to the department by April 1, of each year that includes, at a minimum, all of the following:

(i) The number of mercury-containing thermostats collected and recycled by that manufacturer pursuant to this section during the previous calendar year and the number for each state within the United States.

(ii) The estimated total amount of mercury contained in the thermostat components collected by that manufacturer pursuant to this section in the previous calendar year, and the amount for each state within the United States.

(iii) An evaluation of the effectiveness of the manufacturer's collection program and the financial incentive.

(iv) An accounting of the administrative costs incurred in the course of administering the collection and recycling program and the financial incentive plan.

(b) Department responsibilities.

(1) Within sixty (60) days of receipt of a collection plan from a manufacturer, the department shall review and may grant, deny, or approve with modifications a manufacturer plan required by subdivision 23-24.9-10.2(a)(1). The department shall not approve a plan unless all elements of subdivision 23-24.9-10.2(a)(1) are fully and adequately addressed. In reviewing a plan, the department may consider consistency of the plan with collection and financial incentive requirements in other states and consider consistency between manufacturer collection programs. In reviewing plans, the department shall ensure that education and outreach programs are uniform and consistent to ensure ease of implementation by thermostat wholesalers and thermostat retailers. In the event that a total of more than five (5) manufacturer plans are submitted to comply with this law, the department may develop a schedule for the plan approval process which is longer than sixty (60) days.

(2) The department shall establish a process under which a plan submitted by a manufacturer is, prior to plan approval, available for public review and comment for fourteen (14) days. The department shall consult with interested persons, including representatives from thermostat manufacturers, environmental groups, thermostat wholesalers, thermostat retailers, service contractors, municipalities, and solid waste districts.

(3) Registered collection points. The department shall maintain and post on its website a list of municipalities, thermostat retailers and any other locations that are registered collection points for mercury thermostats.

(4) Education and outreach. In conjunction with the educational and outreach programs implemented by manufacturers, the department may conduct an education and outreach program directed toward wholesalers, retailers, contractors, and homeowners to promote the collection of discarded mercury-containing thermostats.

(5) Rate of collection. By June 1, 2010, the department shall promulgate regulations pursuant to section 23-24.9-20 that: (i) estimate the number of out-of-service thermostats becoming waste in Rhode Island on an annual basis, in consultation with interested persons, including representatives from thermostat manufacturers, thermostat wholesalers,

thermostat retailers, service contractors, environmental groups, and municipalities, and (ii) establish performance requirements that specify collection rates expressed as a percentage of out-of-service mercury thermostats becoming waste annually as determined in (i) above. Beginning January 1, 2012, collection efforts shall result in the collection and recycling of out-of service mercury-containing thermostats in the state at the rate determined by the department in (ii) above. Should collection efforts fail to result in the collection and recycling of the minimum required collection rate in any given year, the department shall, in consultation with interested persons, require modifications to manufacturer's collection plans, including establishment of and adjustments to the financial incentive provided for in section (c) below, in an attempt to improve collection rates in accordance with these goals.

(c) Financial incentive. In the event that the rate of collection established by the department pursuant to subdivision (b)(5) is not achieved in any given year, then a financial incentive shall be established to achieve the rate of collection defined by the department.

(1) The department shall notify all thermostat manufacturers that participate in a collection program in this state that a financial incentive must be included in the collection program plans submitted and approved by the department. Every thermostat manufacturer as defined in subdivision 23-24.9-3(7) shall amend its collection program plan to include a financial incentive within six (6) months of receipt of notice from the department that the collection rate was not achieved for the year. Every thermostat manufacturer shall implement the financial incentive within ten (10) months of receipt of notice from the department that the collection rate was not achieved for the year.

(2) The financial incentive shall have a minimum value of five dollars (\$5.00) for the return of each mercury-containing thermostat to a thermostat wholesaler by a contractor or service technician. The financial incentive shall be in the form of cash or coupons that are redeemable by the contractor or service technician.

(3) The financial incentive shall have a minimum value of five dollars (\$5.00) to homeowners or nonprofessionals for the return of each mercury-containing thermostat to a collection point registered with the department. The financial incentive shall be in the form of a coupon that can be redeemed for a credit toward purchase of general merchandise in the retail location where the thermostat was returned. The department may provide exemptions from this subsection for certain collection programs that are offered to homeowners and nonprofessionals including, but not limited to, municipal and state household hazardous waste collection programs.

23-24.9-10.3. Sunset provisions. – The department shall review the provisions of section 23-24.9-10.2 no later than September 1, 2016 to determine if the provisions of said section shall sunset and the appropriate date for such action. The department shall make such a determination based on the best available data pertaining to the remaining number of out-of-

service mercury-containing thermostats and the collection rates achieved under the provisions. The department shall report to the general assembly no later than January 1, 2017 as to the determination made by the department. If the department determines that the provisions of section 23-24.9-10.2 shall continue then the department shall subsequently review the provisions of said section no later than September 1, 2019 and every two (2) years thereafter until such provisions are no longer required and the department shall report such findings to the general assembly for purposes of repealing the section

SECTION 3. This act shall take effect upon passage, and would sunset under certain circumstances."

Respectfully submitted,
SENATOR RUGGERIO

The motion to amend prevails upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Ruggiero moves passage of the act, as amended, seconded by Senators Connors, Sosnowski and Felag.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 36 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Cote, Picard.

9. 2009-H 5453 SUB B

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- RENTAL NETWORK
CONTRACT ARRANGEMENTS

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

Senator Bates moves passage, seconded by Senator Perry.

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

FLOOR AMENDMENT

2009 -- H 5453 SUBSTITUTE B

AN ACT RELATING TO INSURANCE -- RENTAL NETWORK CONTRACT ARRANGEMENTS

Madam President:

I hereby move to amend 2009 -- H 5453 SUBSTITUTE B, entitled "AN ACT RELATING TO INSURANCE -- RENTAL NETWORK CONTRACT ARRANGEMENTS", as follows:

(1) On page 6, by deleting the language on lines 10 through 13 in their entirety and inserting in place thereof the following language:

"(b) Contracting entities and third-parties are obligated to comply with subdivisions 27-20.10-4(b)(2) or 27-20.10-5(c)(1) and (2) concerning the services referenced on a remittance advice (RA) or explanation of payment (EOP). A provider may refuse the discount taken on the (RA) or (EOP) if the discount is taken without a contractual basis or in violation of these sections. However, an error in the (RA) or (EOP) may be corrected within thirty (30) days following notice by the provider."

(2) On page 6, line 25, by deleting the words "upon passage" and inserting in place thereof the language "as of January 1, 2010."

Respectfully submitted,
SENATOR BATES

The motion to amend prevails upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Bates moves passage of the act, as amended, seconded by Senators Perry and Connors.

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

NAYS- 0:

10. 2009-H 5992 SUB A

BY Pollard

ENTITLED, AN ACT RELATING TO THE ABBEY LANE COMMUNITY ASSOCIATION, INC. WATER DISTRICT

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

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

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

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

NAYS- 0:

11. 2009-H 6013 SUB A

BY Azzinaro

ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

Senator Algieri moves passage, seconded by Senator Tassoni.

Senator Algieri seconded by Senator Tassoni, offers the following written motion to amend.

FLOOR AMENDMENT

2009 -- H 6013 SUBSTITUTE A

RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY

Madam President:

I hereby move to amend 2009 -- H 6013 SUBSTITUTE A, entitled "AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY", as follows:

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

"SECTION 1. Sections 1, 5, and 6 of Chapter 2594 of the Public Laws of 1938, entitled "An act to provide for the retirement of police officers of the town of Westerly," as amended by chapter 1298 of the Acts and Resolves of 1943, chapter 1514 of the Acts and Resolves of 1944, chapter 3537 of the Acts and Resolves of 1955, chapter 169 of the Acts and Resolves of 1963, chapter 187 of the Public Laws of 1973, and Chapter 87 of the Public Laws of 1979, are hereby further amended to read as follows:

Section 1. The following words and phrases when used in this act shall be construed as Follows:

1. "Officer" shall include any police officer, chief of police, ~~deputy chief of police, captain of police,~~ lieutenant of police or sergeant of police, or any other sworn member of the police department of appointed by the town council of the town of Westerly, ~~pursuant to the provisions of chapter 1853 of the public laws, 1931.~~

2. "Account" shall mean the police retirement account, established in accordance with this act.

3. "Premium" shall mean the annual premium to be paid to an insurance company for the purchase of an income contract or an annuity or a retirement annuity or an amount to be determined on a reserve basis in case an account is created in accordance with this chapter.

Section 5. ~~On an after March 1st, 1939, every qualified officer, as defined in section 1 of this act, who shall have served a continuous period of twenty five years on the police force of the town of Westerly and attained the age of 55, shall be entitled to receive, until the time of his death, an annual retirement allowance of fifty per centum of his final annual compensation payable as nearly as practicable in equal monthly installments; provided, however, that in any case where such continuous period of service has been interrupted for cause deemed satisfactory to the town council and so certified by said town council to the town treasurer, said interrupted period of service for twenty five years shall be recognized as though no interruption in consecutive order of years had occurred; provided, further, however, that he has contributed to the account a sum not less than four per centum, nor more than ten per centum of his annual compensation to the time of his retirement but in no event for a period less than twenty five years.~~ Every qualified officer, as herein defined, shall be entitled to receive a pension as provided in the applicable collective bargaining agreement. Officers shall contribute to such pension plan as is provided in the applicable collective bargaining agreement.

Section 6. Each officer who has served a continuous period of ~~twenty five~~ thirty years shall be retired, ~~unless he~~

~~requests permission to continue in service, in which case, the town council by affirmative vote may permit his continuation in service for term of one year, at the end of which time, he shall be retired as though he had then served a continuous period of twenty-five years; provided, however, that the town council may by affirmative vote at the end of any such period again permit his continuation in service for a period of one year.~~

SECTION 2. This act shall take effect upon passage and all acts and parts of acts inconsistent herewith are hereby repealed.”

Respectfully submitted,
LEADER ALGIERE

The motion to amend prevails upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Algieri moves passage of the act, as amended, seconded by Senator Tassoni.

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

NAYS- 0:

12. 2009-H 6081

BY Driver

ENTITLED, AN ACT CREATING THE OAK RIDGE CONDOMINIUM WATER DISTRICT

Committee on Housing & Municipal Government recommends passage in concurrence.

Senator Tassoni moves passage, seconded by Senator Connors.

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

NAYS- 0:

13. 2009-H 5039 SUB A

BY Gablinske

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS -- MOTOR VEHICLE OFFENSES

Ordered to be placed on the Senate Calendar

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

14. 2009-H 5094

BY Fierro

ENTITLED, AN ACT RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS

Committee on Judiciary recommends passage in concurrence.

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

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

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

NAYS- 0:

15. 2009-H 5730 SUB A as amended

BY Marcello

ENTITLED, AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS

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

Senator Blais moves passage, seconded by Senator McCaffrey.

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

NAYS- 0:

16. 2009-H 5895 SUB A

BY Corvese

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
PROCEDURE GENERALLY -- UNIFORM FOREIGN MONEY
CLAIMS ACT

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

Senator Jabour moves passage, seconded by Senator McCaffrey.

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

NAYS- 0:

17. 2009-H 5007 as amended

BY Almeida

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM
CONTROLLED SUBSTANCES ACT

Ordered to be placed on the Senate Calendar

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

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi,

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

NAYS- 0:

18. 2009-H 5291

BY Almeida

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE STATE)

Ordered to be placed on the Senate Calendar

Senator Goodwin moves passage, seconded by Senators Metts, Jabour and Pichardo.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

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

NAYS- 6: Senators Bates Blais, Lenihan, Maher, O'Neil and Sheehan

19. 2009-H 5294

BY Segal

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE ESTABLISHMENTS

Ordered to be placed on the Senate Calendar

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

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

NAYS- 0:

20. 2009-H 5355 SUB A

BY Dennigan

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
ESTABLISHING A GREEN BUILDINGS ACT**

Ordered to be placed on the Senate Calendar

Senator DiPalma moves passage, seconded by Senators Sosnowski and Ruggerio.

Senator DiPalma seconded by Senators Miller and Sosnowski, offers the following written motion to amend.

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

2009 -- H 5355 SUBSTITUTE A

AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ESTABLISHING A GREEN BUILDINGS ACT

Madam President:

I hereby move to amend 2009 -- H 5355 SUBSTITUTE A, entitled "AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ESTABLISHING A GREEN BUILDINGS ACT", as follows:

1. On page 2, line 26, by deleting the date "September 1, 2009" and inserting in place thereof the date "January 1, 2010".
2. On page 2, line 31, by deleting the date "September 1, 2009" and inserting in place thereof the date "January 1, 2010".

Respectfully submitted,
SENATOR DIPALMA

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

NAYS- 0:

Senator DiPalma moves passage of the act, as amended, seconded by Senators Connors, Miller and Sosnowski.

The act is read and passed, by unanimous consent, as amended, 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

21. 2009-H 5509 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO EDUCATION

Ordered to be placed on the Senate Calendar

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

22. 2009-H 5537 SUB A

BY Dennigan

ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Ordered to be placed on the Senate Calendar

Senator Perry moves passage, seconded by Senator Doyle.

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

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

NAYS- 0:

23. 2009-H 5653 SUB A

BY McNamara

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED LIVING RESIDENCE LICENSING ACT

Ordered to be placed on the Senate Calendar

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

24. 2009-H 5686 SUB A

BY San Bento

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES

Ordered to be placed on the Senate Calendar

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

25. 2009-H 5732

BY Lally

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

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

26. 2009-H 5828 SUB A as amended

BY Ferri

**ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER
CONSERVATION**

Ordered to be placed on the Senate Calendar

Senator Sosnowski moves passage, seconded by Senators Connors, Jabour and Metts.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, 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, 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, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

27. 2009-H 5913 SUB A

BY Fox

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE GENERALLY - FEES**

Ordered to be placed on the Senate Calendar

Senator McCaffrey moves passage, seconded by Senators Lynch, Jabour and Metts.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, 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, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais Maher

28. 2009-H 6034

BY Williamson

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES

Ordered to be placed on the Senate Calendar

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

29. 2009-H 6052 as amended

BY Fellela

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

Ordered to be placed on the Senate Calendar

Senator Maselli moves passage, seconded by Senators McCaffrey and Tassoni.

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

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

NAYS- 0:

30. 2009-H 6226 as amended

BY Kilmartin

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE

Ordered to be placed on the Senate Calendar

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

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

FLOOR AMENDMENT

2009 -- H 6226, As Amended

AN ACT RELATING TO FISH AND WILDLIFE

Madam President:

I hereby move to amend 2009 -- H 6226, As Amended entitled "AN ACT RELATING TO FISH AND WILDLIFE", as follows:

(1) On page 5, lines 10 and 11 by deleting the language "with the general treasurer and appropriated to the department of environmental management", and inserting in place thereof the following language:

"in a restricted receipt account, hereby created and known as the Recreational Saltwater Fishing License Restricted Receipt Account".

Respectfully submitted,
SENATOR SOSNOWSKI

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

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

NAYS- 1: Senator Fogarty

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

FLOOR AMENDMENT

2009 -- H 6226 AS AMENDED

AN ACT RELATING TO FISH AND WILDLIFE

Madam President:

I hereby move to amend 2009 -- H 6226 AS AMENDED, entitled "AN ACT RELATING TO FISH AND

WILDLIFE", as follows:

On page 5, line 5, by deleting all of the language appearing on said line, and by inserting in place thereof the following language:

"be guilty of a civil violation and subject to a fine, as follows:

- (1) For a first offense, a fine of ten dollars (\$10.00);
- (2) For second offense, a fine of fifty dollars (\$50.00); and
- (3) For a third or subsequent offense, a fine of one hundred dollars (\$100)."

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 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, Walaska.

NAYS- 0:

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

Senators Blais, O'Neil, Lenihan, Raptakis, Sheehan and Sosnowski discusses the act.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 29 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, McCaffrey, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Blais, Crowley, Maselli, Metts, O'Neil, Pinga, Sheehan.

31. 2009-H 6309

BY Kennedy

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

Ordered to be placed on the Senate Calendar

Senator Tassoni moves passage, seconded by Senators Connors and Doyle

Senator Tassoni seconded by Senators Connors and Doyle, offers the following written motion to amend.

FLOOR AMENDMENT

2009 -- H 6309

AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

Madam President:

I hereby move to amend 2009 -- H 6309, entitled "AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING", as follows:

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

"SECTION 1. Section 45-53-9 of the General Laws in Chapter 45-53 entitled "Low and Moderate Income Housing" is hereby amended to read as follows:

45-53-9. Oversight commission. -- (a) There is hereby created an oversight commission to be known as "The Housing Act of 2004 Implementation Oversight Commission" to consist of ~~eleven (11)~~ fifteen (15) members: chair of house corporations or designee; chair of senate housing and municipal government or designee; two (2) members of the house appointed by the speaker, one of whom shall be from the minority party; two (2) members of the senate appointed by the senate president, one of whom shall be from the minority party; ~~two (2)~~ four (4) designees of the president of the league of cities and towns, ~~one~~ two (2) of whom shall be from a municipality under twenty-five thousand (25,000) population, and ~~one~~ two (2) of whom shall be from a municipality of twenty-five thousand (25,000) population or over; ~~the executive director of Grow Smart Rhode Island; the executive director of the Housing Network; and the executive director of the Rhode Island Builders Association~~ and one representative each from the Rhode Island Builders Association, Rhode Island Housing, Housing Action Coalition, Grow Smart Rhode Island and Housing Network.

(b) The purposes of the commission shall be: (1) to monitor and evaluate the implementation of the act including the preparation and review, by statewide planning, of local plans; (2) to monitor the development and adoption of the state strategic housing plan by the housing resources commission and statewide planning; (3) to review the progress reports submitted by the housing resources commission; (4) to recommend any changes that may be needed in the law; and (5) to assess the need for resources to accomplish housing objectives and to make recommendations.

(c) Forthwith upon the passage of this act [July 2, 2004] the members shall meet at the call of the speaker, and shall elect from among themselves co-chairs, who shall be legislators. Vacancies in said commission shall be filled in the manner

as the original appointment.

(d) The commission is empowered to appoint committees, which may include persons who are not members of the commission. Five (5) members of the commission shall constitute a quorum. All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to said commission and its agents as necessary or desirable to accomplish the purpose set forth in this section. The speaker is hereby authorized and directed to provide quarters for the commission. The commission shall report findings and recommendations to the general assembly annually on or before February 15. The commission shall expire on ~~March 31, 2009~~ March 31, 2010.

SECTION 2. This act shall take effect upon passage and shall be retroactive to March 1, 2009."

Respectfully submitted,
SENATOR TASSONI

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

NAYS- 0:

Senator Tassoni moves passage of the act, as amended, seconded by Senator Ruggerio.

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

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

NAYS- 0:

32. 2009-H 6318 SUB A

BY Kennedy

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
SMALL BUSINESS REGULATORY FAIRNESS IN
ADMINISTRATIVE PROCEDURES**

Ordered to be placed on the Senate Calendar

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

33. 2009-H 5083 as amended

BY Azzinaro

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
DIVISION OF MOTOR VEHICLES**

Ordered to be placed on the Senate Calendar

Senator Algieri moves passage, seconded by Senators DiPalma, Ruggerio, Bates and Maher.

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

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

NAYS- 0:

34. 2009-H 5896 SUB A

BY Fox

**ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE ESTABLISHMENT OF A
BLUEPRINT FOR A NEW GENERATION OF TEACHER
EDUCATION IN RHODE ISLAND**

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

Senator Goodwin moves passage, seconded by Senators Jabour, Metts and DiPalma.

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

NAYS- 0:

35. 2009-H 6073 SUB A as amended

BY Gemma

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF

MOTOR VEHICLES - BREAST CANCER SUPPORT LICENSE
PLATES

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

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

The bill marked Substitute "A" is read and passed, as amended, in concurrence, 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, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

36. 2009-H 6101 SUB A

BY McNamara

ENTITLED, JOINT RESOLUTION RECOGNIZING APRIL 16, 2010 AS
"NATIONAL HEALTHCARE DECISIONS DAY" IN THE STATE OF
RHODE ISLAND

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

Senator Goodwin moves passage, seconded by Senator Lynch.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

37. 2009-H 6103

BY Williams

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, in concurrence, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining 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, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Miller

38. 2009-H 6316 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
NEWPORT CONVENTION AND VISITORS' BUREAU

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

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

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

NAYS- 0:

39. 2009-H 5566 SUB B as amended

BY Lally

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS --
COMMUNITY OBLIGATIONS AND BANKING OFFENSES

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

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

40. 2009-H 5609 as amended

BY Gallison

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Corporations recommends passage as amended in concurrence.

Senator Miller moves passage, seconded by Senator Ruggerio.

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

NAYS- 0:

41. 2009-H 5906 SUB A as amended**BY Serpa****ENTITLED, AN ACT RELATING TO PROPERTY - CONDOMINIUM
MANAGEMENT**

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

Senator Miller moves passage, seconded by Senators Levesque and Picard.

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

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

2009 -- H 5906 SUBSTITUTE A AS AMENDED

AN ACT RELATING TO PROPERTY - CONDOMINIUM MANAGEMENT

Madam President:

I hereby move to amend 2009 -- H 5906 SUBSTITUTE A AS AMENDED, entitled "AN ACT RELATING TO PROPERTY - CONDOMINIUM MANAGEMENT", as follows:

On page 2, lines 27-28, by deleting the language ", but only to the extent the declaration expressly so provides".

Respectfully submitted,
SENATOR MILLER

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

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

NAYS- 0:

Senator Miller moves passage of the act, as amended, seconded by Senators Levesque and Picard

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

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

NAYS- 0:

42. 2009-H 5286

BY McNamara

ENTITLED, AN ACT RELATING TO EDUCATION -- HIGHER EDUCATION

Committee on Education recommends passage in concurrence.

Senator Gallo moves passage, seconded by Senator Lanzi.

The act is read and passed, by unanimous consent, in concurrence, 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

43. 2009-H 5103

BY Serpa

ENTITLED, AN ACT AUTHORIZING RHODE ISLAND COLLEGE STUDENT COMMUNITY GOVERNMENT, INC., TO INCREASE ITS HOLDINGS TO AN AMOUNT NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000)

Committee on Finance recommends passage in concurrence.

Senator Gallo moves passage, seconded by Senator Connors.

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

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

NAYS- 0:

44. 2009-H 5597

BY Carter

**ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE
- ABANDONED PROPERTY**

Committee on Finance recommends passage in concurrence.

Senator Felag moves passage, seconded by Senator Sosnowski.

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

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

NAYS- 0:

39. 2009-H 5566 SUB B as amended

BY Lally

**ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS --
COMMUNITY OBLIGATIONS AND BANKING OFFENSES**

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

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

The bill marked Substitute "B" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative and 2 Senators abstaining as follows:

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

NAYS- 0:

ABSTAINED- 2: Senators Algieri, Walaska

45. 2009-H 5914 SUB A

BY Costantino

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

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

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

46. 2009-H 6245 SUB A

BY Walsh

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- ECONOMIC DEVELOPMENT CORPORATION**

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

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

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

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

2009 -- H 6245 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION

Madam President:

I hereby move to amend 2009 -- H 6245 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS

AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION", as follows:

1. On page 2, line 30, by deleting the word "seen" and by inserting in place thereof the word "seven".
2. On page 3, line 16, by deleting the language "Five (5) directors" and by inserting in place thereof the language "A majority of directors holding office".
3. On page 3, lines 28 and 29, by deleting the sentence after the language "may determine."

Respectfully submitted,
SENATOR FELAG

The motion to amend prevails 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

Senators Sheehan and Felag discuss the act.

The act is read and passed, by unanimous consent, as amended, 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

47. 2009-H 5266 SUB A

BY Palumbo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND AUTISM SPECTRUM DISORDER EVALUATION AND TREATMENT ACT

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

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

48. 2009-H 5968

BY Naughton

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BLOOD BANK SERVICES

Committee on Health & Human Services recommends passage in concurrence.

Senator Perry moves passage, seconded by Senator Miller.

The act is read and passed, by unanimous consent, in concurrence, 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, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

49. 2009-H 6195 SUB B

BY Azzinaro

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and the Substitute A and passage of Substitute B.

Senator Algieri moves passage, seconded by Senators Blais and Tassoni.

Senator Algieri seconded by Senators Connors and Tassoni, offers the following written motion to amend.

FLOOR AMENDMENT

2009 -- H 6195 SUBSTITUTE B

AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY

Madam President:

I hereby move to amend 2009 -- H 6195 SUBSTITUTE B, entitled "AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY", as follows:

(1) On page 3, between lines 13 and 14, by inserting the following language:

"SECTION 2. Section 45-24.3-16 of the General Laws in Chapter 45-24.3 entitled "Housing Maintenance and Occupancy Code" is hereby amended to read as follows:

45-24.3-16. Rules and regulations -- Enforcement agencies -- Housing board of review. -- (a) The local authority is authorized to make, adopt, revise, and amend rules and regulations that it deems necessary for the carrying out of the purposes of this chapter.

(b) Establishment of enforcement agencies. The local authority will further provide for the creation and establishment of divisions, offices, departments, bureaus, and agencies and their respective officers, deputies, and agencies that may be required to enforce and administer the powers and duties authorized by this chapter.

(c) Housing board of review. The local authority will provide for the selection and organization of a housing board of review consisting of five (5) members, provided that the Westerly housing board of review shall have three (3) members, with two (2) members constituting a quorum. The local authority is authorized to designate the board of appeals as the housing board of review in the cities and towns where these boards of appeal now exist or may be authorized by law. The chairperson or, in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All hearings of the board are open to the public. Any housing board of review established pursuant to this chapter shall be governed by the following procedure:

(1) The board shall keep minutes of its proceedings, showing the vote upon each question, and keep records of its decisions and findings and the reasons therefor, and of its examinations and other official actions, all of which shall be filed immediately in the office of the board and be a public record.

(2) The housing board of review is governed by section 45-24.3-21 pertaining to appeals."

(2) On page 3, line 14, by deleting the numeral "2" and by inserting in place thereof the numeral "3".

Respectfully submitted,
SENATOR ALGIERE

The motion to amend prevails 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

The act is read and passed, by unanimous consent, as amended, 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

50. 2009-H 6313

BY McCauley

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- SMOKE AND CARBON MONOXIDE DETECTORS

Committee on Housing & Municipal Government recommends passage in concurrence.

Senator Tassoni moves passage, seconded by Senators Doyle and Metts.

The act is read and passed, by unanimous consent, 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, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

51. 2009-H 6325 as amended

BY Williamson

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- WEST WARWICK HOME RULE CHARTER

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

Senator Tassoni moves passage, seconded by Senators Doyle and Pinga.

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

NAYS- 0:

52. 2009-S 381 as amended

BY Maselli

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

Ordered to be placed on the Senate Calendar

Senator Maselli moves passage, seconded by Senator McCaffrey.

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

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

NAYS- 0:

53. 2009-S 457 as amended

BY Algieri

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Ordered to be placed on the Senate Calendar

Senator Algieri moves passage, seconded by Senators Connors and Bates

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

NAYS- 0:

54. 2009-S 548 SUB A as amended

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- RENTAL NETWORK
CONTRACT ARRANGEMENTS

Ordered to be placed on the Senate Calendar

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

55. 2009-S 614 as amended

BY McCaffrey

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
MOTOR VEHICLE OFFENSES

Ordered to be placed on the Senate Calendar

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

56. 2009-S 732 SUB A as amended

BY Sosnowski

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - THE
WATER USE AND GOVERNMENT EFFICIENCY ACT OF 2009

Ordered to be placed on the Senate Calendar

Senator Sosnowski moves passage, seconded by Senator Maher.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, 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, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

57. 2009-S 927 as amended

BY Algieri

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM
HOUSING STANDARDS -- TOWN OF WESTERLY

Ordered to be placed on the Senate Calendar

Senator Algieri moves passage, seconded by Senator Tassoni.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

58. 2009-H 5297

BY Melo

**ENTITLED, AN ACT RELATING TO ELECTIONS - PARTY COMMITTEES
AND CONVENTIONS**

Ordered to be placed on the Senate Calendar

Senator Jabour moves passage, seconded by Senator McCaffrey.

The act is read and passed, by unanimous consent, in concurrence, 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, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

59. 2009-H 5819 SUB A as amended

BY Newberry

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
TRADE LICENSE RENEWAL SCHEDULES**

Ordered to be placed on the Senate Calendar

Senator Blais moves passage, seconded by Senator Connors.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Fogarty

60. 2009-H 5831 as amended

BY Ehrhardt

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Ordered to be placed on the Senate Calendar

Senator Algieri moves passage, seconded by Senator Goodwin.

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

NAYS- 0:

61. 2009-S 416 SUB A

BY Sosnowski

**ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - SEARCH
WARRANTS - MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

Senator Sosnowski moves passage, seconded by Senator Sheehan, McCaffrey, Levesque and Crowley.

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

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

NAYS- 0:

62. 2009-S 1008 as amended

BY Bates

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
NEWPORT CONVENTION AND VISITORS' BUREAU**

Ordered to be placed on the Senate Calendar

Senator Bates moves passage, seconded by Senator Blais.

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

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

NAYS- 0:

64. 2009-H 5044 SUB B

BY Giannini

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PROSTITUTION
AND LEWDNESS**

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

Senator Jabour moves passage, seconded by Senators McCaffrey, O'Neil and McBurney.

Senators Perry, Levesque, Metts, Miller, Crowley, Jabour and Ciccone discuss the act.

The bill marked Substitute "B" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 2 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, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Levesque, Perry.

65. 2009-H 5657 SUB B

BY Ruggiero

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
REAL ESTATE SALES DISCLOSURES**

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

Senator McCaffrey moves passage, seconded by Senators DiPalma and O'Neil.

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

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

NAYS- 0:

66. 2009-H 5661 SUB B

BY Giannini

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE

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

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

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

NAYS- 0:

67 2009-H 5340 as amended

BY Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CEMETERIES -- VETERAN HEADSTONE MEMORIALS

Committee on Finance recommends passage as amended in concurrence.

Senator Felag moves passage, seconded by Senators McCaffrey, Tassoni, Sosnowski and DaPonte.

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

NAYS- 0:

68 2009-H 6206
BY San Bento

ENTITLED, AN ACT RELATING TO TAXATION - SETOFF OF REFUND OF
PERSONAL INCOME TAX

Committee on Finance recommends passage in concurrence.

Senator DaPonte moves passage, seconded by Senator DiPalma

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

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

NAYS- 0:

69 2009-H 5950
BY Diaz

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
TEMPORARY EMPLOYEES

Committee on Labor recommends passage in concurrence.

Senator Fogarty moves passage, seconded by Senator Connors.

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

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

NAYS- 0:

21. 2009-H 5509 SUB A
BY Gallison

ENTITLED, AN ACT RELATING TO EDUCATION

Ordered to be placed on the Senate Calendar

Senator Gallo moves passage, seconded by Senator DiPalma.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

23. 2009-H 5653 SUB A

BY McNamara

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED
LIVING RESIDENCE LICENSING ACT**

Ordered to be placed on the Senate Calendar

Senator Perry moves passage, seconded by Senator Levesque.

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

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

2009 -- H 5653 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED LIVING RESIDENCE LICENSING ACT

Madam President:

I hereby move to amend 2009 -- H 5653 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED LIVING RESIDENCE LICENSING ACT", as follows:

On page 3, lines 7 through 9, by deleting all language after the letter and punctuation "(d)" and inserting in place thereof the following language: "Criminal background checks of persons seeking employment at adult supportive care homes shall be conducted in accordance with the standards and procedures contained in sections 23-17.4-27, 23-17.4-28 and 23-17.4-30."

Respectfully submitted,
SENATOR PERRY

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

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

NAYS- 0:

54. 2009-S 548 SUB A as amended

BY Bates

**ENTITLED, AN ACT RELATING TO INSURANCE -- RENTAL NETWORK
CONTRACT ARRANGEMENTS**

Ordered to be placed on the Senate Calendar

Senator Bates moves passage, seconded by Senator Perry.

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

FLOOR AMENDMENT

2009 -- S 548 SUBSTITUTE A

AN ACT RELATING TO INSURANCE -- RENTAL NETWORK CONTRACT ARRANGEMENTS

Mr. Speaker:

I hereby move to amend 2009 -- S 548 SUBSTITUTE A, entitled "AN ACT RELATING TO INSURANCE -- RENTAL NETWORK CONTRACT ARRANGEMENTS", as follows:

(1) On page 6, by deleting the language on lines 10 through 13 in their entirety and inserting in place thereof the following language:

"(b) Contracting entities and third-parties are obligated to comply with subdivisions 27-20.10-4(b)(2) or 27-20.10-

5(c)(1) and (2) concerning the services referenced on a remittance advice (RA) or explanation of payment (EOP). A provider may refuse the discount taken on the (RA) or (EOP) if the discount is taken without a contractual basis or in violation of these sections. However, an error in the (RA) or (EOP) may be corrected within thirty (30) days following notice by the provider."

(2) On page 6, line 25, by deleting the words "upon passage" and inserting in place thereof the language "as of January 1, 2010."

Respectfully submitted,
REPRESENTATIVE KENNEDY

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

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

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

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

NAYS- 0:

RECESS

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the Senate stands at recess at 8:18 o'clock P.M.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 204 SUB B

BY Senators Sosnowski, Perry, Tassoni, DiPalma
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES (would make unlawful the use of a non-hands-free mobile telephone while operating a motor vehicle, except for public safety personnel.) {LC469/1/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 212 SUB A

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST (would require the electronic recording of custodial interrogations in their entirety in cases where the potential sentence is one of life imprisonment.) {LC166/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 330 SUB B (Labor and Training)

BY Senator Maher

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TRADE LICENSE RENEWAL SCHEDULES {LC1432/1/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 455 as amended

BY Senators Paiva-Weed, Ciccone

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE DEPARTMENT OF CORRECTIONS INTAKE SERVICE CENTER (would rename the department of corrections intake service center as "The Anthony P. Travisono Building.") {LC1897/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 598 SUB A

BY Senators Jabour, McCaffrey, Lynch, Maselli

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY {LC1286/2/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 605 SUB B Chapter 192

BY Senators Perry, Crowley, Gallo, Sosnowski, Lanzi
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE (would mandate a fine of no less than \$40,000 and imprisonment for up to life for anyone found guilty of sex trafficking of a minor) {LC1530/1/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 622 SUB A

BY Senators Ruggerio, Ciccone, McBurney, Doyle, Tassoni
ENTITLED, AN ACT RELATING TO SPORTS RACING AND ATHLETICS -- MIXED MARTIAL ARTS (would permit mixed martial arts matches in Rhode Island and provides the rules, regulations and guidelines for such matches) {LC1089/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 596 SUB B as amended Chapter 186

BY Senators Jabour, O'Neill E, Lynch, Cote, Picard
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PROSTITUTION AND LEWDNESS (define the crime of prostitution to include any location, would create punishments for individuals who would attempt to procure the services of a prostitute, would define the crime of permitting prostitution within a premise) {LC1591/1/B}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6304 SUB A

BY Senators Sullivan, Watson, Guthrie
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - BIG RIVER RESERVOIR MORATORIUM {LC2836/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 260 SUB A

BY Senators McCaffrey, Walaska, Crowley
ENTITLED, AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS (would consolidate various provisions of the general laws regarding the election or appointment of moderators and clerks in various municipalities) {LC852/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 945 SUB A**BY** Senators Felag, Paiva-Weed, Connors, Algieri, Bates**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION (would increase the number of the members of the economic development corporation from nine (9) to thirteen (13). It would also create a permanent joint oversight committee on economic development.) {LC2650/1/A}

Read and ordered to be placed on the Consent Calendar

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 10:17 o'clock P.M.

NEW BUSINESS**Senate Resolution No. 1057****BY** Senators Levesque C, Felag, Bates**ENTITLED**, SENATE RESOLUTION HONORING DR. EDWARD MARA ON HIS RETIREMENT AS SUPERINTENDENT OF SCHOOLS FOR THE BRISTOL-WARREN REGIONAL SCHOOL DISTRICT {LC3034/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

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

Also:

Senate Resolution No. 1067**BY** Senators Pichardo, Connors, DiPalma, Lanzi, Jabour**ENTITLED**, SENATE RESOLUTION CELEBRATING THE MONTH OF OCTOBER, 2009 AS "LUPUS AWARENESS MONTH" {LC2989/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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 as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, DaPonte, Devall, DiPalma, 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, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1068

BY Senators Blais, Perry, Miller

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING MERCK & CO., INC. TO IMMEDIATELY RESUME PRODUCTION OF THE MONOVALENT VACCINES FOR MEASLES, MUMPS, AND RUBELLA {LC2965/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Bill No. 1069

BY Senator Sosnowski

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$2,200,000 BONDS BY THE TOWN OF SOUTH KINGSTOWN TO FINANCE IMPROVEMENTS TO SCHOOLS AND SCHOOL FACILITIES {LC3049/1}

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senators Algieri and 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, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Lanzi, Lenihan, Levesque,

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

NAYS- 0:

Also:

Senate Resolution No. 1070

BY Senators Levesque C, Felag, Paiva-Weed, DiPalma, Bates

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES COAST GUARD TO RECONSIDER ITS LETTER OF RECOMMENDATION REGARDING THE WATERWAY SUITABILITY ANALYSIS FOR THE WEAVERÆS COVE ENERGY PROPOSAL {LC3017/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by Senator Connors.

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 as follows:

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

NAYS- 0:

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

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

House Bill No. 5261

BY Rice A, Ruggiero, Dennigan, Jacquard, Kennedy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- GREEN JOBS TASK FORCE (would create a Green Jobs Task force)

Read and ordered to be placed on the Consent Calendar

Also:

House Resolution No. 5967 as amended Resolution 361

BY Pacheco, Fox, Naughton, McNamara

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE TASK FORCE ON SUMMER LEARNING PROGRAMS" {LC2162/1}

Read and ordered to be placed on the Consent Calendar

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6452

BY Ferri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Representative Frank G. Ferri to join Dawn Anne Fravala and Robert Raynor Beagan in marriage within the Town of East Greenwich, Rhode Island, on or about November 14, 2009) {LC3029/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6454

BY Serpa

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Sherry Watts to join Karen Neal and Michael Arneson in marriage within the Town of North Kingstown, Rhode Island on or about January 23, 2010) {LC2999/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Resolution No. 6453 Resolution 363

BY Fox, Gablinske, Costantino, Watson, McNamara

ENTITLED, JOINT RESOLUTION SUPPORTING THE FEDERAL "RACE TO THE TOP" GRANT PROGRAM AND URGING THE GOVERNOR AND THE RHODE ISLAND DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TO SUBMIT A COMPETITIVE APPLICATION TO PURSUE THE FOUR REFORMS AS OUTLINED BY THE UNITED STATES DEPARTMENT OF EDUCATION {LC3008/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6441**BY** Giannini, Coderre E, Rice A, DaSilva, Watson**ENTITLED**, AN ACT RELATING TO LABOR -- THE EMPLOYMENT OF MINORS -- ADULT ENTERTAINMENT (would prohibit minors from working in adult entertainment establishments) {LC3001/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6446**BY** Rice M, Walsh, Caprio D, Lally**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$2,200,000 BONDS BY THE TOWN OF SOUTH KINGSTOWN TO FINANCE IMPROVEMENTS TO SCHOOLS AND SCHOOL FACILITIES {LC2995/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6445**BY** Edwards**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (to join Carol Ann Anderson and John Viera, Jr. in marriage within the Town of Tiverton, Rhode Island) {LC3020/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Resolution No. 6447**BY** Gallison, Ruggiero, Martin, Rice A, Gablinske**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES COAST GUARD TO RECONSIDER ITS LETTER OF RECOMMENDATION REGARDING THE WATERWAY SUITABILITY ANALYSIS FOR THE WEAVERÆS COVE ENERGY PROPOSAL {LC3016/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5492 as amended**BY** Segal, Fierro, Giannini, DaSilva, Almeida**ENTITLED**, AN ACT RELATING TO PROPERTY -- MORTGAGE FORECLOSURE AND SALE {LC1009/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Resolution No. 6329

BY Corvese, Gablinske, Newberry

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL JOINT COMMISSION TO STUDY THE UNDERGROUND ECONOMY AND EMPLOYEE MISCLASSIFICATION {LC2928/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Resolution No. 6459

BY Costantino, Watson, Carter, Melo, San Bento

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR TO SUBMIT A RECOMMENDED CORRECTIVE ACTION PLAN FOR FY 2010 BY NOVEMBER 16, 2009 {LC3045/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5737

BY Ajello, Walsh, Rice A, Segal, Lally

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT PROTECTIVE ORDERS (would create the parameters relative to sexual assault protective orders, including forms for such orders, penalties and appeals {LC1688/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6332

BY Gallison, Gablinske, Malik, McNamara, Azzinaro

ENTITLED, AN ACT RELATING TO TAXATION - RESIDENTIAL RENEWABLE ENERGY SYSTEM TAX CREDIT (would expand the number of solar domestic hot water heaters eligible for a residential renewable energy tax credits by qualifying solar capacity domestic hot water heaters with a minimum collector area of 34 square feet, reduced from 60 square feet.) {LC2934/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5647

BY Sullivan, Petrarca, O'Neill JP

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE--LONG-TERM CARE AND FINANCE REFORM (would amend certain provisions relative to medical assistance, long-term care service and finance reform) {LC1088/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5697 as amended

BY Ruggiero, Gallison, Rice M, DaSilva, Pacheco

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE DEPARTMENT OF CORRECTIONS INTAKE SERVICE CENTER (would rename the department of corrections intake service center as "The Anthony P. Travisono Building") {LC1899/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6014

BY Winfield, Petrarca

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$1,000,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION {LC2191/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6331 SUB A

BY Naughton, Silva, Giannini

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - REVISED UNIFORM ANATOMICAL GIFT ACT (would prohibit any physician, hospital or other health care provider from charging the donor's estate or family for any cost incurred in testing or removing a human organ or tissue from a donor.) {LC2935/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6111 SUB A

BY Kilmartin

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGULATION OF BUSINESS PRACTICES AMONG MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS (would amend various sections of the motor vehicle laws with respect to regulation of business practices among motor vehicle manufacturers, distributors and dealers.) {LC2397/1/A}

Read and ordered to be placed on the Consent Calendar

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Perry from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

House Bill No. 5273 SUB B as amended Chapter 197

BY Kennedy, Lally, Azzinaro, Caprio D, Rice M

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES {LC844/1/B}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6213 SUB A

BY Shallcross Smith, Carnevale, Mattiello, Almeida

ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- MENTAL HEALTH FACILITIES (would revise the definition of facility under RI health law to establish uniformity in the licensing and regulation of facilities by the RI dept. of mental health, retardation & hospitals.) {LC2600/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 866 SUB A as amended

BY Senators Perry, Miller, Sosnowski, Sheehan, Pichardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES {LC2303/2/A}

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

House Bill No. 5289 as amended

BY Gallison, Gablinske, Hearn, Malik, O'Neill JP

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - ALCOHOL BOATING SAFETY (would increase the penalties for persons under the age of 21 who operate watercraft while under the influence of intoxicating liq uor.)

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5376

BY Ajello, Fox, Walsh, Lally, Handy

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
ADMINISTRATIVE PROCEDURES (would require the secretary of state to post advanced notices of
proposed agency rulemaking on its website)

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5568

BY Lally, Brien

ENTITLED, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER TAXES -
ENFORCEMENT AND COLLECTION (require the termination of a real property estate tax lien upon
the expiration of 10 years after the death of the individual whose act, failure to act, or death gave rise to
the lien, regardless of when the date of death occurred) {LC1682/1}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5738 SUB A

BY Caprio D, Petrarca, Silva, Edwards, Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURES - PROCEDURE IN
PARTICULAR ACTIONS - WRONGFUL DEATH (would allow for the recovery of punitive damages
in a wrongful death suit) {LC1852/1/A}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5121 SUB A

BY Fox

ENTITLED, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION (would
make technical revisions to various statutes pursuant to the recommendations of the Law Revision
Office.) {LC465/2/A}

Read and ordered to be placed on the Calendar.

SENATE CALENDAR II

1. 2009-S 614 as amended**BY McCaffrey****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

Senator McCaffrey moves passage, seconded by Senators Maselli, Metts and Jabour.

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

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

NAYS- 0:

2. 2009-S 866 SUB A as amended**BY Perry****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --
DETERMINATION OF NEED FOR NEW HEALTH CARE
EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES**

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

Senator Perry moves passage, seconded by Senators Sheehan and Miller.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Ciccone, Connors, Cote, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Crowley.

3. 2009-H 5039 SUB A**BY Gablinske****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH
WARRANTS -- MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

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

4. 2009-H 5121 SUB A**BY Fox****ENTITLED, AN ACT RELATING TO STATUTES AND STATUTORY
CONSTRUCTION**

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

Senator McCaffrey moves passage, seconded by Senator Jabour.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

5. 2009-H 5289 as amended**BY Gallison****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -
ALCOHOL BOATING SAFETY**

Committee on Judiciary recommends passage as amended in concurrence.

Senator McCaffrey moves passage, seconded by Senator Felag.

Senator Blais seconded by Senator McCaffrey, offers the following written motion to amend.

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

2009 -- H 5289 AS AMENDED

AN ACT RELATING TO WATERS AND NAVIGATION - ALCOHOL BOATING SAFETY

Madam President:

I hereby move to amend 2009 -- H 5289 AS AMENDED, entitled "AN ACT RELATING TO WATERS AND NAVIGATION - ALCOHOL BOATING SAFETY", as follows:

1. Page 2, lines 19 and 20, by deleting the language "In addition to all penalties" and inserting in place thereof the language "If not otherwise subject to a penalty".

Respectfully submitted,
SENATOR BLAIS

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

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

NAYS- 0:

Senator McCaffrey moves passage of the act, as amended, seconded by Senator Blais.

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

NAYS- 0:

6. 2009-H 5376

BY Ajello

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

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Connors.

The act is read and passed, by unanimous consent, 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, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2009-H 5039 SUB A

BY Gablinske

**ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH
WARRANTS -- MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

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

Senators Ciccone, Sosnowski and McCaffrey discuss the act.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 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, Cote, Crowley, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Sheehan, Sosnowski, Walaska.

NAYS- 0:

7. 2009-H 5568

BY Lally

**ENTITLED, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER
TAXES - ENFORCEMENT AND COLLECTION**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Lynch.

The act is read and passed, by unanimous consent, in concurrence, 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, Cote, Crowley, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8. 2009-H 5686 SUB A**BY San Bento****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

Ordered to be placed on the Senate Calendar

Senator Tassoni moves passage, seconded by Senators DeVall and Maselli.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Cote, Crowley, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, Metts, Miller, Perry, Picard, Pichardo, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9. 2009-H 5732**BY Lally****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

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

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

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

NAYS- 0:

10. 2009-H 5738 SUB A**BY Caprio D****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURES -
PROCEDURE IN PARTICULAR ACTIONS - WRONGFUL DEATH**

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

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

11. 2009-H 6034

BY Williamson

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES**

Ordered to be placed on the Senate Calendar

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

Senator McCaffrey seconded by Senator Ruggiero, offers the following written motion to amend.

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

2009 -- H 6034

AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES

Madam President:

I hereby move to amend 2009 -- H 6034, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES", as follows:

On page 2, line 12, by deleting the language "January 1, 2010" and inserting in place thereof the language "September 1, 2011".

Respectfully submitted,
SENATOR RUGGERIO

The motion to amend prevails upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Cote, Crowley, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Lanzi, Lenihan, Levesque, Lynch, Maher,

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

NAYS- 0:

Senator McCaffrey moves passage of the act, as amended, seconded by Senator Ruggerio.

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

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

NAYS- 0:

12. 2009-H 6213 SUB A

BY Shallcross Smith

ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- MENTAL HEALTH FACILITIES

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, Blais and Jabour.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

13. 2009-H 6318 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - SMALL BUSINESS REGULATORY FAIRNESS IN ADMINISTRATIVE PROCEDURES

Ordered to be placed on the Senate Calendar

Senator Blais moves passage, seconded by Senator Algieri.

Senator Blais seconded by Senator Algieri, offers the following written motion to amend.

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

2009 -- H 6318 SUBSTITUTE A

**AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - SMALL BUSINESS REGULATORY FAIRNESS
IN ADMINISTRATIVE PROCEDURES**

Madam President:

I hereby move to amend 2009 -- H 6318 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - SMALL BUSINESS REGULATORY FAIRNESS IN ADMINISTRATIVE PROCEDURES", as follows:

1. On page 2, line 29, after the language "small businesses," by inserting the language "excluding those businesses defined in subsection 42-35-3.3(d)."
2. On page 2, line 29, after the language "shall prepare" by inserting the language ",in congruence with the analysis required in section 42-35-3.3,".

Respectfully submitted,
SENATOR BLAIS

The motion to amend prevails upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Blais moves passage of the act, as amended, seconded by Senator Algieri.

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, Walaska.

NAYS- 0:

14. 2009-S 204 SUB B**BY Sosnowski****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

Senator Sosnowski moves passage, seconded by Senator DiPalma.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, 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, Walaska.

NAYS- 0:

15. 2009-S 455 as amended**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING
THE DEPARTMENT OF CORRECTIONS INTAKE SERVICE
CENTER**

Ordered to be placed on the Senate Calendar

Senator Goodwin moves passage, seconded by Senator Algieri.

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

NAYS- 0:

16. 2009-S 598 SUB A**BY Jabour****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
PROCEDURE GENERALLY**

Ordered to be placed on the Senate Calendar

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

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

NAYS- 0:

17. 2009-S 622 SUB A

BY Ruggerio

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

Ordered to be placed on the Senate Calendar

Senator Ruggerio moves passage, seconded by Senator Goodwin.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 27 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Picard, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 4: Senators O'Neil, Pinga, Raptakis, Sheehan

18. 2009-S 330 SUB B

BY Maher

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
TRADE LICENSE RENEWAL SCHEDULES**

Ordered to be placed on the Senate Calendar

Senator Maher moves passage, seconded by Senator O'Neil.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, DaPonte, Devall, DiPalma, Felag, Gallo, Goodwin, Lanzi, Lenihan, Levesque, Lynch, Maher,

Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Fogarty

19. 2009-S 605 SUB B

BY Perry

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE

Ordered to be placed on the Senate Calendar

Senator Perry moves passage, seconded by Senator Miller.

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

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

NAYS- 0:

20. 2009-S 212 SUB A

BY Levesque C

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST

Ordered to be placed on the Senate Calendar

Senator Levesque moves passage, seconded by Senator DaPonte.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

21. 2009-H 5492 as amended**BY Segal****ENTITLED, AN ACT RELATING TO PROPERTY -- MORTGAGE
FORECLOSURE AND SALE**

Ordered to be placed on the Senate Calendar

Senator McCaffrey moves passage, seconded by Senator Miller.

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 and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Algieri

22. 2009-H 6459**BY Costantino****ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE
GOVERNOR TO SUBMIT A RECOMMENDED CORRECTIVE ACTION
PLAN FOR FY 2010 BY NOVEMBER 16, 2009**

Ordered to be placed on the Senate Calendar

Senator DaPonte moves passage, seconded by Senator Levesque.

The act is read and passed, by unanimous consent, upon a roll call vote with 27 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 27: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Ruggerio, Sheehan, Tassoni.

NAYS- 1: Senator Maher

CONSENT CALENDAR II

Items 3 and 19 are taken off the previous Consent Calendar and placed on the Calendar.

In order for the day is taken up as follows:

1. **2009-H 5261**
BY Rice A
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- GREEN JOBS TASK FORCE
2. **2009-H 5967 as amended**
BY Pacheco
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE TASK FORCE ON SUMMER LEARNING PROGRAMS"
3. **2009-H 5647**
BY Sullivan
ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE--LONG-TERM CARE AND FINANCE REFORM
4. **2009-H 5697 as amended**
BY Ruggiero
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE DEPARTMENT OF CORRECTIONS INTAKE SERVICE CENTER
5. **2009-H 5737**
BY Ajello
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT PROTECTIVE ORDERS
6. **2009-H 6014**
BY Winfield
ENTITLED, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$1,000,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION
7. **2009-H 6111 SUB A**
BY Kilmartin
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGULATION OF BUSINESS PRACTICES AMONG MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS
8. **2009-H 6329**
BY Corvese
ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL JOINT COMMISSION TO STUDY THE UNDERGROUND ECONOMY AND EMPLOYEE MISCLASSIFICATION
9. **2009-H 6331 SUB A**
BY Naughton

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - REVISED
UNIFORM ANATOMICAL GIFT ACT

Ordered to be placed on the Consent Calendar

10. **2009-H 6332**

BY Gallison

ENTITLED, AN ACT RELATING TO TAXATION - RESIDENTIAL
RENEWABLE ENERGY SYSTEM TAX CREDIT

Ordered to be placed on the Consent Calendar

11. **2009-H 6441**

BY Giannini

ENTITLED, AN ACT RELATING TO LABOR -- THE EMPLOYMENT OF
MINORS -- ADULT ENTERTAINMENT

Ordered to be placed on the Consent Calendar

12. **2009-H 6445**

BY Edwards

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered to be placed on the Consent Calendar

13. **2009-H 6446**

BY Rice M

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS
SECTION 16-7-44 APPROVING THE ISSUANCE OF \$2,200,000
BONDS BY THE TOWN OF SOUTH KINGSTOWN TO FINANCE
IMPROVEMENTS TO SCHOOLS AND SCHOOL FACILITIES

Ordered to be placed on the Consent Calendar

14. **2009-H 6447**

BY Gallison

ENTITLED, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE
UNITED STATES COAST GUARD TO RECONSIDER ITS
LETTER OF RECOMMENDATION REGARDING THE WATERWAY
SUITABILITY ANALYSIS FOR THE WEAVERÆS COVE ENERGY
PROPOSAL

Ordered to be placed on the Consent Calendar

15. **2009-H 6452**

BY Ferri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered to be placed on the Consent Calendar

16. 2009-H 6453

BY Fox

ENTITLED, JOINT RESOLUTION SUPPORTING THE FEDERAL "RACE TO THE TOP" GRANT PROGRAM AND URGING THE GOVERNOR AND THE RHODE ISLAND DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TO SUBMIT A COMPETITIVE APPLICATION TO PURSUE THE FOUR REFORMS AS OUTLINED BY THE UNITED STATES DEPARTMENT OF EDUCATION

Ordered to be placed on the Consent Calendar

17. 2009-H 6454

BY Serpa

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered to be placed on the Consent Calendar

18. 2009-H 5273 SUB B as amended

BY Kennedy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES

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

Upon motion of Senator Connors, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

RECESS

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the Senate stands at recess at 10:53 o'clock P.M.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 969 SUB A as amended

BY Senators Lenihan, Sosnowski

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

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 232 SUB B

BY Senators DiPalma, Felag, Levesque C, Connors, DeVall

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ESTABLISHING A GREEN BUILDINGS ACT (would require all public buildings, inc. schools, to be constructed or renovated, to meet standards established by the US Green Building Council Leadership in Energy & Env. Design green building rating silver standard.) {LC984/1/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 86 SUB B

BY Senators Perry, Miller, Sosnowski, Metts, Levesque C

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION {LC315/1/B}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 237 as amended

BY Senators Algieri, Maher

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DIVISION OF MOTOR VEHICLES (would require the administrator of the division of motor vehicles to maintain an office in Westerly and that it be open for at least three (3) days per week.)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6444

BY Rice A, Edwards, Gallison, Loughlin

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$350,000 BONDS BY THE TOWN OF PORTSMOUTH

TO FINANCE IMPROVEMENTS TO SCHOOL BUILDINGS INCLUDING BUT NOT LIMITED TO BONDS AND NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION {LC2968/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5150 SUB A

BY Senators Kilmartin, McNamara, Giannini

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES (would prohibit taxicab operators, public motor vehicle operators, and public transit authority operators from using a cellular telephone while in the operation of said vehicle, except in the case of an emergency. {LC512/2/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5040 SUB A

BY Senators Segal, Rice A, O'Neill JP, Ajello, Schadone

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - - SENTENCE AND EXECUTION {LC242/2/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5134 SUB A

BY Senators Walsh, Almeida, Ajello, Williams, Handy

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST (would require the electronic recording of custodial interrogations in their entirety in cases where the potential sentence is one of life imprisonment.) {LC312/1/A}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5582

BY Lally

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS (would specify the ratio of apprentices to journeypersons in various fields of trade and industry) {LC1759/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6458**BY** Fox, Ehrhardt, Walsh, Ruggiero, Rice A**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (would amend certain provisions of the general laws pertaining to long-term contracting standards for the development of renewable energy relative to contracts with the town of New Shoreham) {LC3037/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6449**BY** Menard, Fox, O'Neill JP, Petrarca, Lally**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS-DIVORCE AND SEPARATION (allow the family court to order child support if the child has a severe physical or mental impairment, beyond an average child's emancipation event) {LC3022/1}

Read and ordered to be placed on the Calendar

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 11:17 o'clock P.M.

CALENDAR III**1. 2009-S 86 SUB B****BY Perry****ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION

Ordered to be placed on the Senate Calendar

Senator Perry moves passage, seconded by Senator McCaffrey.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

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

NAYS- 1: Senator Raptakis

2. 2009-S 232 SUB B**BY DiPalma****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
ESTABLISHING A GREEN BUILDINGS ACT**

Ordered to be placed on the Senate Calendar

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

The bill marked Substitute "B" 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, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2009-S 237 as amended**BY Algieri****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
DIVISION OF MOTOR VEHICLES**

Ordered to be placed on the Senate Calendar

Senator Algieri moves passage, seconded by Senator Connors.

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

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

NAYS- 0:

4. 2009-S 969 SUB A as amended**BY Lenihan****ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE**

Ordered to be placed on the Senate Calendar

Senator Lenihan moves passage, seconded by Senator Sosnowski.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 27 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, DaPonte, Devall, DiPalma, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, McCaffrey, Miller, Perry, Picard, Raptakis, Sosnowski, Tassoni, Walaska.

NAYS- 8: Senators Crowley, Fogarty, Maselli, Metts, O'Neil, Pichardo, Pinga, Sheehan.

5. 2009-H 5040 SUB A

BY Segal

**ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - - SENTENCE
AND EXECUTION**

Ordered to be placed on the Senate Calendar

Senator McCaffrey moves passage, seconded by Senator Levesque.

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

NAYS- 2: Senators Felag, Raptakis

6. 2009-H 5134 SUB A

BY Walsh

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST

Ordered to be placed on the Senate Calendar

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

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, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7. 2009-H 5150 SUB A**BY Kilmartin****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLE OFFENSES**

Ordered to be placed on the Senate Calendar

Senator McCaffrey moves passage, seconded by Senator Sosnowski.

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

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, 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, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

8. 2009-H 5582**BY Lally****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS**

Ordered to be placed on the Senate Calendar

Senator Ruggerio moves passage, seconded by Senators Ciccone, Fogarty and Doyle.

Senators Metts and O'Neill discuss the act.

The act is read and passed, by unanimous consent, upon a roll call vote with 24 Senators voting in the affirmative and 12 Senators voting in the negative as follows:

YEAS- 24: The Honorable President Paiva Weed and Senators Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Miller, Picard, Pichardo, Ruggerio, Tassoni, Walaska.

NAYS- 12: Senators Algieri, Bates, Blais, Cote, Felag, Lenihan, Maher, Metts, O'Neill, Pinga, Raptakis, Sheehan.

NOW PRESIDING

The Honorable President yields the rostrum to the Honorable Juan M. Pichardo Deputy President Pro Tempore of the Senate at 11:26 P.M. o'clock.

CALENDAR

9. 2009-H 6444

BY Rice A

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$350,000 BONDS BY THE TOWN OF PORTSMOUTH TO FINANCE IMPROVEMENTS TO SCHOOL BUILDINGS INCLUDING BUT NOT LIMITED TO BONDS AND NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Ordered to be placed on the Senate Calendar

Senator Levesque moves passage, seconded by Senator Metts.

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 as follows:

YEAS- 33: Senators Algieri, Bates, Blais, Ciccone, Cote, 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, Sheehan, Tassoni, Walaska.

NAYS- 0:

10. 2009-H 6458

BY Fox

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

Ordered to be placed on the Senate Calendar

Senator Miller moves passage, seconded by Senators Doyle 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: Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

11. 2009-S 229 SUB B

BY Walaska

ENTITLED, AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT

Ordered to be placed on the Senate Calendar

Senator Walaska moves passage, seconded by Senators Connors and Miller.

The bill marked Substitute "B" 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: Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, 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, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

12. 2009-S 290 SUB B as amended

BY Blais

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
SMALL BUSINESS REGULATORY FAIRNESS IN
ADMINISTRATIVE PROCEDURES**

Ordered to be placed on the Senate Calendar

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

Senator Blais seconded by Senators Connors and Walaska , offers the following written motion to amend.

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

2009 -- S 290 SUBSTITUTE B AS AMENDED

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - SMALL BUSINESS REGULATORY FAIRNESS
IN ADMINISTRATIVE PROCEDURES

Madam President:

I hereby move to amend 2009 -- S 290 SUBSTITUTE B AS AMENDED, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - SMALL BUSINESS REGULATORY FAIRNESS IN ADMINISTRATIVE PROCEDURES", as follows:

1. On page 2, line 29, after the language "small businesses," by inserting the language "excluding those businesses defined in subsection 42-35-3.3(d),".

2. On page 2, line 29, after the language "shall prepare" by inserting the language "in congruence with the analysis required in section 42-35-3.3,".

Respectfully submitted,
SENATOR BLAIS

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

YEAS- 35: Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, 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, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

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

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: Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, 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, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

NEW BUSINESS

Senate Bill No. 1071

BY Senators Blais, Perry

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS - TRAFFICKING IN DEXTROMETHORPHAN {LC3055/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senator Doyle.

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, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1072

BY Senators Connors, Algieri

ENTITLED, JOINT RESOLUTION DECLARING AND CONSENTING TO A RECESS OF THE GENERAL ASSEMBLY {LC3052/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senator Ruggerio.

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

YEAS- 32: Senators Bates, Blais, Ciccone, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Lanzi, Lenihan, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

NOW PRESIDING

The Honorable Deputy President Pro Tempore yields the rostrum to the Honorable M. Teresa Paiva Weed President of the Senate at 12:14 o'clock A.M.

CONSENT CALENDAR III

In order for the day is taken up as follows:

1. 2009-S 260 SUB A

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS

2. 2009-S 945 SUB A

BY Felag

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION

Upon motion of Senator Connors, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, 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, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR IV

1. **2009-S 596 SUB B as amended**

BY Jabour

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PROSTITUTION
AND LEWDNESS

Ordered to be placed on the Senate Calendar

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

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Levesque, Perry

2. **2009-H 6304**

BY Sullivan

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - BIG
RIVER RESERVOIR MORATORIUM

Ordered to be placed on the Senate Calendar

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

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 as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch,

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

NAYS- 0:

ADJOURNMENT

Upon motion of Senator Connors, seconded by Senator Algieri, the Senate adjourns at 12:22 o'clock A.M.

CALL TO ORDER

At 4:02 o'clock P.M. on Tuesday, January 5, 2010 the Honorable President Paiva Weed calls the Senate to order.

INVOCATION

The Honorable President, by unanimous consent, presents Bishop Thomas J. Tobin to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable Madam President, by unanimous consent, presents Senate Majority Leader Connors to lead the Senate in the pledge of allegiance to the flag.

ROLL CALL

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

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

ABSENT – 2: Lanzi, Lenihan

Senate Majority Leader Connors moves that the readings of the veto messages be dispensed with.

SENATE ADDITIONAL BUSINESS**VETO BY THE GOVERNOR**

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 85 Governor's Veto Message

BY Perry, Sosnowski, Miller, DeVall, Doyle

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS {LC302/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Perry moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Connors Metts and DiPalma.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 27 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS – 27: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 6: Senators Bates Blais, Cote, Maher, O'Neill, Pinga

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 125 Governor's Veto Message

BY McCaffrey

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTORS {LC494/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator McCaffrey moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Ciccone, Connors, Levesque and Sheehan.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 34 members voting in the affirmative and 0 members 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, Felag, Fogarty, Gallo, Jabour, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 0

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 162 Governor's Veto Message

BY Connors, Perry, Goodwin

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE CIVIL RIGHTS ACT OF 1990 {LC322/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Connors moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 27 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS – 27: The Honorable President Paiva Weed and Senators Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 7: Algieri Bates, Blais, Cote, Maher, O'Neill, Pinga

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 195 SUB B Governor's Veto Message

BY Perry, Jabour, Miller, Levesque C, Pichardo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE ESTABLISHMENTS {LC823/1/B}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Perry moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Miller, Jabour and Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 27 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS – 27: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 3: Senators Blais, Cote and Pinga

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 201 Governor's Veto Message

BY Jabour, Levesque C, DeVall, Crowley, Cote

ENTITLED, AN ACT RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS
{LC868/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Jabour moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators McCaffrey, Levesque and Pichardo

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 30 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS – 30: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 4: Algieri, Bates, Blais, Maher.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 211 as amended Governor's Veto Message

BY Ciccone, Tassoni, Ruggerio, Jabour

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES {LC323/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Ciccone moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators McCaffrey Tassoni and Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 30 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS – 30: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 5: Algieri, Bates, Blais, O'Neill, Pinga

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 311 SUB A Governor's Veto Message

BY Lynch, Connors, McCaffrey, Paiva-Weed, DaPonte

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - FEES {LC1853/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Lynch moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Perry, Goodwin, Metts, Jabour and Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 29 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS – 29: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 6: Algieri, Bates, Blais, Maher, O'Neill, Raptakis.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 510 Governor's Veto Message

BY Goodwin

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND EXECUTION
{LC1197/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Goodwin moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators McCaffrey, Lynch, Perry and Ciccone.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 31 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS – 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 4: Senators Blais, Maher, O'Neill, Pinga

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 777 SUB A as amended Governor's Veto Message

BY Gallo, DiPalma, Lynch, Goodwin, Crowley

ENTITLED, AN ACT RELATING TO INSURANCE -- TEACHERS' HEALTH INSURANCE
{LC2146/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Gallo moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Connors, Ruggerio, Levesque, Metts and DiPalma.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 25 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS – 25: The Honorable President Paiva Weed and Senators Ciccone, Connors, Crowley, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 8: Senators Algieri, Bates, Blais, Cote, Maher, O'Neill, Pinga, Raptakis.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 969 SUB A as amended Governor's Veto Message
BY Lenihan, Sosnowski
ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE {LC2701/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Sosnowski moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 28 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS – 28: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Levesque, Lynch, Maher, McBurney, McCaffrey, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sosnowski, Tassoni.

NAYS – 6: Senators Fogarty, Maselli, Metts, O'Neill, Pinga, Sheehan.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 1002 SUB A Governor's Veto Message
BY Crowley, Metts, Pichardo, Levesque C, Perry
ENTITLED, AN ACT RELATING TO PROPERTY -- MORTGAGE FORECLOSURE AND SALE {LC2851/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Crowley moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Connors, Ruggerio, Pichardo, Jabour, Metts, Perry and Sheehan.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 30 members voting in the affirmative and 3 members voting in the negative and 2 Senators abstaining as follows:

YEAS – 30: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 3: Senators Bates, Blais, Pinga

ABSTAINED – 2: Senators Walaska Algieri

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

Senate Bill No. 1054 Governor's Veto Message

BY Pichardo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY EMPLOYEES {LC3015/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Pichardo moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Levesque Connors

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 29 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS – 29: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 6: Senators Algieri Bates Blais, Maher, O'Neill, Pinga.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5005 Governor's Veto Message

BY Pacheco

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS {LC112/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Perry moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Connors.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 29 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS – 29: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Crowley, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 5: Senators Blais, Cote, Maher, O'Neill, Pinga.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5094 Governor's Veto Message

BY Fierro, Pacheco, Gablinske, Sullivan, Savage

ENTITLED, AN ACT RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS {LC274/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Jabour moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 31 members voting in the affirmative and 4 members voting in the negative as follows:

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

NAYS – 4: Algieri, Bates, Blais, Maher.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5135 Governor's Veto Message

BY Walsh, Ajello, Almeida, Williams, Handy

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE CIVIL RIGHTS ACT OF 1990 {LC371/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Connors moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 28 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS – 28: The Honorable President Paiva Weed and Senators Ciccone, Connors, Crowley, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 7: Senators Algieri Bates Blais, Cote, Maher, O'Neill, Pinga.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5227 SUB A Governor's Veto Message

BY Coderre E, Giannini, Serpa, Shallcross Smith

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND EXECUTION {LC486/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Goodwin moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Ruggerio.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 32 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS – 2: Senators Blais, Pinga

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5294 Governor's Veto Message

BY Segal, Edwards, Sullivan, Fierro

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE ESTABLISHMENTS {LC824/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator McCaffrey moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Ruggerio and Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 31 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS – 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Crowley, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 3: Senators Blais, Cote, O'Neill

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5613 SUB A Governor's Veto Message

BY McNamara, Gallison, Malik

ENTITLED, AN ACT RELATING TO INSURANCE -- TEACHERS' HEALTH INSURANCE
{LC1289/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Gallo moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Ruggerio and DiPalma.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 25 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS – 25: The Honorable President Paiva Weed and Senators Ciccone, Connors, Crowley, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 9: Senators Algieri, Bates, Blais, Cote, Felag, Maher, O'Neill, Pinga, Raptakis.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5738 SUB A Governor's Veto Message

BY Caprio D, Petrarca, Silva, Edwards, Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURES - PROCEDURE IN PARTICULAR ACTIONS - WRONGFUL DEATH {LC1852/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator McCaffrey moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Jabour and Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 32 members voting in the affirmative and 3 members voting in the negative as follows:

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

NAYS – 3: Senators Bates, Blais, Maher.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5913 SUB A Governor's Veto Message

BY Fox, Ajello, Williamson, Mattiello, Marcello

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - FEES {LC1626/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Crowley moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Metts and Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 30 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS – 30: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 5: Senators Algieri, Bates, Blais, Maher, O'Neill

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5950 Governor's Veto Message

BY Diaz, Slater, Almeida, Williams, Segal

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY EMPLOYEES {LC2068/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Pichardo moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Metts and Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 29 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS – 29: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 6: Senators Algieri, Bates, Blais, Maher, O’Neill, Pinga.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 6226 as amended Governor's Veto Message

BY Kilmartin, Rice M, Gallison, Naughton, Malik

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE (would create a recreational saltwater fishing license and would make it unlawful to fish in the marine waters of the state without first obtaining a license) {LC2693/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Sosnowski moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Levesque and Ciccone.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 28 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS – 28: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Levesque, Lynch, McBurney, McCaffrey, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sosnowski, Tassoni.

NAYS – 7: Fogarty, Maher, Maselli, Metts, O’Neill, Pinga, Sheehan.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 6304 SUB A Governor's Veto Message

BY Sullivan, Watson, Guthrie

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - BIG RIVER RESERVOIR MORATORIUM {LC2836/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Connors moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Miller.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 29 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS – 30: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 5: Senators Bates Blais, Maher, O'Neill, Pinga

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5197 Governor's Veto Message

BY Carter, Gallison, Walsh

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTORS {LC723/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator McCaffrey moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Levesque and Ciccone.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 32 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS – 2: Senators Blais, Maher

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5492 as amended Governor's Veto Message

BY Segal, Fierro, Giannini, DaSilva, Almeida

ENTITLED, AN ACT RELATING TO PROPERTY -- MORTGAGE FORECLOSURE AND SALE
{LC1009/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Crowley moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Ruggerio and Perry.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 31 members voting in the affirmative and 2 members voting in the negative and 2 Senators abstaining as follows:

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

NAYS – 2: Senators Bates Blais.

ABSTAINED- 2: Algieri, Walaska

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 6059 SUB A Governor's Veto Message

BY Lima, Williams

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING
RADIO FREQUENCY IDENTIFICATION DEVICES {LC327/1/A}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Ciccone moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senator Levesque.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 29 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS – 29: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Lynch, Maselli,

McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS – 6: Algieri, Bates Blais, Maher, O’Neill, Pinga.

VETO BY THE GOVERNOR

The Honorable President announces the receipt of the following act from His Excellency the Governor, with his disapproval recorded thereon:

House Bill No. 5083 as amended Governor's Veto Message

BY Azzinaro, Guthrie, Pollard, Kennedy, Walsh

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DIVISION OF MOTOR VEHICLES {LC151/1}

The act is accompanied by a communication.

The message is read and ordered to be placed on file.

Senator Algieri moves passage of the act, notwithstanding the veto of His Excellency, the Governor, seconded by Senators Levesque and Connors.

The motion to override the veto of His Excellency, the Governor prevails, needing a 3/5 vote to override, on a roll call vote, 33 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS – 2: Senators Blais, Pinga

ADJOURNMENT

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

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR WALTER S. FELAG

Dear Lord, I thank you for those who try to make others well and care for those in suffering and pain. Give them wisdom in curing and gentle patience in caring. Amen.

Appendix**INVOCATION****BISHOP THOMAS J. TOBIN**

Dear God and Father, we thank you for your presence among us, and for the grace and guidance you give us. Mindful of both the responsibility and the privilege that are ours, we pray....That we will be instruments of your peace, in thought, word and deed; That where there is hatred, we will sow the seeds of love for all our brothers and sisters, made in your image; That where there is injury, we will seek pardon, and that our community will be healed by the power of your grace; That in place of discord, we will strive for unity as a witness of our common heritage, our shared values, and our mutual goals; That where there is doubt or error, we will be guided by the certainty of your divine wisdom and eternal truth; That any hint of darkness or despair will be replaced by the virtue of hope, a hope that sustains us and inspires us, even in the most difficult of days. Dear God, Send your blessing upon all those present here this day. Let them strive to do your will, build your kingdom and serve all our brothers and sisters with wisdom, courage and love. All this we pray, now and forever. Amen.