

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 fifth day of January in the year of Our Lord two thousand and ten.

Volume 137, No.31

Wednesday, May 5, 2010 and
Thursday May 6, 2010

Thirty-first Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:16 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT – 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.

ABSENT – 1: Senator Blais

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMUNICATION

The Honorable President presents the following communication:

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

May 4, 2010

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

Dear Madam President:

Please be advised that I will be attending an out-of-state international pharmacy conference on Wednesday, May 5 and Thursday, May 6, 2010 and thus, will be absent from the Senate sessions. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Leo R. Blais
DEPUTY PRESIDENT PRO TEMPORE

Read and ordered to be placed on file.

NEW BUSINESS**Senate Resolution No. 2859**

BY Senators Doyle, Connors

ENTITLED, SENATE RESOLUTION PROCLAIMING MAY 5, 2010, AS "CHARTER PUBLIC SCHOOL DAY" IN THE STATE OF RHODE ISLAND {LC2529/1}

Senator Doyle requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Resolution No. 2858**BY** Senators Gallo, Sheehan, DeVall, Fogarty P, Felag**ENTITLED**, SENATE RESOLUTION PROCLAIMING MAY AS "BETTER SPEECH AND HEARING MONTH" IN THE STATE OF RHODE ISLAND {LC2579/1}

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators Connors, Picard and Metts.

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

GUESTS

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber RISHA members Pattie Bellini, Ellen Connery, Nancy Cordy, Eve Sadd, Tom Landry, URI students Kelly Williams, Alia Fater, Lauren Mossman and Lindsay Heimburg and Rhode Island College students Samantha Clark, Erin St. Jacques and Sabrina Gambuto.

Upon suggestion of Senator Ruggerio and by unanimous consent, the Honorable President, welcomes to the Chamber RISHA member Pattie Bellini.

Upon suggestion of Senator Sosnowski and by unanimous consent, the Honorable President, welcomes to the Chamber from New Shoreham First Warden Kim Gaffett, Second Warden Ray Torrey and Town Councilman Dr. Peter Baute.

CONSENT CALENDAR

Senator DiPalma asks that item 1 be removed from the Consent Calendar and placed on the Regular Calendar.

In order for the day is taken up as follows:

2. 2010-S 2797**BY Goodwin****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**3. 2010-H 7876****BY Ferri****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**4. 2010-H 7926****BY Gallison****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**5. 2010-H 7984**

BY Petrarca

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF BLOSSOMS DESIGN BOUTIQUE, INC.

Upon motion of Senator Connors, seconded by Senator Ruggerio, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, 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, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR WEDNESDAY, MAY 5, 2010:

1. 2010-S 2213

BY McCaffrey

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

Committee on Judiciary recommends passage.

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

Senator McCaffrey seconded by Senators Metts, Walaska, Perry and Lynch, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2010 -- S 2213

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

Madam President:

I hereby move to amend 2010 -- S 2213, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION", as follows:

On page 4, line 15, by deleting the words: "Each director shall be appointed for a term of four (4) years.", and by

inserting in place thereof the following language:

"One director shall be appointed for a term of one year; two (2) directors shall be appointed for a term of two (2) years; three (3) directors shall be appointed for a term of three (3) years; and one director shall be appointed for a term of four (4) years. Appointments made thereafter shall be for four (4) year terms."

Respectfully submitted,
SENATOR MCCAFFREY

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, 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:

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

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, 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:

2. 2010-S 2289 SUB A

BY Levesque C

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

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

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

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan,

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

NAYS- 0:

3. 2010-S 2430

BY Gallo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PSYCHOLOGISTS

Committee on Health & Human Services recommends passage.

Senator Gallo moves passage, seconded by Senators Perry, DeVall, Miller, Fogarty and Jabour.

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, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2010-S 2547

BY DeVall

ENTITLED, AN ACT RELATING TO INSURANCE - EXTENDED MEDICAL
LEAVE

Committee on Health & Human Services recommends passage.

Senator DeVall moves passage, seconded by Senators Gallo, Perry, Miller, DaPonte and Jabour.

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

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

NAYS- 0:

5. 2010-S 2588

BY Goodwin

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

Committee on Health & Human Services recommends passage.

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

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

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

6. 2010-S 2762

BY Lanzi

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Senator Lanzi moves passage, seconded by Senator Ruggerio.

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 and 1 Senator abstaining as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, 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:

ABSTAINED- 1: Senator DiPalma

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

GUESTS

Upon suggestion of Senator O'Neill and by unanimous consent, the Honorable President, welcomes to the Chamber Narelle Foster from Warwick, Rhode Island.

ANNOUNCEMENTS

Senator Lynch announces that the Committee on Constitutional and Regulatory Issues will meet today, at the rise of the Senate, in Room 310 of the State House.

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

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

COMMITTEE ON JUDICIARY

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

House Bill No. 7992

BY Murphy, Petrarca

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Norman L. Landroche, Jr., to join Nicole Oliveira Aguiar and Jeffrey A. Centracchio in marriage within the City of Providence, Rhode Island, on or about May 22, 2010) {LC2334/1}

Read and ordered to be placed on the Consent Calendar for Thursday, May 6, 2010.

TRANSFER OF BILLS

Senator Goodwin, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Constitutional and Regulatory Issues to the Committee on Finance:

Senate Resolution No. 2463

BY Senator Sosnowski

ENTITLED, SENATE RESOLUTION SUPPORTING RELIEF FROM UNFUNDED MANDATES FOR THE TOWN OF SOUTH KINGSTOWN {LC1757/1}

Read and referred to the Committee on Finance.

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:

Senate Bill No. 2352

BY Senators Ruggerio, McBurney, Felag, Picard, Goodwin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- GENERAL PROVISIONS (would allow the promotion of incentive programs or discounts for alcoholic beverages for any person sixty-five (65) years of age or older, active duty members of the armed forces of the United States, and members of the National Guard or Reserves) {LC1352/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2508 as amended

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR CLAIMS SETTLEMENT PRACTICES ACT (would eliminate the overtime provisions for hours worked over eight hours in any one day for Prevailing Wage work. It would preserve the "over 40 hour" work week overtime provisions) {LC1283/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2618 SUB A

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LIQUOR LICENSES (would authorize the city of Providence to create a class TO liquor license to a take out restaurant, located in Plat Book 68, Lot 732, within two hundred feet (200') of a place of public worship) {LC2088/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Resolution No. 2712

BY Senators Bates, Miller, Walaska, Picard, Ruggerio

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE UNITED STATES CONGRESS PASS FEDERAL USURY LEGISLATION {LC2248/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2774 SUB A

BY Senator Tassoni

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING (would extend the reporting date of the "Housing Act of 2004 Implementation Oversight Commission from February 15, 2010 to February 15, 2011 and the expiration date from March 31, 2010 to March 31, 2011) {LC2314/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2802 SUB A

BY Senators Felag, DiPalma

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LIQUOR LICENSES (would authorize the liquor licensing board of the town of Tiverton to issue a class BV retail license to a restaurant located in Tiverton at 221 Main Road) {LC2426/1/A}

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:

Senate Bill No. 2130 SUB A

BY Senators Gallo, Fogarty P

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- RADIOLOGIC TECHNOLOGISTS LICENSING (repeal the existing radiologic technology licensing act and adopt a revised radiologic technology licensing act) {LC845/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2205 SUB A

BY Senators Perry, Miller, Metts, McCaffrey, Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - TANNING FACILITY SAFETY STANDARDS (would require the director of the dept of health to include, as minimum safety standards for tanning facilities, a prohibition on the use of such facilities by persons younger than eighteen (18) years of age) {LC1046/2/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2495

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - PUBLIC ASSISTANCE ACT (would amend the title and meaning of section 40-6-8 by changing references from "food stamp program" to the supplemental nutrition assistance program or "SNAP") {LC1556/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2548**BY** Senators Levesque C, Perry, Miller, Sosnowski**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE (would require employers who employ medical assistance beneficiaries or applicants to provide the department of human services with insurance related information) {LC1043/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2629 (Lieutenant Governor)**BY** Senators DeVall, Crowley**ENTITLED**, AN ACT RELATING TO INSURANCE - EXTENDED MEDICAL BENEFITS (would provide that dental and vision benefits be included for individuals eligible for extended medical benefits) {LC2082/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 2631 (Lieutenant Governor)**BY** Senators Tassoni, Fogarty P, Picard, DiPalma**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (would give authority to the director of health to certify out-of-state health care professionals in times of emergency) {LC2081/1}

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 Resolution No. 7332**BY** Gemma, Kennedy, Schadone, Marcello, San Bento**ENTITLED**, JOINT RESOLUTION OPPOSING THE CREATION OF AN OFFICE OF NATIONAL INSURANCE (ONI)/FEDERAL INSURANCE OFFICE (FIO) {LC1072/1}

Read and ordered to the Committee on Constitutional and Regulatory Issues.

Also:

House Bill No. 7696 SUB A as amended**BY** Marcello

ENTITLED, AN ACT RELATING TO INSURANCE (would rename the Rhode Island Insurers Insolvency Fund the Rhode Island Property & Casualty Insurance Guaranty Association and would amend the chapter to bring it into compliance with the current NAIC model act upon which the statute is based) {LC1794/1/A}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 7597 SUB A as amended (Attorney General)

BY Kennedy, San Bento, Marcello, Pacheco, Carter

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- DISCOUNT BUYING CLUBS (would provide contract requirements and a three (3) day right of rescission for those who become members of buying clubs) {LC1862/1/A}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 7694 SUB A

BY Marcello

ENTITLED, AN ACT RELATING TO INSURANCE (eliminate mandatory pre-licensing before a resident may obtain an insurance producer license, restore a provision of the life and health reinsurance act, amend the uninsured motorist statute) {LC1800/1/A}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 7693 as amended

BY Marcello

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS (would make several technical changes in the registration requirements of the board of examination and registration of architects) {LC1798/1}

Read and ordered to the Committee on Corporations.

Also:

House Bill No. 7498

BY Coderre E, Kilmartin, Pollard, Kennedy, Giannini

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- WHEELCHAIR ACCESSIBLE TRANSPORTATION

Read and ordered to the Committee on Finance.

Also:

House Bill No. 7155 SUB A as amended

BY Gemma, Trillo, Ucci, Kilmartin, Fox

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT (would provide for up to 10 years in prison for persons convicted of distributing a controlled substance to someone without their knowledge with the intent to commit a crime of violence against that other person) {LC74/1/A}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 7387

BY Carnevale, Almeida, Williams, Ajello, Segal

ENTITLED, AN ACT RELATING TO PUBLIC RECORDS - SPECIAL POLICE FOR PRIVATE INSTITUTIONS (would subject the records kept and maintained by special collegiate police officers to release under the access to public records law)

Read and ordered to the Committee on Judiciary.

RECESS

Upon motion of Senator Doyle, seconded by Senator Ruggerio, the Senate stands at recess at 4:35 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Thursday, May 6, 2007, at 4:16 o'clock P.M.

SPECIAL BLESSING

The Honorable President, by unanimous consent, presents Senator Ruggerio to deliver a special blessing.

(See Appendix for Special Blessing)

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirtieth Legislative Day of the 2010 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President, welcomes to the Chamber David Bennett.

Upon suggestion of Senator Doyle and by unanimous consent, the Honorable President, welcomes to the Chamber Janet Haebler, Associate Director of State Government Affairs and American Nurses Association, Cathy Duquette- Vice President of Nursing Newport Hospital and President of Rhode Island State Nurses Association, Donna Policastro- Executive Director Rhode Island State Nurses Association, Sylvia Weber- Government Relations, Rhode Island State Nurses Association, Anne Neauville- Chair, Government Affairs Committee, Rhode Island State Nurses Association, and former State Senator Catherine Graziano- Vice President of Rhode Island Nurses Association.

Senator Doyle announces that Senator Rhoda E. Perry is the recipient of the Rhode Island State Nurses Association Legislator of the Year.

COMMUNICATION

The Honorable President presents the following communication:

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

May 6, 2010

Honorable M. Teresa Paiva Weed
Senate President
Room 318
State House
Providence, RI 02903

Dear Madam President:

Please be advised that I will be absent from the Senate session May 6, 2010, due to an unexpected business trip.

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

Thank you for your assistance.

Sincerely,

Louis P. DiPalma
Senator District 12

Read and ordered to be placed on file.

NEW BUSINESS

Senate Resolution No. 2864

BY Senators Doyle, Tassoni, Connors, Bates

ENTITLED, SENATE RESOLUTION RECOGNIZING MAY 6TH-12TH AS "NATIONAL NURSES WEEK" {LC2490/1}

Senator Doyle requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Doyle moves passage, seconded by Senators Algieri, Metts, Lynch, Ruggerio, Gallo, Miller and Crowley.

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

Also:

Senate Resolution No. 2865

BY Senator Metts

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF VIRGINIA O'CONNOR {LC2599/1}

Senator Metts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Metts moves passage, seconded by Senators Algieri, Ruggerio, Jabour, Cote, Lynch, Sheehan and Felag.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2010-H 7992**BY Murphy****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES****2. 2010-H 8005****BY Pollard****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

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, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, 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:

CALENDAR**IN ORDER FOR THURSDAY, MAY 6, 2010:****1. 2010-S 2807****BY Fogarty P****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - PASCOAG
UTILITY DISTRICT**

Committee on Housing & Municipal Government recommends passage.

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

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, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, 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. 2010-S 2808**BY Algieri****ENTITLED,** AN ACT RELATING TO AMENDING THE CHARTER OF THE MISQUAMICUT FIRE DISTRICT

Committee on Housing & Municipal Government recommends passage.

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

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, Crowley, DaPonte, DeVall, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2010-S 2056**BY Ciccone****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES - OBSTRUCTION OF JUSTICE

Committee on Judiciary recommends passage.

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

Senators Walaska, Ciccone and Jabour discuss the act.

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, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, 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:

4. 2010-S 2645**BY Blais****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- JUDICIAL SELECTION

Committee on Judiciary recommends passage.

Upon suggestion of Senator Connors and without objection, ordered to be placed on the Calendar for Tuesday, May 11, 2010.

5. 2010-S 2709

BY Connors

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DIVORCE
AND SEPARATION

Committee on Judiciary recommends passage.

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

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

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, 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. 2010-S 2761

BY McCaffrey

ENTITLED, AN ACT RELATING TO PROPERTY - RECORDING OF
INSTRUMENTS

Committee on Judiciary recommends passage.

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

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

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, 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:

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

ANNOUNCEMENTS

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

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

GUESTS

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Michael B. Forte, Associate Justice from the Rhode Island Family Court.

Upon suggestion of Senator Walaska and by unanimous consent, the Honorable President, announces that Senator Walter S. Felag was honored as an Earth Day Legislative Champion by Clean Water Action.

ADJOURNMENT

Upon motion of Senator Ruggerio seconded by Senator Connors and upon suggestion of Senator Metts, the Senate adjourns at 4:38 o'clock P.M. in memory of Virginia O'Connor.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR MARC A. COTE**

Heavenly Father, help us to know what to do and carry it out without fear or hesitation. Let us fear nothing except to be faithless to you while avoiding bitterness, defensiveness, or retaliation. Amen.

Appendix**SPECIAL BLESSING****SENATOR DOMINICK J. RUGGERIO**

As we begin this session Madam President, let us bow our heads and remember the passing of Stephen Montalbano, son of our colleague and former Senate President Joseph Montalbano and his wife, Linda and their family.

Appendix**INVOCATION****SENATOR DOMINICK J. RUGGERIO**

Lord, as we observe Mother's Day this weekend, we ask you to bless our mothers for the endless hours of time they spent and the boundless energy they invested in us. Bless our mothers for their sacrifices on our behalf as they often gave up or deferred their own dreams so that we could have ours. Most of all, Lord, bless our mothers for their unconditional love, for loving us no matter what, and for frequently showing love in ways that make us feel valued and cherished. Amen.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 11, 2010:****1. 2010-S 2645****BY Blais****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
JUDICIAL SELECTION

Committee on Judiciary recommends passage.

2. 2010-S 2352**BY Ruggerio****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- GENERAL
PROVISIONS

Committee on Constitutional & Regulatory Issues recommends passage.

3. 2010-S 2508 as amended**BY Goodwin****ENTITLED,** AN ACT RELATING TO INSURANCE - UNFAIR CLAIMS
SETTLEMENT PRACTICES ACT

Committee on Constitutional & Regulatory Issues recommends passage as amended.

4. 2010-S 2618 SUB A**BY Goodwin****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LIQUOR LICENSESCommittee on Constitutional & Regulatory Issues recommends indefinite postponement of
the original bill and passage of Substitute A.**5. 2010-S 2712****BY Bates****ENTITLED,** SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE
UNITED STATES CONGRESS PASS FEDERAL USURY
LEGISLATION

Committee on Constitutional & Regulatory Issues recommends passage.

6 2010-S 2774 SUB A**BY Tassoni****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - LOW AND
MODERATE INCOME HOUSING

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

7. 2010-S 2802 SUB A

BY Felag

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

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

IN ORDER FOR WEDNESDAY, MAY 12, 2010:

1. 2010-S 2130 SUB A

BY Gallo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- RADIOLOGIC TECHNOLOGISTS LICENSING

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

2. 2010-S 2205 SUB A

BY Perry

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - TANNING FACILITY SAFETY STANDARDS

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

3. 2010-S 2495

BY Levesque C

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - PUBLIC ASSISTANCE ACT

Committee on Health & Human Services recommends passage.

4. 2010-S 2548

BY Levesque C

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE

Committee on Health & Human Services recommends passage.

5. 2010-S 2629

BY DeVall

ENTITLED, AN ACT RELATING TO INSURANCE - EXTENDED MEDICAL BENEFITS

Committee on Health & Human Services recommends passage.

6. 2010-S 2631

BY Tassoni

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

Committee on Health & Human Services recommends passage.