

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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# Journal of the Senate

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

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| Volume 137, No.39 | Wednesday, June 2, 2010 and<br>Thursday, June 3, 2010 and<br>Friday, June 4, 2010 and<br>Tuesday, June 8, 2010 | Thirty-ninth Legislative Day |
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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:24 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, Blais, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 1: Senator Ciccone.

## INVOCATION

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

(See Appendix for Invocation)

## PLEDGE OF ALLEGIANCE TO THE FLAG

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

**APPROVAL OF RECORD**

The Senate Journal of the Thirty-eighth Legislative Day of the 2010 proceedings is read in part.

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

**GUESTS**

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President, announces that the College Crusade of Rhode Island's 20<sup>th</sup> Anniversary was held in the State House Rotunda today.

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President, welcomes to the Chamber Paul Moran, Chair of the [Crusade](#) Board, Warren Simmons, Vice Chair of the Crusade Board, Irving Schneider Board member and President of Johnson & Wales University, Kalomo Vanterpool, College Crusade Advisor, Stephanie Taveras, Syediah Soko and Shawntree Ware.

**COMMUNICATION**

The Honorable President presents the following communication:

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

June 2, 2010

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

Dear President Paiva Weed:

Please accept this letter as notification that I will be unable to attend Senate Session today, Wednesday, June 2, 2010, due to illness. Thank you.

Sincerely,

James C. Sheehan  
Senator- District 36

Read and ordered to be placed on file.

**FROM THE HOUSE OF REPRESENTATIVES**

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

**House Bill No. 7834**

**BY** Serpa, Vaudreuil, Gablinske, Ferri, Martin

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES - LIQUOR (would provide that all retail liquor licenses must be maintained on the premises for which they were issued but need not be posted) {LC2023/1}

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

Also:

**House Bill No. 7907 SUB A**

**BY** Kilmartin

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE SERVICES-- UTILIZATION REVIEW ACT (would repeal the sunset provision regarding the statutory variances the department of health is allowed to issue) {LC1758/1/A}

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

Also:

**House Bill No. 8191**

**BY** McNamara, Ferri, Trillo, Watson

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Scott Avedisian, Mayor of the City of Warwick, to join Patrice Eileen (Dooley) Hutson and John Edward Concannon, Jr., in marriage within the City of Cranston, Rhode Island, on or about November 26, 2010) {LC2765/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7988**

**BY** Lally, Jackson

**ENTITLED**, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS (would require a fee of ten dollars to be paid in order to release a lis pendens and/or bail property lien filed by bailbondsmen) {LC2235/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7570 SUB A**

**BY** Ajello, Lally, O'Neill JP, Rice M, Williams

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- IDENTIFICATION AND APPREHENSION OF CRIMINALS {LC882/1/A}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7618****BY** Jackson, O'Neill JP, Rice A, Ucci, Melo**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - PRACTICE IN PROBATE COURTS (would eliminate certain notice requirements to parties in interest in the probate of a will or letters of administration but in no way would limit the discretion of the court to order any notice it deems necessary) {LC1199/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7619****BY** Jackson, O'Neill JP, Rice A, Melo**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE ( would make several amendments to the statutes regarding rules of descent & also provide for an elective share to the surviving spouse of a decedent domiciled in this state.) {LC1198/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 8190****BY** Caprio D**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Carrol Pearson to join Sharon Kenyon and Michael Blackmar in marriage within the Town of Narragansett, Rhode Island, on or about August 22, 2010) {LC2767/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 8189****BY** Giannini**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2769/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 8119****BY** Walsh**ENTITLED**, AN ACT SOLEMNIZATION OF MARRIAGES (act would allow The Honorable Patrick J. Clifford to join Kieran Doherty and Kelly McManus in marriage on or about July 8, 2010 within the Town of New Shoreham, Rhode Island) {LC2603/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 8153****BY** Almeida**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Representative Joseph S. Almeida to join Cheny Ann Booth and James R. Lee in marriage within the City of West Warwick, Rhode Island, on or about June 6, 2010.) {LC2664/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7754 SUB A as amended****BY** Carnevale, Kilmartin, Almeida, Gablinske, Hearn**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF CHILDREN YOUTH AND FAMILIES {LC2017/2/A}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7894** (by request)**BY** Melo, Savage, Messier, DaSilva**ENTITLED**, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTION (would provide that the provisions of the general laws relating to the number of signers required for nomination papers and for the number of papers signed by the same voter to supersede any general or public law or charter provision to the contrary) {LC1336/1}

Received and referred to the Committee on Judiciary.

**REPORTS OF COMMITTEES  
COMMITTEE ON FINANCE**

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

**Senate Bill No. 2276****BY** Senators Sheehan, Sosnowski, Tassoni, Picard, Pichardo**ENTITLED**, AN ACT RELATING TO TAXATION ( would permit the adoption of a homestead exemption program in the town of Narragansett.) {LC1351/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2483****BY** Senators Fogarty P, Gallo

**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM -- CONTRIBUTIONS AND BENEFITS (allow any retired member who retired from service as a registered nurse to be employed/reemployed for the purpose of providing professional nursing care and/or services at a state operated facility in RI)

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2524**

**BY** Senator Goodwin

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - INTERPRETER SERVICES (would set forth various standards for the department of human services to properly ensure that persons who are not proficient in English are informed that there are interpreter services available in various languages) {LC1262/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2525**

**BY** Senator Goodwin

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES' HIGHER EDUCATION OPPORTUNITY INCENTIVE GRANT (would extend the eligibility age of individuals receiving higher education opportunity incentive grants from under 21 to those who are 23 if they reach the age of 21 while participating in the grant) {LC1260/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2674 SUB A**

**BY** Senators Walaska, Sosnowski, McCaffrey, Felag, Bates

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- WHEELCHAIR ACCESSIBLE TRANSPORTATION (would authorize and direct the RIPTA, in consultation with the division of public utilities and carriers and the governor's commission on disabilities to develop the "John J. MacDonald, Jr. Transportation Initiative") {LC2072/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2880**

**BY** Senator Sosnowski

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND CLEAN WATER FINANCE AGENCY {LC2608/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2906**

**BY** Senators Connors, Miller

**ENTITLED**, AN ACT RELATING TO PARKS AND RECREATIONAL AREAS (would provide for the issuance of identification cards by the Rhode Island public transit authority of for individuals with disabilities seeking free access to parks and recreational areas) {LC2650/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2936**

**BY** Senators DiPalma, Blais

**ENTITLED**, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS {LC2473/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2937**

**BY** Senators DiPalma, Blais

**ENTITLED**, AN ACT RELATING TO EDUCATION -- TEACHER RETIREMENT {LC2474/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2944**

**BY** Senators DiPalma, Blais

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- OTHER POST- EMPLOYMENT BENEFITS TRUSTS {LC2757/1}

Read and ordered to be placed on the Calendar.

**NEW BUSINESS**

**Senate Bill No. 2958**

**BY** Senators Blais, Crowley, Lynch, Miller, Maher

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ADMINISTRATIVE PROCEDURES {LC2555/1}

Read and referred to the Senate Committee on Judiciary

Also:

**Senate Resolution No. 2959****BY** Senators Maher, Blais, Algieri, Bates, Sosnowski**ENTITLED**, SENATE RESOLUTION CONGRATULATING MARY SULLIVAN, PH.D., R.N., ON HER ELECTION AS A "FELLOW OF THE AMERICAN ACADEMY OF NURSING" {LC2781/1}

Read and ordered to be placed on the Consent Calendar

Also:

**Senate Bill No. 2960****BY** Senator Goodwin**ENTITLED**, AN ACT RELATING TO LOTTERY {LC2838/1}

Read and referred to the Senate Committee on Judiciary

Also:

**Senate Bill No. 2961****BY** Senators Ruggerio, Walaska, McCaffrey, Lynch**ENTITLED**, AN ACT RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE -- WORK ON HOLIDAYS AND SUNDAYS {LC2823/1}

Read and referred to the Senate Committee on Labor

Also:

**Senate Bill No. 2962****BY** Senator DiPalma**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE ROAD CONSTRUCTION AND DRAINAGE AND SIDEWALK IMPROVEMENTS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR {LC2806/1}

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

Also:

**Senate Bill No. 2963****BY** Senator Paiva-Weed**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION OF A WIND TURBINE GENERATOR AND TO ISSUE NOT MORE THAN \$6,500,000 BONDS AND NOTES THEREFOR {LC2829/1}

Read and referred to the Senate Committee on Finance

**CONSENT CALENDAR**

In order for the day is taken up as follows:

Upon suggestion of Senator Connors, seconded by Senator Ruggerio, item 6 be removed from the Consent Calendar and placed at the top of today's Calendar.

- 1. Nomination of Michael P. Quinn (appointment) (new seat) of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013.**
- 2. Nomination of Carole O. Bell (appointment) of Cranston VICE John St. Sauveur (resigned) to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2010.**
- 3. 2010-S 2957  
BY Walaska  
ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF  
THE SPECIAL LEGISLATIVE COMMISSION TO STUDY  
POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT  
OF PORT FACILITIES IN THE STATE OF RHODE ISLAND**
- 4. 2010-H 7597 SUB A as amended  
BY Kennedy  
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
DISCOUNT BUYING CLUBS**
- 5. 2010-H 7605 SUB A  
BY Kennedy  
ENTITLED, AN ACT RELATING TO INSURANCE - ANTI-FRAUD ACT**

Upon motion of Senator Connors, seconded by Senator Algiere, 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 Algiere, Bates, Blais, 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, Sosnowski, Tassoni, Walaska.

NAYS- 0:

## CALENDAR

## IN ORDER FOR WEDNESDAY, JUNE 2, 2010:

**6. 2010-H 7709 SUB A as amended****BY Marcello****ENTITLED,** AN ACT RELATING TO INSURANCE -- RHODE ISLAND TITLE INSURERS

Senator Miller 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 as follows:

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

NAYS- 0:

**1. 2010-S 2402 SUB A****BY Miller****ENTITLED,** AN ACT RELATING TO INSURANCE

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

Upon suggestion of Senator Connors, seconded by Senator McCaffrey and without objection, ordered to be recommitted. to the Committee on Corporations.

**2. 2010-S 2789 SUB A****BY Crowley****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND PUBLIC RAIL CORPORATION

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

Upon suggestion of Senator DaPonte and without objection, ordered to be placed on the Calendar for Tuesday, June 8, 2010.

**3. 2010-S 2780****BY Goodwin****ENTITLED,** AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND

## HOSPITALS -- DEVELOPMENTALLY DISABLED ADULTS

Committee on Health & Human Services recommends passage.

Senator Goodwin moves passage, seconded by Senator Perry.

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

**F L O O R   A M E N D M E N T**

TO

2010 -- S 2780

AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- DEVELOPMENTALLY  
DISABLED ADULTS

Madam President:

I hereby move to amend 2010 -- S 2780, entitled "AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- DEVELOPMENTALLY DISABLED ADULTS", as follows:

1. On page 2, line 26, by deleting the language: "support for".
2. On page 2, line 27, by inserting a comma ",", after the word "veterans".
3. On page 2, line 27, after the word "living", by inserting in place thereof the following language: "in accordance with the Medicaid Global Waiver Compact pursuant to chapter 42-12.4".
4. On page 2, line 30, by deleting the language: "upon passage", and by inserting in place thereof the following language: "on August 1, 2010".

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: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, 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, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Goodwin 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 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**4. 2010-S 2107 SUB A**

**BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --  
MOTOR CARRIERS OF PROPERTY

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

Senator Sosnowski moves passage, seconded by Senator Miller.

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

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

NAYS- 0:

**5. 2010-S 2164**

**BY Ciccone**

**ENTITLED,** AN ACT RELATING TO EDUCATION - TEACHERS' RETIREMENT

Committee on Labor recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative and 2 Senators abstaining as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Miller, O'Neill, Perry, Pichardo, Pinga, Raptakis, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 2: Senators DeVall, Metts.

**6 2010-S 2334 SUB A**

**BY Maselli**

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -  
UNDERGROUND ECONOMY COMMISSION**

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

Upon suggestion of Senator Maselli and without objection, ordered to be placed on the Calendar for Thursday, June 3, 2010.

**TRANSMITTAL**

By unanimous consent, all Senate matters on the Secretary's desk are ordered to the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

**ANNOUNCEMENTS**

Senator Connors announces that the Senate will meet on Friday, June 4, in order for passage of 2010-H 7397 Sub A.

Senator Connors motions that the following Rules be suspended: 3.5(Time for Sessions), 4.5(Filing with Secretary of Senate), 4.10-1(Public Bills), 4.10-2(Committee Amendments), 6.1(Time for Committee Meetings), 6.2(Committee Agenda-Posting), 6.4-3(Public Hearings), 6.5(Hearing and Consideration of Bills), 7.6(Calendar) and 9.3(Questions Presented)

Senator Connors, seconded by Senator Maselli, moves for suspension of the Rules upon a roll call vote with 31 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Maher, Pinga, Raptakis.

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

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

Senator Levesque announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 213 of the State House.

### RECESS

Upon motion of Senator Doyle seconded by Senator Connors the Senate stands at recess at 4:45 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, June 3, 2010, at 4:13 o'clock P.M.

### COMMITTEE ON JUDICIARY

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

#### **House Bill No. 8127**

**BY** Walsh

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Nelson Martinez to join Patricia E. Martinez and Jesse Schwartzman in marriage within the Town of New Shoreham, Rhode Island, on or about October 2, 2010. {LC2623/1}

Read and ordered to be placed on the Consent Calendar.

Also:

#### **House Bill No. 8126**

**BY** Watson, Mattiello

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES ( would allow Andrew M. Hodgkin to join Megan Elizabeth Heath and Mark Andrew Hodgkin in marriage on or about August 14, 2010 within the Town of Tiverton, Rhode Island.) {LC2621/1}

Read and ordered to be placed on the Consent Calendar.

Also:

#### **Senate Bill No. 2054 SUB A**

**BY** Senators Picard, Felag, Tassoni, Sosnowski

**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS - EXCHANGE OF INFORMATION - CHILD SUPPORT ( provides that if a party is activated for military service and deployment out of state that fact shall not by itself be sufficient to justify a modification of a custody or visitation order) {LC265/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2055****BY** Senators Miller, Perry, Connors, Sosnowski, Lynch**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE (would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1)

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2147****BY** Senators Blais, DeVall, Maselli, McCaffrey**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS (prohibit cities/towns from providing the name/address/date of birth of any person who has applied for a license/permit to carry a concealed pistol/revolver except when performing background checks on applicant)

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2212 SUB A****BY** Senator McCaffrey**ENTITLED**, AN ACT RELATING TO PROPERTY -- LEASED LAND DWELLINGS (provide for fair/reasonable compensation of homeowners for removal/destruction of their residential property on leased land, and would provide for process of arbitration for a landowner/homeowner to resolve dispute over the compensation to be paid) {LC1027/3/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2448****BY** Senators Doyle, McBurney, DaPonte**ENTITLED**, AN ACT RELATING TO ELECTIONS - LOCAL CANVASSING AUTHORITY (would permit the City of Pawtucket, in lieu of advertising public questions before the local board, to mail the question to the household of every registered voter) {LC1291/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2558****BY** Senators Crowley, Goodwin**ENTITLED**, AN ACT RELATING TO ELECTIONS - ADDRESS CONFIDENTIALITY OF DOMESTIC VIOLENCE VICTIMS (would include victims of domestic violence who have secured "no contact orders" in the address confidentiality law) {LC1765/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2636** (Attorney General)

**BY** Senators Sosnowski, Maselli, Algiere, McCaffrey

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES (would repeal the enhancement of penalties for subsequent offenses of driving under the influence, death resulting and driving under the influence resulting in serious bodily injury) {LC1568/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2687**

**BY** Senators Crowley, Goodwin, Lynch

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION (would include convictions for petty misdemeanors involving domestic violence when determining if the defendant qualifies for enhanced penalties for domestic violence offenses subsequent to a first conviction for a domestic violence offense) {LC1259/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2886**

**BY** Senators Levesque C, Metts, Pichardo, Perry, Miller

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- SUPERIOR COURT (would amend and define the duties of a Drug Court Magistrate, and specify which individuals qualify for the Drug Court and the conditions and responsibilities imposed thereon) {LC2584/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2925**

**BY** Senator Connors

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- EXPLOSIVES AND FIREWORKS; HEALTH AND SAFETY -- FIREWORKS AND PYROTECHNICS (would amend certain provisions of the Rhode Island general laws to adopt and conform to federal designations of fireworks type/provide for regulation/storage/handling/transportation of Display Fireworks/Aerial Consumer Fireworks) {LC2736/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2934**

**BY** Senator DiPalma

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2671/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2947**

**BY** Senator Miller

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2753/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2945**

**BY** Senator Felag

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2768/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2926**

**BY** Senator Fogarty P

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael Tanguay to join Lindsey O'Brien and Eric Iacabbo in marriage within the Town of Burrillville, Rhode Island, on or about October 8, 2010) {LC2723/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7473**

**BY** McNamara, Palumbo, Corvese

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - JURY LISTS (would exempt correctional officers from jury service) {LC1601/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Jeffrey J. Greer (appointment) of Providence VICE Kathleen M. Lanphear (resigned) as Hearing Officer in the Division of Administrative Adjudication in the State department of Environmental Management for a term expiring March 1, 2015.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Magistrate Edward Newman (Reappointment) as Magistrate of the Rhode Island Family Court**

Read and ordered to be placed on the Consent Calendar.

**COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES**

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

**Senate Resolution No. 2941**

**BY** Senators Walaska, Bates

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF UNIVERSAL VOLUNTARY RETIREMENT ACCOUNTS {LC2766/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Resolution No. 2943**

**BY** Senators DiPalma, Blais

**ENTITLED**, JOINT RESOLUTION CREATING A PERMANENT LEGISLATIVE COMMISSION ON SHARED MUNICIPAL SERVICES {LC2754/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2434**

**BY** Senators DiPalma, Cote, Picard, Algieri, Lanzi

**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT COMMITTEE ON LEGISLATIVE SERVICES (would require the joint committee on legislative services to publish on the general assembly website all roll-call committee votes)

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2435**

**BY** Senators Raptakis, O'Neill E, Pinga, Fogarty P

**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT COMMITTEE ON LEGISLATIVE SERVICES (would require the joint committee on legislative services to publish on the general assembly website all roll-call committee votes) {LC1123/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2758 SUB A**

**BY** Senators Jabour, Ciccone, Goodwin

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY (would require liquor licensees to pay police detail bills in full before they are allowed to operate/ make the transferee of the license assume all previous penalties/allow licensing authorities to prevent the admittance of persons under the age of 21.) {LC2279/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2860**

**BY** Senators Maher, Algieri

**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS {LC2591/1}

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. 2129**

**BY** Senators Blais, Miller

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- OFFICE OF STATE MEDICAL EXAMINERS (would add one non-voting member to the state medical examiners commission who would be a representative from the New England Organ Bank and who need not be a Rhode Island resident)

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2421 SUB A as amended**

**BY** Senator Levesque C

**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT (would require the director of health, after appropriate notice and hearing, to promulgate rules and regulations for the purpose of adopting a system for electronic data transmission of prescriptions for controlled substances in schedule II, III, IV, and {LC1738/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2429 SUB A****BY** Senators DiPalma, Tassoni, Lanzi, Pichardo, Jabour**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ASSISTED LIVING RESIDENCE LICENSING ACT (change the definition of "resident" for the purposes of the assisted living residence licensing act by eliminating the requirement that the resident already be "established") {LC1819/2/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2541 SUB A****BY** Senator Tassoni**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS (would require a nursing home to reimburse any money that has been prepaid by a deceased patient to the nursing home to the estate of the deceased patient within 30 days of the date of death of the patient) {LC1122/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2632 SUB A****BY** Senators Sheehan, Perry, Pichardo, Crowley, Raptakis**ENTITLED**, AN ACT RELATING TO INSURANCE - DISCOUNT MEDICAL PLANS (would establish standards for discount medical plan organizations, protect consumers from unfair and deceptive marketing practices and facilitate consumer understanding of discount medical plan organizations) {LC1419/2/A}

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. 7130 SUB A****BY** Walsh, Azzinaro, Rice M**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- MOTOR CARRIERS OF PROPERTY (would increase the maximum diesel price emergency surcharge cap from three dollars to five dollars) {LC507/2/A}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7650****BY** Ucci, Menard, Gemma**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - RETAIL SALE OF GASOLINE (would repeal the provision of the general laws relating to setting aggregate prices for motor fuel plus other commodities or services) {LC1915/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8102****BY** Vaudreuil, Silva, Serpa, Gallison, Shallcross Smith**ENTITLED**, AN ACT RELATING TO MAKING IT EASIER TO DO BUSINESS IN RHODE ISLAND PART 4: LABOR AND LABOR RELATIONS (would require the director of labor and training to appoint a small business owner to the apprentice council) {LC2566/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8104 SUB A****BY** Shallcross Smith, Rice A, Vaudreuil, DaSilva, Marcello**ENTITLED**, AN ACT RELATING TO MAKING IT EASIER TO DO BUSINESS IN RHODE ISLAND PART 7: STATE AFFAIRS AND GOVERNMENT - ADMINISTRATIVE PROCEDURES (would allow the state to make the regulatory, licensing and permitting process be simultaneous) {LC2569/1/A}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8100 SUB A****BY** Ferri, Shallcross Smith, Ruggiero, Trillo, Gallison**ENTITLED**, AN ACT RELATING TO MAKING IT EASIER TO DO BUSINESS IN RHODE ISLAND PART 2: BUSINESS FAST-START OFFICE - STATE AFFAIRS AND GOVERNMENT EXPEDITED STATE LICENSURE PROCESS {LC2564/1/A}

Read and ordered to be placed on the Consent Calendar.

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 be placed on the Calendar.

**COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT**

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

**House Bill No. 7300 SUB A**

**BY** Kennedy, Naughton, Lima, Lally, Martin

**ENTITLED**, AN ACT RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS ( would require the installation of curb cuts and/or ramps at both ends of any pedestrian crosswalk) {LC891/1/A}

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 Resolution No. 7357**

**BY** Fox, Fierro, Hearn, Marcello, Walsh

**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (ETHICS COMMISSION) (Ethics Commission would have jurisdiction over the members of the General Assembly notwithstanding the "speech in debate" provisions of Article VI, Section 5 of the Constitution) {LC1146/1}

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

Also:

**House Bill No. 7014 SUB A**

**BY** Gablinske, Edwards, Gallison, Rice A, Malik

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- REGULATION OF BOATS (would require all ships over 150' in length whose primary cargo is hazardous material to have at least 25' of clearance under all of Rhode Island's bridges) {LC59/1/A}

Received and referred to the Senate Committee on Environment and Agriculture.

Also:

**House Bill No. 7131 SUB A**

**BY** Carnevale, Fellela, Almeida, Petrarca, Williams

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC DRINKING WATER SUPPLY {LC446/1/A}

Received and referred to the Senate Committee on Environment and Agriculture.

Also:

**House Bill No. 8199****BY** McCauley, Williams, Carnevale, Almeida, Slater**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION (would extend any special property tax consideration provided under section 44-3-31.2 (the city of Providence) for an additional five (5) years) {LC2714/1}

Received and referred to the Senate Committee on Finance.

Also:

**House Bill No. 7782 (State Police)****BY** Watson**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - FRAUD AND FALSE DEALING (any person who furnishes a false statement in order to obtain a driver's license or registration would be guilty of a misdemeanor and upon conviction would be punished by imprisonment for not more than 1 year or/fine of not more than \$1,000, or both) {LC1462/1}

Received and referred to the Senate Committee on Judiciary.

Also:

**House Bill No. 7235****BY** Kilmartin, Gallison, Menard, Carnevale, Lally**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLE OFFENSES - YIELDING TO EMERGENCY VEHICLES (would provide an eighty-five dollar fine for failure of a motor vehicle to yield to an emergency vehicle by pulling to the right hand side of the road and stopping until the emergency vehicle has passed)

Received and referred to the Senate Committee on Judiciary.

Also:

**House Bill No. 7994****BY** Rice A, Jackson, Ruggiero**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF AQUIDNECK GRANGE, NO. 30, PATRONS OF HUSBANDRY {LC2328/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Resolution No. 8175****BY** Mattiello, Watson, Hearn, 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 FOR THE RACE TO THE TOP ROUND TWO {LC2716/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8096**

**BY** Marcello

**ENTITLED**, AN ACT VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF DALE COURT CONDOMINIUM ASSOCIATION, INC. {LC2590/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8141**

**BY** Martin, Jackson, Ruggiero

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF KATRINA, INC. {LC2606/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8144**

**BY** Fierro, Brien, Baldelli-Hunt

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF WOONSOCKET TO FUND THE CITY'S ACCUMULATED GENERAL FUND DEFICIT BY THE ISSUANCE OF NOT MORE THAN \$12,000,000 BONDS AND NOTES THEREFOR {LC2655/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8136**

**BY** Coderre E, Kilmartin, Messier, San Bento, O'Neill JP

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012 {LC2535/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8137**

**BY** Coderre E, Kilmartin, Messier, San Bento, O'Neill JP

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$700,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012 {LC2541/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8135**

**BY** Coderre E, Kilmartin, Messier, San Bento, O'Neill JP

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND RECONSTRUCTION AND EQUIPPING OF PUBLIC RECREATION FACILITIES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$600,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012 {LC2538/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8134**

**BY** Coderre E, Kilmartin, Messier, San Bento, O'Neill JP

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012 {LC2545/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8133**

**BY** Coderre E, Kilmartin, Messier, San Bento, O'Neill JP

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012 {LC2542/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8132****BY** Coderre E, Kilmartin, Messier, San Bento, O'Neill JP**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE IMPROVEMENT AND REPLACEMENT OF TRAFFIC CONTROL DEVICES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012 {LC2534/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8131****BY** Coderre E, O'Neill JP, Messier, DaSilva**ENTITLED**, AN ACT AUTHORIZE THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR, INCLUDING BUT NOT LIMITED TO ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012 {LC2616/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2225** as amended**BY** Senators Perry, Levesque C, Miller, Metts, Sosnowski**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION (would require termination of imprisonment on a deferred sentence when the grand jury fails to return an indictment and termination of imprisonment for violation of a suspended sentence or probationary period) {LC1093/1}

Read and ordered to be placed on the Calendar.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**GUESTS**

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber Florence Beauregard, Paul Kaltschnee, Rico Colaluca, Mary Kaltschnee, Courtney Colaluca, Russ Carpentier, Elaine Theriault and Judy Colaluca.

**APPOINTMENTS**

The Honorable President presents the following communication transmitting the following appointments:

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

June 1, 2010

TO THE HONORABLE SENATE:

I have the honor and the privilege to inform you that in accordance with the provisions of G.L. 28-30-4, as amended, entitled Workers' Compensation Administrator – Appointment – Powers and Duties, I have made the following appointment as Administrator of the Rhode Island Workers' Compensation Court:

**JOHN A. SABATINI OF PAWTUCKET**

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

Sincerely,

George E. Healy, Jr.  
*Chief Judge*

Read and referred to the Committee on Judiciary.

**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**

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-1-3 of the Rhode Island General Laws, I have made the following reappointment to the Board of Examination and Registration of Architects:

**Christian J. Ladds, AIA of Providence**

for a term expiring April 1, 2015.

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

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Corporations.

Also:

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

June 2, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64.10-7 of the Rhode Island General Laws, I have made the following appointment to the Quonset Development Corporation:

**B. Michael Rauh, Jr. of Narragansett**

VICE  
Keith Stokes

for a term to expire January 1, 2012.

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

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Corporations.

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-82-3 of the Rhode Island General Laws, I have made the following reappointment to the Agricultural Lands Preservation Commission:

**George Mason of Little Compton**

for the term expiring January 1, 2015.

To this reappointment, 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**

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 24-15-10 of the Rhode Island General Laws, I have made the following appointment to the Scenic Highway Board:

**Barbara A. Petrarca of Warwick**

VICE  
Katherine Trapani  
(resigned)

for a term expiring January 31, 2013.

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**

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following reappointment to the Fire Education and Training Coordinating Board:

**Chief Scott G. Kettelle of Exeter**  
(Representing Regional Firemen's League)

for a term expiring January 31, 2013.

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



Sincerely,  
Donald L. Carcieri  
Governor

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

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following reappointment to the Fire Education and Training Coordinating Board:

**Joseph Bertholic of Pascoag**  
(Representing State Firemen's League)

for a term expiring January 31, 2013.

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

Sincerely,



Donald L. Carcieri  
Governor

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

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-128-6 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Housing Resources Commission:

**Albert Valliere of North Smithfield**  
(Representative of the Rhode Island Builders Association)

VICE  
Mark VanNoppen

for a term expiring January 31, 2012.

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

Sincerely,



Donald L. Carcieri  
Governor

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

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-128-6 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Housing Resources Act:

**Joseph Raymond of Harrisville**  
(Local Building Official)

VICE  
Brian Lombardi

for a term expiring January 31, 2012.

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

Sincerely,



Donald L. Carcieri  
Governor

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

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 45-53-7 of the Rhode Island General Laws, I have made the following appointment to the State Housing Appeals Board:

**Nicholas J. Mocerì of Cranston**  
(Representing Business Community)

VICE  
William A. White  
(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 Housing and Municipal Government.

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-16-1 of the Rhode Island General Laws, I have made the following reappointment to the Commission on Judicial Tenure and Discipline:

**James T. Murphy, Esquire of North Kingstown**  
(Rhode Island Bar Association Seat)

for a term expiring April 1, 2013.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Judiciary.

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-16-1 of the Rhode Island General Laws, I have made the following appointment to the Commission on Judicial Tenure and Discipline:

**Stephen J. Carlotti, Esquire**

VICE  
Armeny Apkarian

for a term expiring April 1, 2013.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Judiciary.

Also:

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

June 2, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following reappointment to the Fire Education and Training Coordinating Board:

**Stanley A. Davies of Cranston**

(Public Member)

for a term expiring January 31, 2012.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri  
Governor

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

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-16-1 of the Rhode Island General Laws, I have made the following reappointment to the Commission on Judicial Tenure and Discipline:

**Joseph J. Roszkowski of Cumberland**

for a term expiring April 1, 2012.

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

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Judiciary.

Also:

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

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-128-6 of the Rhode Island General Laws, I have made the following appointment of Chairperson to the Rhode Island Housing Resources Commission:

Jeanne Cola of North Kingstown  
(Chairperson)

VICE  
Mary Jane K. "Susan" Baxter

for a term expiring January 31, 2012.

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

Sincerely,



Donald L. Carcieri  
Governor

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

### REPORTS OF COMMITTEES COMMITTEE ON EDUCATION

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

**Senate Bill No. 2519** as amended

**BY** Senator Levesque C

**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS (establish standards/procedures whereby a school committee may, within 5 days of a negative vote by an appropriating authority, request non-binding/fact-finding mediation to be conducted by a special master appointed by the superior court) {LC1545/1}

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 measure:

**Senate Resolution No. 2174** as amended

**BY** Senator Tassoni

**ENTITLED**, JOINT RESOLUTION OPPOSING THE CREATION OF AN OFFICE OF NATIONAL INSURANCE (ONI)/FEDERAL INSURANCE OFFICE (FIO) {LC1325/1}

Read and ordered to be placed on the Consent Calendar

## NEW BUSINESS

**Senate Resolution No. 2951****BY** Senator Fogarty P**ENTITLED**, SENATE RESOLUTION RECOGNIZING "SAVE THE LAKES" ON JUNE 1ST - 5TH IN THE STATE OF RHODE ISLAND

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by Senator Ruggerio.

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

Also:

**Senate Bill No. 2965****BY** Senators Sheehan, Sosnowski**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$9,200,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES {LC2847/1}

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

Also:

**Senate Resolution No. 2966****BY** Senators Miller, Walaska**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF CHARLES S. GROSSMAN {LC2850/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2967****BY** Senators Levesque C, Felag, Paiva Weed, DiPalma, Perry**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - EMERGENCY MANAGEMENT {LC1485/1}

Read and referred to the Senate Committee on Judiciary.

Also:

**Senate Bill No. 2968****BY** Senator Connors**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES {LC2471/1}

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

**CONSENT CALENDAR**

In order for the day is taken up as follows:

1. **Nomination of Jeffrey J. Greer (appointment) of Providence VICE Kathleen M. Lanphear (resigned) as Hearing Officer in the Division of Administrative Adjudication in the State Department of Environmental Management for a term expiring March 1, 2015.**
2. **Nomination of Magistrate Edward Newman (reappointment) as Magistrate of the Rhode Island Family Court.**
3. **2010-S 2926**  
**BY** Fogarty P  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2010-S 2934**  
**BY** DiPalma  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2010-S 2941**  
**BY** Walaska  
**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF UNIVERSAL VOLUNTARY RETIREMENT ACCOUNTS
6. **2010-S 2943**  
**BY** DiPalma  
**ENTITLED**, JOINT RESOLUTION CREATING A PERMANENT LEGISLATIVE COMMISSION ON SHARED MUNICIPAL SERVICES
7. **2010-S 2945**  
**BY** Felag  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
8. **2010-S 2947**

**BY Miller**

**ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

**9. 2010-S 2959**

**BY Maher**

**ENTITLED,** SENATE RESOLUTION CONGRATULATING MARY SULLIVAN, PH.D., R.N., ON HER ELECTION AS A "FELLOW OF THE AMERICAN ACADEMY OF NURSING"

**10. 2010-H 7130 SUB A**

**BY Walsh**

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- MOTOR CARRIERS OF PROPERTY

**11. 2010-H 7300 SUB A**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS

**12. 2010-H 7473**

**BY McNamara**

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

**13. 2010-H 7650**

**BY Ucci**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - RETAIL SALE OF GASOLINE

**14. 2010-H 7994**

**BY Rice A**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF AQUIDNECK GRANGE, NO. 30, PATRONS OF HUSBANDRY

**15. 2010-H 8096**

**BY Marcello**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF DALE COURT CONDOMINIUM ASSOCIATION, INC.

**16. 2010-H 8100 SUB A**

**BY Ferri**

**ENTITLED,** AN ACT RELATING TO MAKING IT EASIER TO DO BUSINESS IN RHODE ISLAND PART 2: BUSINESS FAST-START OFFICE - STATE AFFAIRS AND GOVERNMENT EXPEDITED STATE LICENSURE PROCESS

17. **2010-H 8102**  
**BY Vaudreuil**  
**ENTITLED,** AN ACT RELATING TO MAKING IT EASIER TO DO BUSINESS  
IN RHODE ISLAND PART 4: LABOR AND LABOR RELATIONS
18. **2010-H 8104 SUB A**  
**BY Shallcross Smith**  
**ENTITLED,** AN ACT RELATING TO MAKING IT EASIER TO DO BUSINESS  
IN RHODE ISLAND PART 7: STATE AFFAIRS AND  
GOVERNMENT - ADMINISTRATIVE PROCEDURES
19. **2010-H 8126**  
**BY Watson**  
**ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
20. **2010-H 8127**  
**BY Walsh**  
**ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
21. **2010-H 8131**  
**BY Coderre E**  
**ENTITLED,** AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR  
THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS  
IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING  
THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000  
BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS  
THEREFOR, INCLUDING BUT NOT LIMITED TO ANY BONDS OR NOTES  
ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE  
ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION, TO  
FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL  
YEARS 2011 AND 2012
22. **2010-H 8132**  
**BY Coderre E**  
**ENTITLED,** AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE  
FOR THE IMPROVEMENT AND REPLACEMENT OF TRAFFIC  
CONTROL DEVICES IN THE CITY OF PAWTUCKET AND  
AUTHORIZING THE FINANCING THEREOF, INCLUDING THE  
ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES  
THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM  
FOR THE TWO FISCAL YEARS 2011 AND 2012
23. **2010-H 8133**  
**BY Coderre E**  
**ENTITLED,** AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE  
FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER  
AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND  
AUTHORIZING THE FINANCING THEREOF, INCLUDING THE

ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES  
THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM  
FOR THE TWO FISCAL YEARS 2011 AND 2012

**24. 2010-H 8134**

**BY Coderre E**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012

**25. 2010-H 8135**

**BY Coderre E**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND RECONSTRUCTION AND EQUIPPING OF PUBLIC RECREATION FACILITIES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$600,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012

**26. 2010-H 8136**

**BY Coderre E**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012

**27. 2010-H 8137**

**BY Coderre E**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$700,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2011 AND 2012

**28. 2010-H 8141**

**BY Martin**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF

## THE CHARTER OF KATRINA, INC.

**29. 2010-H 8144****BY Fierro**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF WOONSOCKET TO FUND THE CITY'S ACCUMULATED GENERAL FUND DEFICIT BY THE ISSUANCE OF NOT MORE THAN \$12,000,000 BONDS AND NOTES THEREFOR

**30. 2010-H 8175****BY Mattiello**

**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 FOR THE RACE TO THE TOP ROUND TWO

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

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, 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, JUNE 3, 2010:****1. 2010-S 2049****BY Tassoni**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Judiciary recommends passage.

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

**2. 2010-S 2054 SUB A****BY Picard**

**ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS - EXCHANGE OF

## INFORMATION - CHILD SUPPORT

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

Senator Picard moves passage, seconded by Senators Lynch, DeVall, Pichardo, Blais 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 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, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**3. 2010-S 2055**

**BY Miller**

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

Committee on Judiciary recommends passage.

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

The act is read and passed, upon a roll call vote with 28 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais, Pinga.

**4. 2010-S 2129**

**BY Blais**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- OFFICE OF  
STATE MEDICAL EXAMINERS

Committee on Health & Human Services recommends passage.

Senator Blais moves passage, seconded by Senator Perry.

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

NAYS- 0:

**5. 2010-S 2147**

**BY Blais**

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS**

Committee on Judiciary recommends passage.

Senator Blais moves passage, seconded by Senator Maselli.

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

NAYS- 0:

**6. 2010-S 2212 SUB A**

**BY McCaffrey**

**ENTITLED, AN ACT RELATING TO PROPERTY -- LEASED LAND  
DWELLINGS**

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

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

**7. 2010-S 2217**

**BY Felag**

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

Committee on Judiciary recommends passage.

Senator Felag moves passage, seconded by Senators Doyle, McCaffrey and DiPalma.

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

NAYS- 0:

**8. 2010-S 2225 as amended**

**BY Perry**

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE  
AND EXECUTION

Ordered on the Calendar.

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

**9. 2010-S 2257 SUB A**

**BY Sheehan**

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

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

Upon suggestion of Senator Doyle and without objection, ordered to be placed on the Desk.

**10. 2010-S 2276**

**BY Sheehan**

**ENTITLED,** AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

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

**11. 2010-S 2315 SUB A**

**BY Metts**

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE --  
IDENTIFICATION AND APPREHENSION OF CRIMINALS

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

Senator Metts moves passage, seconded by Senators Blais, Levesque, Jabour 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 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, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Picard, Pichardo, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**12. 2010-S 2334 SUB A**

**BY Maselli**

**ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -  
UNDERGROUND ECONOMY COMMISSION

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

Senator Maselli moves passage, seconded by Senators Bates and Miller.

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

NAYS- 0:

**13. 2010-S 2421 SUB A as amended**

**BY Levesque C**

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

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

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

**14. 2010-S 2429 SUB A**

**BY DiPalma**

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

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

Senator DiPalma moves passage, seconded by Senator Sheehan.

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

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

NAYS- 0:

**15. 2010-S 2434**

**BY DiPalma**

**ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT  
COMMITTEE ON LEGISLATIVE SERVICES

Committee on Constitutional & Regulatory Issues recommends passage.

Senator DiPalma moves passage, seconded by Senators O'Neill, Blais, Maher, Goodwin and Raptakis.

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

NAYS- 0:

**16. 2010-S 2435**

**BY Raptakis**

**ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT  
COMMITTEE ON LEGISLATIVE SERVICES

Committee on Constitutional & Regulatory Issues recommends passage.

Upon suggestion of Senator Doyle seconded by Senator Goodwin and without objection, ordered to be placed on the Desk.

**17. 2010-S 2448**

**BY Doyle**

**ENTITLED,** AN ACT RELATING TO ELECTIONS - LOCAL CANVASSING  
AUTHORITY

Committee on Judiciary recommends passage.

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

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

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

NAYS- 0:

### NOW PRESIDING

The Honorable President yields the rostrum to the Honorable Juan M. Pichardo, Deputy President Pro Tempore of the Senate at 4:49 o'clock P.M.

### CALENDAR

**18. 2010-S 2483**

**BY Fogarty P**

**ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --  
RETIREMENT SYSTEM -- CONTRIBUTIONS AND BENEFITS

Committee on Finance recommends passage.

Senator Fogarty moves passage, seconded by Senators Levesque, DeVall, Miller, DiPalma and Metts.

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 Algieri, Bates, Blais, 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, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**19. 2010-S 2524**

**BY Goodwin**

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES - INTERPRETER  
SERVICES

Committee on Finance recommends passage.

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

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

YEAS- 27: Senators Algieri, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Pinga

**20. 2010-S 2525**

**BY Goodwin**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES' HIGHER  
EDUCATION OPPORTUNITY INCENTIVE GRANT

Committee on Finance recommends passage.

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

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 Algieri, Bates, Blais, 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, Sheehan, Sosnowski, 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 4:52 o'clock P.M.

**CALENDAR**

**21. 2010-S 2541 SUB A**

**BY Tassoni**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF  
NURSING HOME PATIENTS

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

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

The bill marked Substitute "A" 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 as follows:

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

NAYS- 0:

**22. 2010-S 2558**

**BY Crowley**

**ENTITLED,** AN ACT RELATING TO ELECTIONS - ADDRESS  
CONFIDENTIALITY OF DOMESTIC VIOLENCE VICTIMS

Committee on Judiciary recommends passage.

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

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, Blais, 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, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**23. 2010-S 2561 SUB A**

**BY McCaffrey**

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE --  
EXPUNGEMENT

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

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

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

**F L O O R   A M E N D M E N T**

TO

2010 -- S 2561 SUBSTITUTE A

AN ACT RELATING TO CRIMINAL PROCEDURE -- EXPUNGEMENT

Madam President:

I hereby move to amend 2010 -- S 2561 SUBSTITUTE A, entitled "AN ACT RELATING TO CRIMINAL PROCEDURE -- EXPUNGEMENT", as follows:

(1) On page 1, line 9, after the word "hearing" by inserting the following language: ", if one is held,".

(2) On page 3, line 15, after the language "charges," by inserting the following language:

"or those monetary obligations have been reduced or waived by the court, either pursuant to its inherent powers, or pursuant to section 12-20-10 of the Rhode Island general laws,".

(3) On page 5, line 21, after the word "hearing" by inserting the following language: ", if one is held,".

Respectfully submitted,

SENATOR MCCAFFREY

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, 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, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

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

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

NAYS- 0:

**24. 2010-S 2632 SUB A**

**BY Sheehan**

**ENTITLED, AN ACT RELATING TO INSURANCE - DISCOUNT MEDICAL PLANS**

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

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

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

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

NAYS- 0:

**25. 2010-S 2636**

**BY Sosnowski**

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

Committee on Judiciary recommends passage.

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

**26. 2010-S 2646 SUB A**

**BY Metts**

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE  
AND EXECUTION

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

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

Senators Raptakis and McCaffrey discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Raptakis

**27. 2010-S 2674 SUB A**

**BY Walaska**

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

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

Senator Walaska moves passage, seconded by Senators Miller 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 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

**28. 2010-S 2687**

**BY Crowley**

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE  
AND EXECUTION

Committee on Judiciary recommends passage.

Senator Crowley moves passage, seconded by Senators Goodwin, 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 0 Senators voting in the negative as follows:

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

NAYS- 0:

**29. 2010-S 2756**

**BY Jabour**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

Committee on Judiciary recommends passage.

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

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

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

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

NAYS- 0:

**30. 2010-S 2758 SUB A**

**BY Jabour**

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

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

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

The bill marked Substitute "A" 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, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, O'Neill, Perry, Picard, Pinga, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Miller

**31. 2010-S 2776**

**BY Gallo**

**ENTITLED,** AN ACT RELATING TO EDUCATION -- COOPERATIVE  
SERVICE AMONG SCHOOL DISTRICTS

Committee on Education recommends passage.

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

Senator Gallo seconded by Senators Fogarty and Levesque, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

TO

2010 -- S 2776

AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Madam President:

I hereby move to amend 2010 -- S 2776, entitled "AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS", as follows:

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

"SECTION 1. Sections 16-23-2 and 16-23-3 of the General Laws in Chapter 16-23 entitled "Textbooks" are hereby amended to read as follows:

**16-23-2. Loan of textbooks. --** (a) The school committee of every community as it is defined in section 16-7-16 shall furnish upon request, at the expense of the community, textbooks to all students in grades K-12 in the fields of mathematics, science, modern foreign languages, English/language arts and history/social studies, appearing on the list of textbooks published by the commissioner of elementary and secondary education as provided in section 16-23-3, to all pupils of elementary and secondary school grades resident in the community, the textbooks to be loaned to the pupils free of charge, subject to any rules and regulations as to care and custody that the school committee may prescribe. Non-public school students may only request books from published textbook list defined in section 16-23-3. For loan purposes, non-public schools may not change a textbook assignment in a field more often than once in a three (3) year period as required of public schools in accordance with the provisions of section 16-23-1. Nothing in this section shall be construed as forbidding non-public schools from requiring the use of any textbook, consistent with the provisions of this chapter, that does not adhere to said limitation, provided that the textbook is furnished to the student through a means other than the school committee of the student's city or town of residence.

(b) Every school committee shall also furnish at the expense of the community all other textbooks and school supplies used in the public schools of the community, the other textbooks and supplies to be loaned to the pupils of the public schools free of charge, subject to any rules and regulations as to care and custody that the school committee may prescribe. School books removed from school use may be distributed to pupils, and any textbook may become the property of a pupil who has completed the use of it in school, subject to rules and regulations prescribed by the school committee.

(c) Nothing in this section shall be construed to forbid requiring or accepting from a pupil a deposit of a reasonable amount of money as a guaranty for the return of school property other than the books and supplies required in this section to be loaned free of charge, provided that the school committee shall make suitable rules and regulations for the safekeeping and return of deposits; and, provided, further, that in establishing schedules for deposits, the school committee should include provision for waiver of deposit due to financial hardship.

(d) The department of elementary and secondary education shall conduct a review of the process of the distribution

of textbooks to non-public school students. The department shall issue a report with recommendations to the general assembly by July 1, 2011.

**16-23-3. Published textbook list.** – (a) The commissioner shall publish annually, not later than March 1<sup>st</sup> of each calendar year, a list of textbooks in use in the public schools in the fields of mathematics, science, modern foreign languages, English/language arts and history/social studies to all students in grades K-12. The list shall be published for the purpose of the loan of the textbooks to all resident pupils as provided for in section 16-23-2 and shall not include any textbooks of a sectarian nature or containing sectarian material.

(b) All schools in this state must submit their textbook orders no later than July 1<sup>st</sup> of each calendar year.

SECTION 2. This act shall take effect on January 1, 2011."

Respectfully submitted,  
SENATOR GALLO

The motion to amend prevails upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Gallo moves passage of the act, as amended, seconded by Senators Fogarty, Levesque and DiPalma.

Senator Blais discusses the act.

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

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

NAYS- 0:

**32. 2010-S 2848 SUB A**

**BY Walaska**

**ENTITLED, AN ACT RELATING TO MAKING IT EASIER TO DO BUSINESS**

## IN RI PART 6: PUBLIC PROPERTY AND WORKS

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

Senator Walaska moves passage, seconded by Senators Maselli, Miller, Crowley, Metts, Connors and Blais.

The bill marked Substitute "A" is read and passed, 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, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Jabour, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**33. 2010-S 2860**

**BY Maher**

**ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY - PERMANENT  
JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS,  
BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constitutional & Regulatory Issues recommends passage.

Upon suggestion of Senator Maher and without objection, ordered to be placed on the Calendar for Tuesday, June 8, 2010.

**34. 2010-S 2880**

**BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE  
ISLAND CLEAN WATER FINANCE AGENCY

Committee on Finance recommends passage.

Senator Sosnowski moves passage, seconded by Senators Felag and Pichardo.

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, Blais, 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, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**35. 2010-S 2886****BY Levesque C****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
COURTS -- SUPERIOR COURT**

Committee on Judiciary recommends passage.

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

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

**F L O O R   A M E N D M E N T****TO****2010 -- S 2886****AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- SUPERIOR COURT**

Madam President:

I hereby move to amend 2010 -- S 2886, entitled "AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- SUPERIOR COURT", as follows:

1. On page 2, by deleting all of the language on lines 28 through 34, inclusive.
2. On page 3, line 1, by deleting the language: "(f)", and by inserting in place thereof the language: "(e)".
3. On page 3, line 10, by deleting the language: "(g)", and by inserting in place thereof the language: "(f)".
4. On page 3, line 14, by deleting the language: "(h)", and by inserting in place thereof the language: "(g)".
5. On page 3, line 18, by deleting the language: "(i)", and by inserting in place thereof the language: "(h)".

Respectfully submitted,  
SENATOR LEVESQUE

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, Connors, Cote, 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, Sheehan, Sosnowski, Walaska.

NAYS- 0:

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

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, 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, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**36. 2010-S 2906**

**BY Connors**

**ENTITLED,** AN ACT RELATING TO PARKS AND RECREATIONAL AREAS

Committee on Finance recommends passage.

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

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, 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, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**3.7 2010-S 2925**

**BY Connors**

**ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- EXPLOSIVES  
AND FIREWORKS; HEALTH AND SAFETY -- FIREWORKS AND  
PYROTECHNICS

Committee on Judiciary recommends passage.

Senator Connors moves passage, seconded by Senators Levesque, Maselli, Lynch, DaPonte and Goodwin.

Senator Connors seconded by Senators DaPonte and Levesque, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

TO

2010 -- S 2925

AN ACT RELATING TO CRIMINAL OFFENSES -- EXPLOSIVES AND FIREWORKS; HEALTH AND SAFETY --  
FIREWORKS AND PYROTECHNICS

Madam President:

I hereby move to amend 2010 -- S 2925, entitled "AN ACT RELATING TO CRIMINAL OFFENSES -- EXPLOSIVES AND FIREWORKS; HEALTH AND SAFETY -- FIREWORKS AND PYROTECHNICS", as follows:

(1) On page 1, line 5, after the word "fireworks", by deleting the period "." and inserting in place thereof the following language:

"unless permits are obtained pursuant to this chapter and chapter 23-28.11."

(2) On page 1, line 6, by inserting the language "2001 Edition" after the language "(APA 87-1)".

(3) On page 1, line 8, by inserting the language "2001 Edition" after the language "APA 87-1".

(4) On page 2, line 1, by inserting the language "2001 Edition" after the language "APA 87-1".

(5) On page 2, line 1, by deleting the word "section" and inserting in place thereof the word "sections."

(6) On page 2, line 1, after the language "3.1.1" by inserting the language " and 3.5".

(7) On page 2, line 2, by inserting the language "2001 Edition" after the language "APA 87-1".

(8) On page 2, line 9, after the word "state" by deleting the period "." and inserting in place thereof the following language: "for persons sixteen (16) years of age."

(9) On page 2, line 10, by deleting the words "use of".

Respectfully submitted,  
SENATOR CONNORS

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

NAYS- 0:

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

Senators Blais, Connors and Cote discuss the act.

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

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, Perry, Picard, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**38. 2010-S 2935**

**BY Sheehan**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -  
REGULATION OF BUSINESS PRACTICES AMONG MOTOR  
VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS

Committee on Corporations recommends passage.

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

**39. 2010-S 2936**

**BY DiPalma**

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

Committee on Finance recommends passage.

Senator DiPalma moves passage, seconded by Senators Levesque, DaPonte and Blais.

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, 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, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**40. 2010-S 2937**

**BY DiPalma**

**ENTITLED,** AN ACT RELATING TO EDUCATION -- TEACHER RETIREMENT

Committee on Finance recommends passage.

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

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 Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**41. 2010-S 2944**

**BY DiPalma**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- OTHER POST-EMPLOYMENT BENEFITS TRUSTS

Committee on Finance recommends passage.

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

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, 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, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**42. 2010-H 7417 SUB A**

**BY Naughton**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- MEDICAL EXAMINERS

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

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

**43. 2010-H 7694 SUB A**

**BY Marcello**

**ENTITLED,** AN ACT RELATING TO INSURANCE

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

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

**44. 2010-H 7696 SUB A as amended****BY Marcello****ENTITLED, AN ACT RELATING TO INSURANCE**

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

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

**38. 2010-S 2935****BY Sheehan****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -  
REGULATION OF BUSINESS PRACTICES AMONG MOTOR  
VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS**

Committee on Corporations recommends passage.

Senator Sheehan moves passage, seconded by Senators Sosnowski, Crowley, Miller, Cote and Jabour

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: Senators Algieri, Bates, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**1. 2010-S 2049****BY Tassoni****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL  
POWERS**

Committee on Judiciary recommends passage.

Senator Tassoni moves passage, seconded by Senators Fogarty and Cote.

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

**F L O O R   A M E N D M E N T****TO****2010 -- S 2049****AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS**

Madam President:

I hereby move to amend 2010 -- S 2049, entitled "AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS", as follows:

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

"SECTION 1. Chapter 45-2 of the General Laws entitled "General Powers" is hereby amended by adding thereto the following section:

**45-2-59. Town of North Smithfield -- Municipal court. --** (a) The town council of the town of North Smithfield may establish a municipal court and confer upon the court original jurisdiction, notwithstanding any other provisions of the general laws, to hear and determine causes involving the violations of the town of North Smithfield Charter, Code of Ordinances, including minimum housing ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the "Rhode Island Housing Maintenance and Occupancy Code" and regulations of the town; provided, however, that any defendant found guilty of any offense, excluding violation of the minimum housing ordinances of chapter 24.3 of this title, and violations enumerated in section 8-18-3, may within seven (7) days of conviction, file an appeal from the conviction to the superior court for Providence County and be entitled in the latter court to a trial de novo; and provided further, however, that any defendant found guilty of any violation of a minimum housing ordinance or of chapter 24.3 may, within seven (7) days of the conviction, file an appeal from the conviction to the sixth division of the district court and be entitled to a trial de novo in accordance with subsections 8-8-3(a)(4) and 8-8-3.2.

(b) With respect to violations of either municipal ordinances dealing with minimum housing or chapter 24.3, et seq. of this title dealing with housing maintenance and occupancy, the town council may also confer upon the municipal court, in furtherance of the court's jurisdiction, the power to proceed according to equity:

(1) To restrain, prevent, enjoin, abate or correct a violation;

(2) To order the repair, vacation or demolition of any dwelling existing in violation;

(3) To otherwise compel compliance with all of the provisions of the ordinances and statutes. If original jurisdiction is conferred upon the municipal court over violations of minimum housing ordinances, the provisions of chapter 24.3 of this title, and the violations enumerated in section 8-18-3, the town council shall provide that an electronic record shall be made of the proceedings in the trial or hearing of every such action.

(c) The municipal court shall have concurrent jurisdiction with the Rhode Island Traffic Tribunal to hear and adjudicate those violations conferred upon the municipal court and enumerated in section 8-18-3. Adjudication of summons

by the municipal court shall be in conformance with section 8-18-4. The municipal court shall hear and decide traffic matters in a manner consistent with the procedures of the traffic tribunal, and be subject to review by the chief magistrate of the traffic tribunal in accordance with section 8-18-11. Any person desiring to appeal an adverse decision of the municipal court for violations enumerated in section 8-18-3, may seek review thereof pursuant to the procedures set forth in section 31-41.1-8.

(d) The town council of the town of North Smithfield is authorized and empowered to appoint a judge and clerk of the municipal court. The town council of the town of North Smithfield is authorized and empowered to enact ordinances governing the personnel, operation and procedure to be followed in the court and to establish a schedule of fees and costs, and to otherwise provide for the operation and management of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and impose a fine not in excess of five hundred dollars (\$500), or both and require restitution in cases involving property damage or personal injury in an amount up to two thousand five hundred dollars (\$2,500), and order voluntary community restitution for a town agency for not more than ten (10) days for any one offense. The court is empowered to administer oaths, compel the attendance of witnesses and punish persons for contempt and to issue search warrants to the extent the warrants could be issued by a judge of the district court.

SECTION 2. This act shall take effect upon passage.”

Respectfully submitted,  
SENATOR TASSONI

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

NAYS- 0:

Senator Tassoni moves passage of the act, as amended, seconded by Senators Fogarty and Felag.

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

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

NAYS- 0:

**NEW BUSINESS****Senate Resolution No. 2964****BY** Senator Connors**ENTITLED**, JOINT RESOLUTION DECLARING AND CONSENTING TO A RECESS OF THE GENERAL ASSEMBLY {LC2835/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

YEAS- 33: Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Pinga

**TRANSMITTAL**

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

**ANNOUNCEMENTS**

Senator Metts announces that the Committee on Education will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Lenihan announces that the Committee on Government Oversight will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator DeVall announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 310 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 Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Juan Troncoso, Jr. intern from North Providence.

**RECESS**

Upon motion of Senator Doyle, seconded by Senator Connors, the Senate stands at recess at 5:41 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 Friday, June 4, 2010, at 4:18 o'clock P.M.

**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:

**Senate Bill No. 2656 SUB A**

**BY** Senators Maselli, Tassoni

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES (would address expiration periods pertaining to any approval or permit issued pursuant to any state statute) {LC2139/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2953**

**BY** Senators Tassoni, Fogarty P, Cote

**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF UP TO \$3,620,000 LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE TOWN OF NORTH SMITHFIELD TO FINANCE THE CONSTRUCTION AND EQUIPPING OF AN ENERGY SAVINGS CAPITAL IMPROVEMENTS PROJECT FOR SCHOOLS IN THE TOWN INCLUDING, BUT NOT LIMITED TO, LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION {LC2778/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2954**

**BY** Senators Tassoni, Fogarty P, Cote

**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF UP TO \$3,620,000 LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE TOWN OF NORTH SMITHFIELD TO FINANCE THE CONSTRUCTION AND EQUIPPING OF AN ENERGY SAVINGS CAPITAL IMPROVEMENT PROJECT FOR SCHOOLS IN THE TOWN INCLUDING BUT NOT LIMITED TO LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION {LC2777/1}

Read and ordered to be placed on the Calendar.

#### COMMITTEE ON FINANCE

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

**Senate Bill No. 2284** as amended

**BY** Senators Pichardo, Sheehan, Fogarty P, Tassoni

**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (would amend the definition of commercial farming by eliminating from the definition the requirement of keeping or boarding 5 or more horses to be exempted from sales and use taxes.) {LC1583/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2734** SUB A

**BY** Senators Doyle, Connors

**ENTITLED**, AN ACT RELATING TO EDUCATION {LC2113/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2531** SUB A

**BY** Senators Perry, Goodwin, Jabour, Metts, Pichardo

**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF NOT TO EXCEED \$50,962,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO PROVIDE FUNDING FOR "WARM, SAFE AND DRY" PROJECTS IN PROVIDENCE PUBLIC SCHOOLS {LC1938/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2196 SUB A****BY** Senators Pichardo, Tassoni, Goodwin, Sheehan, Felag**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE (would establish an Ocean State Youth Challenge Academy for at-risk youth through a cooperative agreement between the Rhode Island national guard and the Rhode Island adjutant general) {LC1051/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2014 SUB A****BY** Senator Sosnowski**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION (would change the deadline for applying for a veteran's tax exemption to five (5) days prior to the certification of the tax rolls) {LC371/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2933****BY** Senators Paiva-Weed, DiPalma**ENTITLED**, AN ACT AUTHORIZING THE CITY OF NEWPORT TO FINANCE THE DESIGN, ACQUISITION, DEMOLITION, CONSTRUCTION, REPAIR, REHABILITATION, IMPROVEMENT, FURNISHING AND EQUIPPING OF A NEW ELEMENTARY SCHOOL, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING AND CONSTRUCTION MANAGEMENT SERVICES, BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR {LC2751/1}

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 measure:

**Senate Resolution No. 2174 as amended****BY** Senator Tassoni**ENTITLED**, JOINT RESOLUTION OPPOSING THE CREATION OF AN OFFICE OF NATIONAL INSURANCE (ONI)/FEDERAL INSURANCE OFFICE (FIO) {LC1325/1}

Read and ordered to be placed on the Consent Calendar.

**COMMITTEE ON EDUCATION**

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

**Senate Bill No. 2519** as amended

**BY** Senator Levesque C

**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS (establish standards/procedures whereby a school committee may, within 5 days of a negative vote by an appropriating authority, request non-binding/fact-finding mediation to be conducted by a special master appointed by the superior court) {LC1545/1}

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:

**Senate Bill No. 2718** as amended

**BY** Senator Connors

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRINCETON PLACE DEVELOPMENT CORPORATION {LC2154/1}

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 7397** SUB A as amended (Governor)

**BY** Watson

**ENTITLED**, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011 {LC1130/1/A}

Received and referred to the Senate Committee on Finance.

Also:

**House Bill No. 8196** SUB A

**BY** Melo, Costantino, Giannini, Carter, Almeida

**ENTITLED**, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX (would eliminate the alternative flat tax) {LC2758/1/A}

Read and ordered to be placed on the Calendar

### **COMMITTEE ON FINANCE**

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

**House Bill No. 7397** SUB A as amended (Governor)

**BY** Watson

**ENTITLED**, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011 {LC1130/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2921 SUB A**

**BY** Senators DaPonte, Connors, Felag, Ruggerio, Lynch

**ENTITLED**, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX (would eliminate the alternative flat tax) {LC2665/2/A}

Read and ordered to be placed on the Calendar.

### INVOCATION

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

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### 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

June 2, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**Brian Jackvony of Cumberland**  
(Representing Combination Full Time/Part Time Fire Chief)

VICE  
Chief Richard G. Petrin  
(resigned)

for a term expiring January 31, 2013.

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

Sincerely,



Donald L. Carcieri  
Governor

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

Also:

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

June 2, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**Chief Kevin M. Sullivan of Warwick**  
(Representing Full Time Fire Chief)

Chief Edward W. McCarthy, Jr.  
(resigned)

for a term expiring January 31, 2012.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Housing and Municipal Government

Also:

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

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-12.9-8 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Underground Storage Tank Review Board:

**Paul Beaudette of Warwick**

for a term expiring January 31, 2012.

To this reappointment, I respectfully request your advice & 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**

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-12.9-8 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Underground Storage Tank Review Board:

**Albert Conti of Wakefield**

for a term expiring January 31, 2012.

To this reappointment, I respectfully request your advice & 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**

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-12.9-8 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Underground Storage Tank Review Board:

**Lenette Boisselle of Tiverton**

for a term expiring January 31, 2012.

To this reappointment, I respectfully request your advice & 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**

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-140.1-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Stephen P. Ryan of East Providence  
(Representative with Knowledge of Energy Regulation Law)**

for a term expiring April 1, 2015.

To this reappointment, 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**

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-140.1-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Daniel J. Justynski of Barrington**  
(Representing Small Commercial/Industrial user)

for a term expiring April 1, 2015.

To this reappointment, 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**

June 1, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-82-3 of the Rhode Island General Laws, I have made the following appointment to the Agricultural Lands Preservation Commission:

**Martha Swanson Neale of Jamestown**  
(new seat)

for the term expiring January 1, 2015.

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**

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-12.9-8 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Underground Storage Tank Review Board:

**John Bender of Providence**

VICE  
Frank Messina

for a term expiring January 31, 2012.

To this appointment, I respectfully request your advice & 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**

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-140.1-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Dr. Marion S. Gold  
(Residential User)**

VICE  
Alfred Degen  
(resigned)

for a term expiring April 1, 2011.

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**

May 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 36-3-6 of the Rhode Island General Laws, I have made the following reappointment to the Personnel Appeal Board:

**Jonathan Houston of East Greenwich**

for a term expiring April 1, 2016.

to this reappointment I request your advice and consent.

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Finance.

Also:

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

May 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 36-3-6 of the Rhode Island General Laws, I have made the following appointment to the Personnel Appeal Board:

**Stephen E. Johnston of Barrington**  
(Republican Representative)

VICE  
Susan A. Fabrizio

for a term expiring April 1, 2016.

to this appointment I request your advice and consent.

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Finance.

Also:

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

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-140.1-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Abigail Anthony of Providence  
(Representative with Knowledge Environmental Issues Pertaining to Energy)**

VICE  
Samuel Krasnow  
(resigned)

for a term expiring April 1, 2011.

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**

June 3, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-140.1-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Christopher M. Powell**

**(Representing Large Commercial/Industrial user)**

for a term expiring April 1, 2015.

To this reappointment, 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**

March 8, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 35-10-1 of the Rhode Island General Laws, I have made the following appointment to the State Investment Commission:

Thomas P. Fay, CFA of Barrington

**VICE  
John Treat**

for a term expiring March 1, 2013.

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

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Finance.

**COMMUNICATIONS**

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**STATE HOUSE**

May 25, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 36-8-4 of the Rhode Island General Laws, I have made the following re-appointment to the State Retirement Board:

Frank Benell of Providence

for a term expiring February 19, 2013.

To this appointment, I request your advice and consent.

Sincerely,

Frank T. Caprio  
General Treasurer

Read and referred to the Committee on Finance.

Also:

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

May 25, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-10-1-1 of the Rhode Island General Laws, I have made the following appointment to the Public Finance Management Board:

Robert A. Mancini of Providence

for a term expiring March 1, 2012.

To this appointment, I request your advice and consent.

Sincerely,

Frank T. Caprio  
General Treasurer

Read and referred to the Committee on Finance.

**REPORTS OF COMMITTEES  
COMMITTEE ON FINANCE**

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

**Senate Bill No. 2115 SUB A**

**BY** Senators Felag, Jabour, Bates

**ENTITLED**, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER TAXES - COMPUTATION (would increase the estate tax exemption to \$1,000,000 effective on January 1, 2011 and to \$2,000,000 effective January 1, 2012, with the exemption being permanently phased out beginning January 1, 2013) {LC568/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2825**

**BY** Senators Connors, O'Neill E

**ENTITLED**, AN ACT RELATING TO TAXATION (would allow the Lincoln town council to provide by ordinance for a tax credit for property owners over the age of 65 years) {LC2451/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2963**

**BY** Senator Paiva-Weed

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION OF A WIND TURBINE GENERATOR AND TO ISSUE NOT MORE THAN \$6,500,000 BONDS AND NOTES THEREFOR {LC2829/1}

Read and ordered to be placed on the Calendar.

**CALENDAR**

**SPECIAL ORDER OF BUSINESS FOR FRIDAY, JUNE 4, 2010:**

**1. 2010-H 7397 SUB A as amended**

**BY** Watson

**ENTITLED**, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Ordered on the Calendar

Senator DaPonte moves passage, seconded by Senators Felag, Tassoni, DiPalma, Connors, Sosnowski and Ruggerio.

Senator Metts discusses the act.

Senator Raptakis seconded by Senators Pinga and Cote, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

TO

2010 -- H 7397 SUBSTITUTE A AS AMENDED

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING  
JUNE 30, 2011

Madam President:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, AS AMENDED entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

By adding thereto the following new Article:

"ARTICLE \_\_\_\_\_

Relating to Education

"SECTION 1. Section 16-2-21.4 of the General Laws in Chapter 16-2 entitled "School Committees and Superintendents" is hereby amended to read as follows:

**16-2-21.4. School budgets -- Compliance with certain requirements.** -- (a) Notwithstanding any provision of the general or public laws to the contrary, whenever a city, town, or regional school committee determines that its budget is insufficient to comply with the provisions of section 16-2-21, 16-7-23, or 16-7-24, the city, town, or regional school committee shall adhere to the appropriated budget or the provisions of section 16-2-23 in the absence of an appropriated budget. The chairperson of the city, town, or regional school committee, in accordance with the provisions of section 16-2-9, shall be required to petition the commissioner, in writing, to seek alternatives for the district to comply with state regulations and/or provide waivers to state regulations and, in particular, those which are more restrictive than federal regulations that allow the school committee to operate with a balanced budget. Waivers which affect the health and safety of students and staff or which violate the provisions of chapter 24 of this title shall not be granted. The commissioner must consider alternatives for districts to comply with regulations and/or provide waivers to regulations in order that the school committee may operate with a balanced budget within the previously authorized appropriation. In the petition to the commissioner, the

school committee shall be required to identify the alternatives to meet regulations and/or identify the waivers it seeks in order to provide the commissioner with the revised budget which allows it to have a balanced budget within the previously authorized appropriation. The commissioner shall respond within fifteen (15) calendar days from the date of the written petition from the school committee. If the commissioner does not approve of the alternatives to meet regulations or the waivers from regulations which are sought by the school committee, or if the commissioner does not approve of the modified expenditure plan submitted by the school committee, then: (1) within ten (10) days of receiving the commissioner's response, the school committee may submit a written request to the city or town council for the council of the municipality to decide whether to increase the appropriation for schools to meet expenditures. The decision to increase any appropriations shall be conducted pursuant to the local charter or the public law controlling the approval of appropriations within the municipality; or (2) in a regional school district, the chairperson of the school committee may, within ten (10) days of receiving the commissioner's response, submit a written request to the chief elected official of each of the municipalities to request that the city or town council in each of their respective towns meet to decide whether or not to increase the appropriation for schools to meet expenditures. The decision to increase any appropriations shall be conducted pursuant to the local charter or the public law controlling the approval of appropriations within the municipality.

(b) In the event of a negative vote by the appropriating authority, the school committee shall have the right to seek additional appropriations by bringing an action in the superior court for the county of Providence and shall be required to demonstrate that the school committee lacks the ability to adequately run the schools for that school year with a balanced budget within the previously authorized appropriation or in accordance with sections 16-2-21, 16-2-23, 16-7-23, and 16-7-24. In no event shall any court order obtained by the school committee have force and effect for any period longer than the fiscal year for which the litigation is brought. Any action filed pursuant to this section shall be set down for a hearing at the earliest possible time and shall be given precedence over all matters except older matters of the same character. The court shall render its decision within thirty (30) days of the close of the hearings. Upon the bringing of an action in the superior court by the school committee to increase appropriations, the chief executive officer of the municipality, or in the case of a regional school district the chief elected officials from each of the member municipalities, shall cause to have a financial and performance audit in compliance with the generally acceptable governmental auditing standards of the school department conducted by the auditor general, the bureau of audits, or a certified public accounting firm qualified in performance audits. The results of the audit shall be made public upon completion and paid for by the school committee to the state or private certified public accounting firm. Provided, that the provisions of this subsection (b) and the action provided for herein shall be suspended effective on January 1, 2010, through to and including January 1, 2015. No actions may be brought under this

subsection during the period from January 1, 2010, through to and including January 1, 2015. Any such action filed between January 1, 2010 and (insert effective date of this act) shall be deemed suspended until the end of the period provided for herein.

(c) The auditor general shall select the auditor if the audit is not directly performed by his or her office.

SECTION 2. This Article shall take effect upon passage and shall be applied retroactively to January 1, 2010."

Respectfully submitted,  
SENATOR RAPTAKIS

Senators Levesque, Connors and Raptakis discuss the amendment.

The motion to amend prevails upon a roll call vote with 4 Senators voting in the affirmative and 32 Senators voting in the negative as follows:

YEAS- 4: Senators Maher, O'Neill, Pinga, Raptakis.

NAYS- 32: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

Senator Raptakis seconded by Senators Pinga and Maher, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

TO

2010 -- H 7397 SUBSTITUTE A AS AMENDED

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING  
JUNE 30, 2011

Madam President:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A AS AMENDED, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

By adding thereto the following new Article:

"ARTICLE \_\_\_\_\_

TOWNS AND CITIES – UNFUNDED MANDATES

SECTION 1. Notwithstanding any provision of the general or public laws, or any rule or regulation to the contrary, all unfunded state mandates, not attached to federal funds, required of the cities and towns in municipal areas of operation under their jurisdiction are hereby repealed.

SECTION 2. This Article shall take effect upon passage."

Respectfully submitted,  
SENATOR RAPTAKIS

Senators DaPonte, Blais, Felag, Raptakis, Walaska, Sheehan and Levesque discuss the amendment.

The motion to amend prevails upon a roll call vote with 2 Senators voting in the affirmative and 33 Senators voting in the negative as follows:

YEAS- 2: Pinga, Raptakis.

NAYS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, 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, Ruggerio, Sheehan, Sosnowski, Walaska.

Senators Pichardo, Raptakis, DaPonte, Crowley, Levesque, Felag, Connors and Sheehan discuss the act.

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 30 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Miller, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Cote Maher, Metts, O'Neill, Pinga, Raptakis.

## **2. 2010-S 2921 SUB A**

**BY DaPonte**

**ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX**

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

Senator DaPonte moves passage, seconded by Senators Felag, DeVall, Sheehan, McBurney, Cote, Bates and Levesque.

Senators Connors, DaPonte and Levesque discuss the act.

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

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

**3. 2010-S 2225 as amended**

**BY Perry**

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE  
AND EXECUTION

Ordered on the Calendar

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

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, 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:

**4. 2010-H 8196 SUB A**

**BY Melo**

**ENTITLED,** AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX

Ordered on the Calendar

Senator Connors moves passage, seconded by Senators DaPonte, Sheehan, Sosnowski 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 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

**ANNOUNCEMENTS**

Senator Felag announces that the Committee on Environment and Agriculture will meet on Tuesday, June 8, 2010, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Felag announces that the Committee on Finance will meet on Tuesday, June 8, 2010, at the rise of the Senate, in Room 211 of the State House.

Senator Levesque announces that the Committee on Judiciary will meet on Tuesday, June 8, 2010, at the rise of the Senate, in Room 313 of the State House.

**GUESTS**

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President, welcomes to the Chamber Steven P. Nelson from Lincoln.

**TRANSMITTAL**

By unanimous consent, 2010-H 7397 SUB A as amended and 2010-H 8196 SUB A are ordered to be transmitted to His Excellency, the Governor, and all Senate matters the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

**RECESS**

Upon motion of Senator Connors, seconded by Senator Algieri, the Senate stands at recess at 5:39 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 Tuesday, June 8, 2010, at 6:30 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:

**House Bill No. 7352** SUB A as amended

**BY** Kilmartin, DaSilva, Coderre E, Messier, Shallcross Smith

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

{LC1095/1/A}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 8200** as amended

**BY** McCauley, Williams, Carnevale, Almeida, Slater

**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION  
{LC2735/1}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7209**

**BY** Melo, Williamson, Almeida, Carter, Malik

**ENTITLED**, AN ACT CRIMINAL PROCEDURE -- ARREST

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7087**

**BY** Diaz, Almeida, Slater, Caprio D, Carnevale

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (would include various forms of cigars, flavored cigars, flavored and unflavored blunt wraps and rolling papers as items subject to the restrictions which prohibits the sale of certain tobacco products to minors)

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 8152** SUB A as amended

**BY** Palumbo, Kilmartin, Corvese, Rice A, Caprio D

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- COMMUNITY NOTIFICATION (would create the Sexual Offender Registration and Community Notification Act with registration requirements including timing of registration, required information, tiered offenses, duration of registration and frequency of verification) {LC2631/3/A}

Received and referred to the Committee on Judiciary.

Also:

**House Bill No. 7910**

**BY** Winfield, Petrarca

**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF SMITHFIELD {LC2155/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7630** as amended

**BY** O'Neill JP, Segal, Ajello, Ruggiero, Pacheco

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC TICKET QUOTAS (would prohibit state and municipal law enforcement agencies from either formally or informally advocating a traffic ticket quota system) {LC1940/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7767 SUB A**

**BY** San Bento, Gemma, Corvese, Williams

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES (provide that the administrator of DMV, having good cause to believe the applicant for renewal is incompetent/not qualified, may require the applicant to successfully complete a road test only; 75 yrs or older may not be the sole determining the cause) {LC1814/2/A}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7898** (by request)

**BY** Caprio D, Lally, Petrarca, DeSimone, O'Neill JP

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- THE ESCHEATMENT OF UNCLAIMED FUNDS IN COURT REGISTRIES (would bring uniformity to the state courts' treatment of unclaimed funds by extending the application of the escheatment statutes to all of the courts and would provide for the uniform treatment of all unclaimed funds held in the court registries) {LC2161/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7970**

**BY** Malik, Gablinske

**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- CONTRACTORS' BONDS (would provide for prompt reimbursement for traffic details on public works projects in the town of Warren) {LC2117/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7973**

**BY** Pacheco

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - PASCOAG UTILITY DISTRICT (would change the composition of the board of utility commissioners of the Pascoag utility district) {LC2284/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7975**

**BY** McCauley

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE (would empower the state building code standards committee to adopt codes and standards to conform with nationally recognized model property maintenance codes) {LC2146/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7719 SUB A**

**BY** Segal, Fierro

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - CLIMATE RISK REDUCTION ACT (provide for measures to protect & move the state to an active response to climate change impacts, by identifying and address some of the most critical issues and by investigating & implementing cost-effective solutions) {LC1646/1/A}

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 7380**

**BY** Walsh, Rice M, Ajello, Handy, Rice A

**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)

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 7803 as amended**

**BY** Melo, Carnevale, Ucci, Petrarca, Silva

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION INSURANCE ( would provide that except for information provided to the director of labor and training to obtain a certificate of compliance with the workers' compensation insurance laws, all other information would be considered confidential.) {LC1974/1}

Received and referred to the Committee on Labor.

**COMMITTEE ON CORPORATIONS**

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

**Nomination of Martin Trueb (reappointment) (Representing Business) of East Greenwich to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Kas R. DeCarvalho, Esq. (reappointment) of Providence to the Quonset Development Corporation for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Robert H. Breslin, Jr. (reappointment) of Saunderstown to the Quonset Development Corporation for a term expiring January 1, 2012.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Mario Bueno (reappointment) (Representing Community Based Organization) to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Charles P. Roberts (reappointment) of Wakefield to the Rhode Island Public Telecommunications Authority for a term expiring January 31, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Cathy Streker (reappointment) (Representing Business) of North Kingstown to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Brandon Melton (reappointment) (Representing Business) of East Greenwich to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of William McGowan (reappointment) (Representing Labor) of North Kingstown to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Paul MacDonald (reappointment) (Representing Labor) of Harrisville to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Barbara Jackson (reappointment) of North Kingstown to the Quonset Development Corporation for a term expiring January 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Frances H. Gammell-Roach (reappointment) of East Greenwich to the Rhode Island Industrial Recreational Building Authority for a term expiring February 1, 2014.**

Read and ordered to be placed on the Consent 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:

**Senate Bill No. 2970**

**BY** Senator Fogarty P

**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC2843/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2971 SUB A**

**BY** Senator Fogarty P

**ENTITLED**, AN ACT RELATING TO TAX EXEMPTIONS FOR THE ELDERLY IN BURRILLVILLE {LC2844/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2978**

**BY** Senator Sosnowski

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES {LC2865/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2981**

**BY** Senator Tassoni

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$5,700,000 GENERAL OBLIGATION BONDS OR NOTES FOR THE PURPOSES OF DEVELOPMENT AND CONSTRUCTION OF A WIND TURBINE {LC2857/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2968**

**BY** Senator Connors

**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES {LC2471/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2965**

**BY** Senators Sheehan, Sosnowski

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$9,200,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES {LC2847/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2962**

**BY** Senator DiPalma

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE ROAD CONSTRUCTION AND DRAINAGE AND SIDEWALK IMPROVEMENTS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR {LC2806/1}

Read and ordered to be placed on the Calendar.

Also:

**Nomination of Chief Scott G. Kettelle (reappointment) (Representing Regional Firemens League) of Exeter to the Fire Education and Training Coordinating Board for a term expiring January 31, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Joseph Bertholic (reappointment) (Representing State Firemens League) of Pascoag to the Fire Education and Training Coordinating Board for a term expiring January 31, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Stanley A. Davies (reappointment) (Public Member) of Cranston to the Fire Education and Training Coordinating Board for a term expiring January 31, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Jeanne Cola (appointment) (Chairperson) of North Kingstown VICE Mary Jane K. "Susan" Baxter as Chairperson to the Rhode Island Housing Resources Commission for a term January 31, 2012.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Nicholas J. Moceris (appointment) (Representing Business Community) of Cranston VICE William A. White (resigned) to the State Housing Appeals Board for a term expiring January 1, 2011.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Joseph Raymond (appointment) (Local Building Official) of Harrisville VICE Brian Lombardi to the Rhode Island Housing Resources Act for a term expiring January 31, 2012.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Albert Valliere (appointment) (Representative of the Rhode Island Builders Association) of North Smithfield VICE Mark VanNoppen to the Rhode Island Housing Resources Commission for a term expiring January 31, 2012.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Brian Jackvony (appointment) (Representing Combination Full/Time Part Time Fire Chief) of Cumberland VICE Chief Richard G. Petrin to the Fire Education and Training Coordinating Board for a term expiring January 31, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Chief Kevin M. Sullivan (appointment) (Representing Full Time Fire Chief) of Warwick VICE Chief Edward W. McCarthy, Jr. (resigned) to the Fire Education and Training Coordinating Board for a term expiring January 31, 2012.**

Read and ordered to be placed on the Consent Calendar.

### COMMITTEE ON JUDICIARY

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

**House Bill No. 8191**

**BY** McNamara, Ferri, Trillo, Watson

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Scott Avedisian, Mayor of the City of Warwick, to join Patrice Eileen (Dooley) Hutson and John Edward Concannon, Jr., in marriage within the City of Cranston, Rhode Island, on or about November 26, 2010) {LC2765/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8189**

**BY** Giannini

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2769/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8190**

**BY** Caprio D

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Carrol Pearson to join Sharon Kenyon and Michael Blackmar in marriage within the Town of Narragansett, Rhode Island, on or about August 22, 2010) {LC2767/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 8153**

**BY** Almeida

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES ( would allow The Honorable Representative Joseph S. Almeida to join Cheny Ann Booth and James R. Lee in marriage within the City of West Warwick, Rhode Island, on or about June 6, 2010.) {LC2664/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill o. 8119**

**BY** Walsh

**ENTITLED**, AN ACT SOLEMNIZATION OF MARRIAGES (act would allow The Honorable Patrick J. Clifford to join Kieran Doherty and Kelly McManus in marriage on or about July 8, 2010 within the Town of New Shoreham, Rhode Island) {LC2603/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2960**

**BY** Senator Goodwin

**ENTITLED**, AN ACT RELATING TO LOTTERY {LC2838/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2946**

**BY** Senators Doyle, Tassoni

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES {LC2772/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2955 SUB A**

**BY** Senators McCaffrey, Maselli

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS -- FAMILY COURT {LC2739/1/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:

**Senate Bill No. 2942**

**BY** Senators DiPalma, Blais

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES {LC2761/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 2976**

**BY** Senators Perry, Miller, Pichardo, Sheehan, Levesque C

**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES TO REPORT DESIGNATED MEDICAID INFORMATION TO THE RHODE ISLAND SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES {LC2819/1}

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. 2285**

**BY** Senators Walaska, Bates

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES (would allow the administration of immunizations by a pharmacy to adults and children over the age of nine (9) years.) {LC1338/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2675**

**BY** Senators Blais, Maher

**ENTITLED**, AN ACT RELATING TO INSURANCE (would prevent reimbursement for blood and urine testing at hospital rates simply because the testing facility happens to be affiliated with a hospital.) {LC1056/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2425 SUB A**

**BY** Senators Perry, Goodwin, Levesque C, Pichardo, Metts

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES (would implement a moratorium on new initial licenses for hospice providers, home nursing care providers, and home care providers until July 1, 2012) {LC1808/2/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2806 SUB A**

**BY** Senators Perry, Gallo, Sosnowski, Crowley, Lanzi

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (would permit physicians, physician assistants and nurse practitioners to prescribe prescription drugs to a patient's sexual partner or partners for the treatment of sexually transmitted diseases) {LC2446/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2949**

**BY** Senator Gallo

**ENTITLED**, AN ACT RELATING TO INSURANCE - TEACHERS' HEALTH INSURANCE {LC2728/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON LABOR**

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

**Senate Bill No. 2037****BY** Senators Ciccone, Pichardo, Ruggerio, Lanzi**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- OVERTIME  
CALCULATION

Read and ordered to be placed on the Calendar.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**GUESTS**

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber members from Burrillville High School Robotic Team Zach Alarie, Jeff Bowser, Ian Goulet, Colby Jackson, Kathleen Kay, Andrew Klegraefe, Nicole Laliberte, Katie Lavallee, Derek Poitras, Cody Wojciechowski, Rheanna Wojciechowski, Josh Groleau and Andrew Aldrich.

**COMMUNICATION**

The Honorable President presents the following communication:

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

March 11, 2009

Honorable Joseph R. Brady  
Secretary of the Senate  
Room 145, State House  
Providence, RI 02903

Dear Mr. Brady:

As a primary sponsor of 2010 – S 2982 An Act Relating to Towns and Cities- Municipal Detention Facility Corporations and S 2977 An Act Relating to Taxation-Exemptions, I would like to withdraw the above legislations.

Thank you for your consideration of this request.

Sincerely,

Elizabeth A. Crowley  
Senator District – 16

Read and ordered to be placed on file.

### NEW BUSINESS

**Senate Resolution No. 2986**

**BY** Senator Levesque C

**ENTITLED**, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF CHARLOTTE E. VAN HOF {LC2901/1}

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

**Senate Bill No. 2987**

**BY** Senators Connors, DiPalma, O'Neill E

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - VIDEO LOTTERY TERMINAL {LC2881/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by Senators DiPalma and Cote.

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

### CONSENT CALENDAR

In order for the day is taken up as follows:

Senator Walaska requests that item 7 be removed from the Consent Calendar and placed on the Calendar for Wednesday, June 9, 2010.

**1. 2010-S 2174 as amended**

**BY** Tassoni

**ENTITLED**, JOINT RESOLUTION OPPOSING THE CREATION OF AN OFFICE OF NATIONAL INSURANCE (ONI)/FEDERAL INSURANCE OFFICE (FIO)

**2. 2010-S 2718 as amended**

**BY** Connors

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER OF PRINCETON PLACE DEVELOPMENT  
CORPORATION

**3. 2010-S 2966**

**BY Miller**

**ENTITLED,** SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE  
PASSING OF CHARLES S. GROSSMAN

**4. 2010-S 2972**

**BY Sosnowski**

**ENTITLED,** SENATE RESOLUTION RECOGNIZING AND COMMENDING  
EDWIN "SCOOTER" LAPRISE UPON BEING NAMED RICHMOND  
GRANGE #6 2010 COMMUNITY SERVICE "AGRICULTURIST OF  
THE YEAR"

**5. 2010-S 2973**

**BY Sosnowski**

**ENTITLED,** SENATE RESOLUTION RECOGNIZING AND COMMENDING  
ANTHONY J. TAVARES IV AND BENJAMIN K. TAVARES UPON  
ACHIEVING RICHMOND GRANGE #6 2010 COMMUNITY SERVICE  
"CITIZENS OF THE YEAR"

**6. 2010-H 7630**

**BY O'Neill JP**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -  
TRAFFIC TICKET QUOTAS

**8. 2010-H 7898**

**BY Caprio D**

**ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
THE ESCHEATMENT OF UNCLAIMED FUNDS IN COURT  
REGISTRIES

**9. 2010-H 7910**

**BY Winfield**

**ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE  
HOME RULE CHARTER OF THE TOWN OF SMITHFIELD

**10 2010-H 7970**

**BY Malik**

**ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
CONTRACTORS' BONDS

**11. 2010-H 7973**

**BY Pacheco**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - PASCOAG  
UTILITY DISTRICT

**12. 2010-H 7975****BY McCauley****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - STATE  
BUILDING CODE**13. 2010-H 8203****BY Loughlin****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 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Connors motions that the following Rule be suspended: 8.2

**CALENDAR****IN ORDER FOR TUESDAY, JUNE 8, 2010:****1. 2010-S 2014 SUB A****BY Sosnowski****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO  
TAXATION

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

Senator Sosnowski moves passage, seconded by Senator Felag.

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

**FLOOR AMENDMENT**

TO

2010 -- S 2014 SUBSTITUTE A

AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Madam President:

I hereby move to amend 2010 -- S 2014 SUBSTITUTE A, entitled "AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION", as follows:

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

"SECTION 1. Section 44-3-4 of the General Laws in Chapter 44-3 entitled "Property Subject to Taxation" is hereby amended to read as follows:

**44-3-4. Veterans' exemptions.** -- (a) (1) The property of each person who served in the military or naval service of the United States in the war of the rebellion, the Spanish-American war, the insurrection in the Philippines, the China-relief expedition, or World War I, and the property of each person who served in the military or naval service of the United States in World War II at any time during the period beginning December 7, 1941, and ending on December 31, 1946, and the property of each person who served in the military or naval services of the United States in the Korean conflict at any time during the period beginning June 27, 1950 and ending January 31, 1955 or in the Vietnam conflict at any time during the period beginning February 28, 1961 and ending May 7, 1975 or who actually served in the Grenada or Lebanon conflicts of 1983-1984, or the Persian Gulf conflict, the Haitian conflict, the Somalian conflict, and the Bosnian conflict, at any time during the period beginning August 2, 1990 and ending May 1, 1994, or in any conflict or undeclared war for which a campaign ribbon or expeditionary medal was earned, and who was honorably discharged from the service, or who was discharged under conditions other than dishonorable, or who, if not discharged, served honorably, or the property of the unmarried widow or widower of that person, is exempted from taxation to the amount of one thousand dollars (\$1,000), except in:

(i) Burrillville, where the exemption is four thousand dollars (\$4,000);

(ii) Cumberland, where the town council may, by ordinance, provide for an exemption of a maximum of twenty-three thousand seven hundred seventy-two dollars (\$23,772);

(iii) Cranston, where the exemption shall not exceed three thousand dollars (\$3,000);

(iv) Jamestown, where the town council may, by ordinance, provide for an exemption not exceeding five thousand dollars (\$5,000);

(v) Lincoln, where the exemption shall not exceed ten thousand dollars (\$10,000); and where the town council may also provide for a real estate tax exemption not exceeding ten thousand dollars (\$10,000) for those honorably discharged active duty veterans who served in Operation Desert Storm.

(vi) Newport, where the exemption is four thousand dollars (\$4,000);

(vii) New Shoreham, where the town council may, by ordinance, provide for an exemption of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

(viii) North Kingstown, where the exemption is ten thousand dollars (\$10,000);

(ix) North Providence, where the town council may, by ordinance, provide for an exemption of a maximum of five thousand dollars (\$5,000);

(x) Smithfield, where the exemption is four thousand dollars (\$4,000);

(xi) Warren, where the exemption shall not exceed five thousand five hundred dollars (\$5,500) on motor vehicles, or nine thousand six hundred dollars (\$9,600) on real property.

(xii) Westerly, where the town council may, by ordinance, provide an exemption of the total value of the veterans' real and personal property to a maximum of forty thousand five hundred dollars (\$40,500);

(xiii) Barrington, where the town council may, by ordinance, provide for an exemption of six thousand dollars (\$6,000) for real property;

(xiv) Exeter, where the exemption is five thousand dollars (\$5,000); and

(xv) Glocester, where the exemption shall not exceed thirty thousand dollars (\$30,000).

(xvi) West Warwick, where the exemption shall be equal to one hundred seventy dollars (\$170).

(2) The exemption is applied to the property in the municipality where the person resides and if there is not sufficient property to exhaust the exemption, the person may claim the balance in any other city or town where the person may own property; provided, that the exemption is not allowed in favor of any person who is not a legal resident of the state, or unless the person entitled to the exemption has presented to the assessors, on or before the last day on which sworn statements may be filed with the assessors for the year for which exemption is claimed, evidence that he or she is entitled, which evidence shall stand so long as his or her legal residence remains unchanged; provided, however, that in the town of South Kingstown, the person entitled to the exemption shall present to the assessors, at least five (5) days prior to the certification of the tax roll, evidence that he or she is entitled to the exemption; and, provided, further, that the exemption provided for in this subdivision to the extent that it applies in any city or town shall be applied in full to the total value of the person's real and tangible personal property located in the city or town; and, provided, that there is an additional exemption from taxation in the amount of one thousand dollars (\$1,000), except in:

(i) Central Falls, where the city council may, by ordinance, provide for an exemption of a maximum of seven thousand five hundred dollars (\$7,500);

(ii) Cranston, where the exemption shall not exceed three thousand dollars (\$3,000);

(iii) Cumberland, where the town council may, by ordinance, provide for an exemption of a maximum of twenty-two thousand five hundred dollars (\$22,500);

(iv) Lincoln, where the exemption shall not exceed ten thousand dollars (\$10,000);

(v) Newport, where the exemption is four thousand dollars (\$4,000);

(vi) New Shoreham, where the town council may, by ordinance, provide for an exemption of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

(vii) North Providence, where the town council may, by ordinance, provide for an exemption of a maximum of five thousand dollars (\$5,000);

(viii) Smithfield, where the exemption is four thousand dollars (\$4,000);

(ix) Warren, where the exemption shall not exceed eleven thousand dollars (\$11,000); and

(x) Barrington, where the town council may, by ordinance, provide for an exemption of six thousand dollars (\$6,000) for real property; of the property of every honorably discharged veteran of World War I or World War II, Korean or Vietnam, Grenada or Lebanon conflicts, the Persian Gulf conflict, the Haitian conflict, the Somalian conflict and the Bosnian conflict at any time during the period beginning August 2, 1990 and ending May 1, 1994, or in any conflict or undeclared war for which a campaign ribbon or expeditionary medal was earned, who is determined by the Veterans Administration of the United States of America to be totally disabled through service connected disability and who presents to the assessors a certificate from the veterans administration that the person is totally disabled, which certificate remains effectual so long as the total disability continues.

(3) Provided, that:

(i) Burrillville may exempt real property of the totally disabled persons in the amount of six thousand dollars (\$6,000);

(ii) Cumberland town council may, by ordinance, provide for an exemption of a maximum of twenty-two thousand five hundred dollars (\$22,500);

(iii) Little Compton may, by ordinance, exempt real property of each of the totally disabled persons in the amount of six thousand dollars (\$6,000);

(iv) Middletown may exempt the real property of each of the totally disabled persons in the amount of five thousand dollars (\$5,000);

(v) New Shoreham town council may, by ordinance, provide for an exemption of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

(vi) North Providence town council may, by ordinance, provide for an exemption of a maximum of five thousand dollars (\$5,000);

(vii) Tiverton town council may, by ordinance, exempt real property of each of the totally disabled persons in the amount of five thousand dollars (\$5,000), subject to voters' approval at the financial town meeting;

(viii) West Warwick town council may exempt the real property of each of the totally disabled persons in an amount of two hundred dollars (\$200); and

(ix) Westerly town council may, by ordinance, provide for an exemption on the total value of real and personal property to a maximum of forty-six thousand five hundred dollars (\$46,500).

(4) There is an additional exemption from taxation in the town of:

Warren, where its town council may, by ordinance, provide for an exemption not exceeding eight thousand two hundred fifty dollars (\$8,250), of the property of every honorably discharged veteran of World War I or World War II, or Vietnam, Grenada or Lebanon conflicts, the Persian Gulf conflict, the Haitian conflict, the Somalian conflict and the Bosnian conflict, at any time during the period beginning August 2, 1990 and ending May 1, 1994, or in any conflict or undeclared war for which a campaign ribbon or expeditionary medal was earned, who is determined by the Veterans' Administration of the United States of America to be partially disabled through a service connected disability and who presents to the assessors a certificate that he is partially disabled, which certificate remains effectual so long as the partial disability continues. Provided, however, that the Barrington town council may exempt real property of each of the above named persons in the amount of three thousand dollars (\$3,000); Warwick city council may, by ordinance, exempt real property of each of the above named persons and to any person who served in any capacity in the military or naval service during the period of time of the Persian Gulf conflict, whether or not the person served in the geographical location of the conflict, in the amount of two thousand dollars (\$2,000).

(5) Lincoln. There is an additional exemption from taxation in the town of Lincoln for the property of each person who actually served in the military or naval service of the United States in the Persian Gulf conflict and who was honorably discharged from the service, or who was discharged under conditions other than dishonorable, or who, if not discharged, served honorably, or of the unmarried widow or widower of that person. The exemption shall be determined by the town council in an amount not to exceed ten thousand dollars (\$10,000).

(b) In addition to the exemption provided in subsection (a) of this section, there is a ten-thousand dollar (\$10,000) exemption from local taxation on real property for any veteran and the unmarried widow or widower of a deceased veteran of the military or naval service of the United States who is determined, under applicable federal law by the Veterans

Administration of the United States, to be totally disabled through service connected disability and who by reason of the disability has received assistance in acquiring "specially adopted housing" under laws administered by the veterans' administration; provided, that the real estate is occupied as his or her domicile, by the person; and, provided, that if the property is designed for occupancy by more than one family then only that value of so much of the house as is occupied by the person as his or her domicile is exempted; and, provided, that satisfactory evidence of receipt of the assistance is furnished to the assessors except in:

(1) Cranston, where the exemption shall not exceed thirty thousand dollars (\$30,000);

(2) Cumberland, where the town council may provide for an exemption not to exceed seven thousand five hundred dollars (\$7,500);

(3) Newport, where the exemption is ten thousand dollars (\$10,000) or ten percent (10%) of assessed valuation, whichever is greater;

(4) New Shoreham, where the town council may, by ordinance, provide for an exemption of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

(5) North Providence, where the town council may, by ordinance, provide for an exemption not to exceed twelve thousand five hundred dollars (\$12,500);

(6) Westerly, where the town council may, by ordinance, provide for an exemption of a maximum of forty thousand five hundred dollars (\$40,500); and

(7) Lincoln, where the town council may, by ordinance, provide for an exemption of a maximum of fifteen thousand dollars (\$15,000).

(c) In addition to the previously provided exemptions, any veteran of the military or naval service of the United States who is determined, under applicable federal law by the Veterans' Administration of the United States to be totally disabled through service connected disability may, by ordinance, passed in the city or town where the veteran's property is assessed receive a ten thousand dollar (\$10,000) exemption from local taxation on his or her property whether real or personal and if the veteran owns real property may be exempt from taxation by any fire and/or lighting district; provided, that in the town of: North Kingstown , where the amount of the exemption shall be eleven thousand dollars (\$11,000) commencing with the December 31, 2002 assessment, and for the town of Westerly where the amount of the exemption shall be thirty-nine thousand dollars (\$39,000) commencing with the December 31, 2005 assessment, and in the town of Cumberland, where the amount of the exemption shall not exceed forty-seven thousand five hundred forty-four dollars (\$47,544).

(d) In determining whether or not a person is the widow or widower of a veteran for the purposes of this section, the remarriage of the widow or widower shall not bar the furnishing of the benefits of the section if the remarriage is void, has been terminated by death, or has been annulled or dissolved by a court of competent jurisdiction.

(e) In addition to the previously provided exemptions, there may by ordinance passed in the city or town where the person's property is assessed be an additional fifteen thousand dollars (\$15,000) exemption from local taxation on real and personal property for any veteran of military or naval service of the United States or the unmarried widow or widower of person who has been or shall be classified as, or determined to be, a prisoner of war by the Veterans' Administration of the United States, except in:

Westerly, where the town council may, by ordinance, provide for an exemption of a maximum of sixty-eight thousand dollars (\$68,000).

Cumberland, where the town council may by ordinance provide for an exemption of a maximum of forty-seven thousand five hundred forty-four dollars (\$47,544).

(f) Cities and towns granting exemptions under this section shall use the eligibility dates specified in this section.

(g) The several cities and towns not previously authorized to provide an exemption for those veterans who actually served in the Persian Gulf conflict may provide that exemption in the amount authorized in this section for veterans of other recognized conflicts.

(h) Bristol. The town council of Bristol may, by ordinance, provide for an exemption for any veteran and the unmarried widow or widower of a deceased veteran of military or naval service of the United States who is determined, under applicable federal law by the Veterans' Administration of the United States to be partially disabled through service connected disability.

(i) In addition to the previously provided exemption, any veteran who is discharged from the military or naval service of the United States under conditions other than dishonorable, or an officer who is honorably separated from military or naval service, who is determined, under applicable federal law by the Veterans Administration of the United States to be totally and permanently disabled through a service connected disability, who owns a specially adapted homestead, which has been acquired or modified with the assistance of a special adaptive housing grant from the Veteran's Administration and that meets Veteran's Administration and Americans with disability act guidelines from adaptive housing or which has been acquired or modified, using proceeds from the sale of any previous homestead, which was acquired with the assistance of a special adaptive housing grant from the veteran's administration, the person or the person's surviving spouse is exempt from all taxation on the homestead. Provided, that in the town of Westerly where the amount of the above referenced exemption

shall be forty-six thousand five hundred dollars (\$46,500).

(j) The town of Coventry may provide by ordinance a one thousand dollars (\$1,000) exemption for any person who is an active member of the armed forces of the United States.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,  
SENATOR SOSNOWSKI

The motion to amend prevails upon a voice vote.

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

The act is read and passed, by unanimous consent, as amended, upon a voice vote.

**2. 2010-S 2115 SUB A**

**BY Felag**

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

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

Senator Felag moves passage, seconded by Senators Sheehan Jabour and DiPalma.

Senator Jabour discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**3. 2010-S 2196 SUB A**

**BY Pichardo**

**ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

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

Senator Pichardo moves passage, seconded by Senators Felag, Bates and Perry.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**4. 2010-S 2212 SUB A**

**BY McCaffrey**

**ENTITLED,** AN ACT RELATING TO PROPERTY -- LEASED LAND  
DWELLINGS

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

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

**5. 2010-S 2276**

**BY Sheehan**

**ENTITLED, AN ACT RELATING TO TAXATION**

Committee on Finance recommends passage.

Senator Sheehan moves passage, seconded by Senator Sosnowski.

The act is read and passed, by unanimous consent, as amended, upon a voice vote.

**6. 2010-S 2284 as amended**

**BY Pichardo**

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

Committee on Finance recommends passage as amended.

Senator Pichardo moves passage, seconded by Senator Ruggerio.

The act is read and passed, by unanimous consent, as amended, upon a voice vote.

**7. 2010-S 2421 SUB A as amended**

**BY Levesque C**

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

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

Upon suggestion of Senator Levesque and without objection, ordered to be placed on the Calendar for Wednesday, June 9, 2010.

**8. 2010-S 2519 as amended**

**BY Levesque C**

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

Committee on Education recommends passage as amended.

Senator Levesque moves passage, seconded by Senators DeVall, Sosnowski, Perry, Maselli and DiPalma.

The act is read and passed, by unanimous consent, as amended, upon a voice vote with 1 Senator voting in the negative as follows:

NAYS- 1: Senator Sheehan

**9. 2010-S 2531 SUB A**

**BY Perry**

**ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF NOT TO EXCEED \$50,962,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO PROVIDE FUNDING FOR "WARM, SAFE AND DRY" PROJECTS IN PROVIDENCE PUBLIC SCHOOLS

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

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

**10. 2010-S 2636**

**BY Sosnowski**

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

Committee on Judiciary recommends passage.

Senator Sosnowski moves passage, seconded by Senator McCaffrey.

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

**F L O O R   A M E N D M E N T**

TO

2010 -- S 2636

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

Madam President:

I hereby move to amend 2010 -- S 2636, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
MOTOR VEHICLE OFFENSES", as follows:

1. By deleting all of the language following the enactment clause and by inserting in place thereof the following

language:

“SECTION 1. Section 31-27-2 of the General Laws in Chapter 31-27 entitled "Motor Vehicle Offenses" is hereby amended to read as follows:

**31-27-2. Driving under influence of liquor or drugs.** -- (a) Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, shall be guilty of a misdemeanor except as provided in subdivision (d)(3) and shall be punished as provided in subsection (d) of this section.

(b) (1) Any person charged under subsection (a) of this section whose blood alcohol concentration is eight one-hundredths of one percent (.08%) or more by weight as shown by a chemical analysis of a blood, breath, or urine sample shall be guilty of violating subsection (a) of this section. This provision shall not preclude a conviction based on other admissible evidence. Proof of guilt under this section may also be based on evidence that the person charged was under the influence of intoxicating liquor, drugs, toluene, or any controlled substance defined in chapter 28 of title 21, or any combination of these, to a degree which rendered the person incapable of safely operating a vehicle. The fact that any person charged with violating this section is or has been legally entitled to use alcohol or a drug shall not constitute a defense against any charge of violating this section.

(2) Whoever drives or otherwise operates any vehicle in the state with a blood presence of any scheduled controlled substance as defined within chapter 28 of title 21, as shown by analysis of a blood or urine sample, shall be guilty of a misdemeanor and shall be punished as provided in subsection (d) of this section.

(c) In any criminal prosecution for a violation of subsection (a) of this section, evidence as to the amount of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, in the defendant's blood at the time alleged as shown by a chemical analysis of the defendant's breath, blood, or urine or other bodily substance shall be admissible and competent, provided that evidence is presented that the following conditions have been complied with:

(1) The defendant has consented to the taking of the test upon which the analysis is made. Evidence that the defendant had refused to submit to the test shall not be admissible unless the defendant elects to testify.

(2) A true copy of the report of the test result was mailed within seventy-two (72) hours of the taking of the test to the person submitting to a breath test.

(3) Any person submitting to a chemical test of blood, urine, or other body fluids shall have a true copy of the report of the test result mailed to him or her within thirty (30) days following the taking of the test.

(4) The test was performed according to methods and with equipment approved by the director of the department of health of the state of Rhode Island and by an authorized individual.

(5) Equipment used for the conduct of the tests by means of breath analysis had been tested for accuracy within thirty (30) days preceding the test by personnel qualified as hereinbefore provided, and breathalyzer operators shall be qualified and certified by the department of health within three hundred sixty-five (365) days of the test.

(6) The person arrested and charged with operating a motor vehicle while under the influence of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or, any combination of these in violation of subsection (a) of this section was afforded the opportunity to have an additional chemical test. The officer arresting or so charging the person shall have informed the person of this right and afforded him or her a reasonable opportunity to exercise this right, and a notation to this effect is made in the official records of the case in the police department. Refusal to permit an additional chemical test shall render incompetent and inadmissible in evidence the original report.

(d) (1) (i) Every person found to have violated subdivision (b)(1) of this section shall be sentenced as follows: for a first violation whose blood alcohol concentration is eight one-hundredths of one percent (.08%) but less than one-tenth of one percent (.1%) by weight or who has a blood presence of any scheduled controlled substance as defined in subdivision (b)(2) shall be subject to a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300), shall be required to perform ten (10) to sixty (60) hours of public community restitution, and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge and/or shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance, and his or her driver's license shall be suspended for thirty (30) days up to one hundred eighty (180) days.

(ii) Every person convicted of a first violation whose blood alcohol concentration is one-tenth of one percent (.1%) by weight or above but less than fifteen hundredths of one percent (.15%) or whose blood alcohol concentration is unknown shall be subject to a fine of not less than one hundred (\$100) dollars nor more than four hundred dollars (\$400) and shall be required to perform ten (10) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to twelve (12) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcoholic or drug treatment for the individual.

(iii) Every person convicted of a first offense whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above, or who is under the influence of a drug, toluene, or any controlled substance as defined in

subdivision (b)(1) shall be subject to a fine of five hundred dollars (\$500) and shall be required to perform twenty (20) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to eighteen (18) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment for the individual.

(2) (i) Every person convicted of a second violation within a five (5) year period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above but less than fifteen hundredths of one percent (.15%) or whose blood alcohol concentration is unknown or who has a blood presence of any controlled substance as defined in subdivision (b)(2), and every person convicted of a second violation within a five (5) year period regardless of whether the prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be subject to a mandatory fine of four hundred dollars (\$400). The person's driving license shall be suspended for a period of one year to two (2) years, and the individual shall be sentenced to not less than ten (10) days nor more than one year in jail. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug treatment for the individual, and may prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system for a period of one year to two (2) years following the completion of the sentence as provided in section 31-27-2.8.

(ii) Every person convicted of a second violation within a five (5) year period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above by weight as shown by a chemical analysis of a blood, breath, or urine sample or who is under the influence of a drug, toluene, or any controlled substance as defined in subdivision (b)(1) shall be subject to mandatory imprisonment of not less than six (6) months nor more than one year, a mandatory fine of not less than one thousand dollars (\$1,000) and a mandatory license suspension for a period of two (2) years from the date of completion of the sentence imposed under this subsection.

(3) (i) Every person convicted of a third or subsequent violation within a five (5) year period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above but less than fifteen hundredths of one percent (.15%) or whose blood alcohol concentration is unknown or who has a blood presence of any scheduled controlled substance as defined in subdivision (b)(2) regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state,

shall be guilty of a felony and be subject to a mandatory fine of four hundred (\$400) dollars. The person's driving license shall be suspended for a period of two (2) years to three (3) years, and the individual shall be sentenced to not less than one year and not more than three (3) years in jail. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug treatment for the individual, and may prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system for a period of two (2) years following the completion of the sentence as provided in section 31-27-2.8.

(ii) Every person convicted of a third or subsequent violation within a five (5) year period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) above by weight as shown by a chemical analysis of a blood, breath, or urine sample or who is under the influence of a drug, toluene or any controlled substance as defined in subdivision (b)(1) shall be subject to mandatory imprisonment of not less than three (3) years nor more than five (5) years, a mandatory fine of not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) and a mandatory license suspension for a period of three (3) years from the date of completion of the sentence imposed under this subsection.

(iii) In addition to the foregoing penalties, every person convicted of a third or subsequent violation within a five (5) year period regardless of whether any prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state shall be subject, in the discretion of the sentencing judge, to having the vehicle owned and operated by the violator seized and sold by the state of Rhode Island, with all funds obtained by the sale to be transferred to the general fund.

(4) Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, when his or her license to operate is suspended, revoked or cancelled for operating under the influence of a narcotic drug or intoxicating liquor shall be guilty of a felony punishable by imprisonment for not more than three (3) years and by a fine or not more than three thousand dollars (\$3,000). The court shall require alcohol and/or drug treatment for the individual; provided, the penalties provided for in subdivision 31-27-2(d)(4) shall not apply to an individual who has surrendered his or her license, and served the court ordered period of suspension, but who, for any reason, has not had their license reinstated after the period of suspension, revocation, or suspension has expired; provided, further the individual shall be subject to the provisions of paragraphs 31-27-2(d)(2)(i) or (ii) or 31-27-22(d)(3)(i), (ii), or (iii) regarding subsequent offenses, and any other applicable provision of section 31-27-2.

~~(4)~~(5) (i) For purposes of determining the period of license suspension, a prior violation shall constitute any charge

brought and sustained under the provisions of this section or section 31-27-2.1.

(ii) Any person over the age of eighteen (18) who is convicted under this section for operating a motor vehicle while under the influence of alcohol, other drugs, or a combination of these, while a child under the age of thirteen (13) years was present as a passenger in the motor vehicle when the offense was committed may be sentenced to a term of imprisonment of not more than one year and further shall not be entitled to the benefit of suspension or deferment of this sentence. The sentence imposed under this section may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge.

~~(5)~~(6) (i) Any person convicted of a violation under this section shall pay a highway assessment fine of five hundred dollars (\$500) which shall be deposited into the general fund. The assessment provided for by this subsection shall be collected from a violator before any other fines authorized by this section.

(ii) Any person convicted of a violation under this section shall be assessed a fee. The fee shall be as follows:

| FISCAL YEAR | FISCAL YEAR | FISCAL YEAR |
|-------------|-------------|-------------|
| 1993-1995   | 1996-1999   | 2000-2010   |
| \$147       | \$173       | \$86        |

~~(6)~~(7) (i) If the person convicted of violating this section is under the age of eighteen (18) years, for the first violation he or she shall be required to perform ten (10) to sixty (60) hours of public community restitution, and the juvenile's driving license shall be suspended for a period of six (6) months, and may be suspended for a period up to eighteen (18) months. The sentencing judge shall also require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and alcohol or drug education and/or treatment for the juvenile. The juvenile may also be required to pay a highway assessment fine of no more than five hundred dollars (\$500), and the assessment imposed shall be deposited into the general fund.

(ii) If the person convicted of violating this section is under the age of eighteen (18) years, for a second or subsequent violation regardless of whether any prior violation and subsequent conviction was a violation and subsequent under this statute or under the driving under the influence of liquor or drugs statute of any other state, he or she shall be subject to a mandatory suspension of his or her driving license until such time as he or she is twenty-one (21) years of age and may, in the discretion of the sentencing judge, also be sentenced to the Rhode Island training school for a period of not more than one year and/or a fine of not more than five hundred dollars (\$500).

~~(7)~~(8) Any person convicted of a violation under this section may undergo a clinical assessment at a facility approved by the department of mental health retardation and hospitals ~~health~~. Should this clinical assessment determine

problems of alcohol, drug abuse, or psychological problems associated with alcoholic or drug abuse, this person shall be referred to the T.A.S.C. (treatment alternatives to street crime) program for treatment placement, case management, and monitoring.

(e) Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred (100) cubic centimeters of blood.

(f) (1) There is established an alcohol and drug safety unit within the division of motor vehicles to administer an alcohol safety action program. The program shall provide for placement and follow-up for persons who are required to pay the highway safety assessment. The alcohol and drug safety action program will be administered in conjunction with alcohol and drug programs within the department of health.

(2) Persons convicted under the provisions of this chapter shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance, and/or participate in an alcohol or drug treatment program. The course shall take into consideration any language barrier which may exist as to any person ordered to attend, and shall provide for instruction reasonably calculated to communicate the purposes of the course in accordance with the requirements of the subsection. Any costs reasonably incurred in connection with the provision of this accommodation shall be borne by the person being retrained. A copy of any violation under this section shall be forwarded by the court to the alcohol and drug safety unit. In the event that persons convicted under the provisions of this chapter fail to attend and complete the above course or treatment program, as ordered by the judge, then the person may be brought before the court, and after a hearing as to why the order of the court was not followed, may be sentenced to jail for a period not exceeding one year.

(3) The alcohol and drug safety action program within the division of motor vehicles shall be funded by general revenue appropriations.

(g) The director of the health department of the state of Rhode Island is empowered to make and file with the secretary of state regulations which prescribe the techniques and methods of chemical analysis of the person's body fluids or breath, and the qualifications and certification of individuals authorized to administer this testing and analysis.

(h) Jurisdiction for misdemeanor violations of this section shall be with the district court for persons eighteen (18) years of age or older and to the family court for persons under the age of eighteen (18) years. The courts shall have full authority to impose any sentence authorized and to order the suspension of any license for violations of this section. All trials in the district court and family court of violations of the section shall be scheduled within thirty (30) days of the arraignment date. No continuance or postponement shall be granted except for good cause shown. Any continuances that are necessary shall be granted for the shortest practicable time. Trials in superior court are not required to be scheduled within thirty (30)

days of the arraignment date.

(i) No fines, suspensions, assessments, alcohol or drug treatment programs, course on driving while intoxicated or under the influence of a controlled substance, public community restitution, or jail provided for under this section can be suspended.

(j) An order to attend a special course on driving while intoxicated that shall be administered in cooperation with a college or university accredited by the state, shall include a provision to pay a reasonable tuition for the course in an amount not less than twenty-five dollars (\$25.00), and a fee of one hundred seventy-five dollars (\$175), which fee shall be deposited into the general fund.

(k) For the purposes of this section, any test of a sample of blood, breath, or urine for the presence of alcohol, which relies in whole or in part upon the principle of infrared light absorption is considered a chemical test.

(l) If any provision of this section or the application of any provision shall for any reason be judged invalid, such a judgment shall not affect, impair, or invalidate the remainder of the section, but shall be confined in this effect to the provision or application directly involved in the controversy giving rise to the judgment.

SECTION 2. Section 31-11-18.1 of the General Laws in Chapter 31-11 entitled "Suspension or Revocation of Licenses - Violations" is hereby amended to read as follows:

**31-11-18.1. Driving after denial, revocation, or suspension for certain violations.** -- (a) Any person who drives a motor vehicle on any highway of this state who never applied for a license or who drives after his or her application for a license has been refused, or after his or her license has expired or who otherwise drives without a license or at a time when his or her license to operate is suspended, revoked, or cancelled, for: (1) operating under the influence of a narcotic drug or intoxicating liquor; (2) refusing to submit to a chemical test; reckless driving; (3) manslaughter from the operation of a motor vehicle or operating so as to endanger resulting in death; or (4) three (3) moving violations within a one-year period; shall be guilty of a misdemeanor for the first and second offenses and shall be deemed guilty of a felony for the third or subsequent offenses.

(b) The division of motor vehicles upon receiving a record of the conviction of any person upon a charge of driving a motor vehicle while the license of the person was suspended, for reasons set forth in this section shall suspend the person's license or deny the person's application for any length of time that it shall deem proper but in no case less than an additional three (3) months. Upon receiving a record of conviction of a second violation of driving a motor vehicle while the license of that person was suspended for reasons set forth in this section, the division of motor vehicles shall suspend the person's license or deny the person's application for any length of time that it shall deem proper but in no case less than an additional

six (6) months. Any subsequent conviction shall result in license revocation. Upon receiving a record of the conviction of any person upon a charge of driving after his or her application for a license had been refused, or after his or her license had been revoked or cancelled for reasons set forth in this section, the division of motor vehicles shall not issue a new license for an additional period of one year from and after the date the person would otherwise have been entitled to apply for a new license.

(c) (1) Upon a first conviction under this section a mandatory fine of five hundred dollars (\$500) shall be imposed, and if the person was driving after his or her application for a license had been refused, or at a time when his or her license to operate was suspended, revoked, or cancelled for operating under the influence of a controlled substance or intoxicating liquor, or his or her refusal to submit to a chemical test, reckless driving, manslaughter from the operation of a motor vehicle, or operation so as to endanger, death resulting, the person shall be imprisoned for a minimum of ten (10) days.

(2) A mandatory fine of five hundred dollars (\$500) for a second conviction under this section within a five (5) year period shall be imposed, and if the person was driving after his or her application for a license had been refused, or at a time when his or her license to operate was suspended, revoked, or cancelled for operating under the influence of a controlled substance or intoxicating liquor or his or her refusal to submit to a chemical test, reckless driving, manslaughter from the operation of a motor vehicle, or operation so as to endanger, death resulting, the person shall be imprisoned for a minimum of six (6) months to one year.

(3) For any subsequent conviction within a five (5) year period, a fine of one thousand dollars (\$1,000) shall be imposed and the person may be imprisoned for up to one year or be required to participate in a public service program designated and approved by the court. If the person was driving after his or her application for a license had been refused or at a time when his or her license to operate was suspended, revoked, or cancelled for: (i) operating under the influence of a controlled substance or intoxicating liquor; (ii) his or her refusal to submit to a chemical test; (iii) reckless driving; (iv) manslaughter from the operation of a motor vehicle; or (v) operating so as to endanger, death resulting; the person shall be imprisoned for a minimum of one year. Jurisdiction for violations of this section is given to the district court and the court shall have full authority to impose any sentence authorized for violations of this section.

(d) No fines, suspensions, treatment, or jail provided for under this section can be suspended.

SECTION 3. This act shall take effect upon passage.”

Respectfully submitted,  
SENATOR SOSNOWSKI

The motion to amend prevails upon a voice vote.

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

The act is read and passed, by unanimous consent, as amended, upon a voice vote.

**11. 2010-S 2656 SUB A**

**BY Maselli**

**ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**12. 2010-S 2734 SUB A**

**BY Doyle**

**ENTITLED, AN ACT RELATING TO EDUCATION**

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

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

**13. 2010-S 2789 SUB A**

**BY Crowley**

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
RHODE ISLAND PUBLIC RAIL CORPORATION**

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

Senator Crowley moves passage, seconded by Senator Ruggerio.

Senator Crowley seconded by Senators Sheehan and Ruggerio, offers the following written motion to amend.

**FLOOR AMENDMENT**

TO

2010 -- S 2789 SUBSTITUTE A

## AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND PUBLIC RAIL CORPORATION

Madam President:

I hereby move to amend 2010 -- S 2789 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND PUBLIC RAIL CORPORATION", as follows:

(1) On page 2, line 13, by deleting the language "At the request of" and inserting in place thereof the language "Upon notification to".

(2) On page 2, line 17, after the word "and" by inserting the language "pre-existing environmental conditions) and".

(3) On page 2, line 18, by deleting the language "due to environmental conditions)."

(4) On page 2, lines 20 and 21, by deleting the language "twenty-five feet (25') of the centerline of Amtrak's rail line", and inserting in place thereof the language: "the boundary of any property owned or controlled by Amtrak or within the boundary of any railroad safety envelope established pursuant to a federal program or safety regulations."

(5) On page 2, lines 25 and 26, by deleting the language "twenty-five feet (25') of the centerline of Amtrak's rail line", and inserting in place thereof the language "the boundary of any property owned or controlled by Amtrak or within the boundary of any railroad safety envelope established pursuant to a federal program or safety regulations."

Respectfully submitted,

SENATOR Crowley

The motion to amend prevails upon a voice vote.

Senator Crowley moves passage of the act, as amended, seconded by Senator Sheehan.

Senators Crowley, Walaska and Connors discuss the act.

The act is read and passed, by unanimous consent, as amended, upon a voice vote.

**14. 2010-S 2825**

**BY Connors**

**ENTITLED, AN ACT RELATING TO TAXATION**

Committee on Finance recommends passage.

Senator Connors moves passage, seconded by Senator Ruggerio.

The act is read and passed, by unanimous consent, upon a voice vote.

**15. 2010-S 2860****BY Maher**

**ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY - PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constitutional & Regulatory Issues recommends passage.

Upon suggestion of Senator Maher ordered to be placed on the desk.

**16. 2010-S 2933****BY Paiva-Weed**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF NEWPORT TO FINANCE THE DESIGN, ACQUISITION, DEMOLITION, CONSTRUCTION, REPAIR, REHABILITATION, IMPROVEMENT, FURNISHING AND EQUIPPING OF A NEW ELEMENTARY SCHOOL, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING AND CONSTRUCTION MANAGEMENT SERVICES, BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

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

**17. 2010-S 2953****BY Tassoni**

**ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF UP TO \$3,620,000 LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE TOWN OF NORTH SMITHFIELD TO FINANCE THE CONSTRUCTION AND EQUIPPING OF AN ENERGY SAVINGS CAPITAL IMPROVEMENTS PROJECT FOR SCHOOLS IN THE TOWN INCLUDING, BUT NOT LIMITED TO, LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Housing & Municipal Government recommends passage.

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

**18. 2010-S 2954****BY Tassoni**

**ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF UP TO \$3,620,000 LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE TOWN OF NORTH SMITHFIELD TO FINANCE THE CONSTRUCTION

AND EQUIPPING OF AN ENERGY SAVINGS CAPITAL IMPROVEMENT PROJECT FOR SCHOOLS IN THE TOWN INCLUDING BUT NOT LIMITED TO LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Housing & Municipal Government recommends passage.

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

**19. 2010-S 2963**

**BY Paiva-Weed**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION OF A WIND TURBINE GENERATOR AND TO ISSUE NOT MORE THAN \$6,500,000 BONDS AND NOTES THEREFOR

Committee on Finance recommends passage.

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

**20. 2010-H 7380**

**BY Walsh**

**ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST

Ordered on the Calendar

Senator Levesque moves passage, seconded by Senator Jabour.

The act is read and passed, by unanimous consent, upon a voice vote with 5 Senators voting in the negative as follows:

NAYS- 5: Senators Cote, O'Neill, Algieri, Bates and Blais.

**21. 2010-H 7417 SUB A**

**BY Naughton**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- MEDICAL EXAMINERS

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

Senator Perry moves passage, seconded by Senator Miller.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**22. 2010-H 7694 SUB A****BY Marcello****ENTITLED, AN ACT RELATING TO INSURANCE**

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

Upon suggestion of Senator Miller and without objection, ordered to be recommitted to the committee on Corporations.

**23. 2010-H 7696 SUB A as amended****BY Marcello****ENTITLED, AN ACT RELATING TO INSURANCE**

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

Senator Miller moves passage, seconded by Senator Lynch.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**24. 2010-H 7719 SUB A****BY Segal****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - CLIMATE RISK  
REDUCTION ACT**

Ordered on the Calendar

Senator Miller moves passage, seconded by Senators Sosnowski and Felag.

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

**F L O O R   A M E N D M E N T****TO****2010 -- H 7719 SUBSTITUTE A****AN ACT RELATING TO HEALTH AND SAFETY - CLIMATE RISK REDUCTION ACT**

Madam President:

I hereby move to amend 2010 -- H 7719 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY - CLIMATE RISK REDUCTION ACT", as follows:

(1) On page 6, line 10, after the letter "(d)" by deleting the language "The legislators" and inserting in place thereof the language "One senator and one representative".

Respectfully submitted,  
SENATOR MILLER

The motion to amend prevails upon a voice vote.

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

Senators Pinga and Goodwin discuss the act.

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

NAYS- 1: Senator Cote

**25. 2010-S 2942**

**BY DiPalma**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

Committee on Constitutional & Regulatory Issues recommends passage.

Senator DiPalma moves passage, seconded by Senators Felag and Sheehan.

The act is read and passed, by unanimous consent, upon a voice vote.

**26. 2010-S 2976**

**BY Perry**

**ENTITLED,** SENATE RESOLUTION RESPECTFULLY REQUESTING THE EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES TO REPORT DESIGNATED MEDICAID INFORMATION TO THE RHODE ISLAND SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Committee on Constitutional & Regulatory Issues recommends passage.

Senator Perry moves passage, seconded by Senator Connors.

The act is read and passed, by unanimous consent, upon a voice vote.

**27. 2010-S 2285**

**BY Walaska**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

Committee on Health & Human Services recommends passage.

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

**28. 2010-S 2425 SUB A**

**BY Perry**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES

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

Senator Perry moves passage, seconded by Senator Connors.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**29. 2010-S 2675**

**BY Blais**

**ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Health & Human Services recommends passage.

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

The act is read and passed, by unanimous consent, upon a voice vote.

**30. 2010-S 2806 SUB A**

**BY Perry**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

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

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

Senators Picard and Perry discuss the act.

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

NAYS- 2: Senators Cote, Picard.

**31. 2010-S 2949**

**BY Gallo**

**ENTITLED,** AN ACT RELATING TO INSURANCE - TEACHERS' HEALTH INSURANCE

Committee on Health & Human Services recommends passage.

Senator Gallo moves passage, seconded by Senator Perry.

Senators Gallo, Connors and Maher discuss the act.

The act is read and passed, by unanimous consent, upon a voice vote.

**32. 2010-S 2962**

**BY DiPalma**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE ROAD CONSTRUCTION AND DRAINAGE AND SIDEWALK IMPROVEMENTS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Housing & Municipal Government recommends passage.

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

**33. 2010-S 2965**

**BY Sheehan**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$9,200,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES

Committee on Housing & Municipal Government recommends passage.

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

**34. 2010-S 2968**

**BY Connors**

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

Committee on Housing & Municipal Government recommends passage.

Senator Connors moves passage, seconded by Senators Tassoni and O'Neill

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

|                                      |
|--------------------------------------|
| <b>F L O O R   A M E N D M E N T</b> |
|--------------------------------------|

TO

2010 -- S 2968

## AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Madam President:

I hereby move to amend 2010 -- S 2968, entitled "AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES", as follows:

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

"SECTION 1. Chapter 44-5 of the General Laws entitled "Levy and Assessment of Local Taxes" is hereby amended by adding thereto the following section:

~~**44-5-69.1. Property tax classification – Fire districts within the town of Lincoln – Tax levy determination.**~~

**Property tax classification – Albion fire district within the town of Lincoln - Tax levy determination. --** The tax collector for the Albion fire district within the town of Lincoln shall provide to the board of fire commissioners a list containing the full and fair valuation of each property class, and with the approval of the members of the fire district by vote, annually determine the percentage of the tax levy to be apportioned to each class of property and shall annually apply tax rates sufficient to produce the proportion of the total tax levy.

(1) Class 1. Residential real estate consisting of no more than five (5) dwelling units including dwellings on leased land including mobile homes.

(2) Class 2. Commercial and industrial real estate and residential real estate of more than five (5) dwelling units.

(3) Class 3. All ratable tangible personal property excluding motor vehicles and trailers. (Notwithstanding any provisions of the contrary, the tax rates applicable to wholesale and retail inventory within Class 3 are governed by section 44-3-29.1).  
SECTION 2. This act shall take effect upon passage."

Respectfully submitted,  
LEADER CONNORS

The motion to amend prevails upon a voice vote.

Senator Connors moves passage of the act, as amended, seconded by Senator O'Neill.

The act is read and passed, by unanimous consent, as amended, upon a voice vote.

**BY Fogarty P**

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

Committee on Housing & Municipal Government recommends passage.

Senator Fogarty moves passage, seconded by Senator Tassoni.

The act is read and passed, by unanimous consent, upon a voice vote.

**36. 2010-S 2971 SUB A**

**BY Fogarty P**

**ENTITLED,** AN ACT RELATING TO TAX EXEMPTIONS FOR THE ELDERLY IN BURRILLVILLE

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

Senator Fogarty moves passage, seconded by Senator Tassoni.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**37. 2010-S 2978**

**BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

Committee on Housing & Municipal Government recommends passage.

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

The act is read and passed, by unanimous consent, upon a voice vote.

**38. 2010-S 2981**

**BY Tassoni**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$5,700,000 GENERAL OBLIGATION BONDS OR NOTES FOR THE PURPOSES OF DEVELOPMENT AND CONSTRUCTION OF A WIND TURBINE

Committee on Housing & Municipal Government recommends passage.

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

**39. 2010-S 2946**

**BY Doyle**

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

## MOTOR VEHICLE OFFENSES

Committee on Judiciary recommends passage.

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

**40. 2010-S 2955 SUB A****BY McCaffrey****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL  
PROCEDURE--COURTS -- FAMILY COURT**

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

Senator McCaffrey moves passage, seconded by Senator Jabour.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice vote.

**41. 2010-S 2960****BY Goodwin****ENTITLED, AN ACT RELATING TO LOTTERY**

Committee on Judiciary recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Wednesday, June 9, 2010.

**42. 2010-S 2037****BY Ciccone****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
OVERTIME CALCULATION**

Committee on Labor recommends passage.

Upon suggestion of Senator Connors and without objection, ordered to be placed on the Calendar for Wednesday, June 9, 2010.

**44. 2010-S 2952 SUB A****BY Maselli****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC  
DRINKING WATER SUPPLY**

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

Senator Maselli moves passage, seconded by Senator Ruggerio.

The bill marked Substitute “A” is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a voice with 1 Senator abstaining as follows:

ABSTAINED- 1: Senator Fogarty

**COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

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

**Senate Bill No. 2819** SUB A as amended

**BY** Senators Sosnowski, Miller, Felag, Ruggerio, McCaffrey

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- CONTRACTING STANDARD FOR RENEWABLE ENERGY (authorize Narragansett electric to enter into agreement with state's preferred developer of offshore wind for purchase of energy/capacity/environmental/market attributes as long as provisions of the general laws pertaining to Town of New Shoreham project {LC2483/3/A})

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2952** SUB A

**BY** Senators Maselli, Jabour

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC DRINKING WATER SUPPLY {LC2800/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2988**

**BY** Senators Paiva-Weed, Connors

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2912/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senator O'Neill.

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

Also:

**Senate Bill No. 2989****BY** Senators Lanzi, DiPalma, Metts, Blais, Lynch**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT {LC2884/1}

Senator Lanzi requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lanzi moves passage, seconded by Senator DiPalma.

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

Also:

**Senate Bill No. 2990****BY** Senator Connors**ENTITLED**, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS {LC2910/1}

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

**CALENDAR****43. 2010-S 2819 SUB A****BY** Sosnowski**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS  
-- CONTRACTING STANDARD FOR RENEWABLE ENERGY

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

Senator Sosnowski moves passage, seconded by Senators Perry, Levesque, McCaffrey, Ruggerio and Tassoni.

Senator Sosnowski seconded by Senators Perry, Levesque, McCaffrey, Ruggerio and Tassoni, offers the following written motion to amend.

**FLOOR AMENDMENT**

TO

2010 -- S 2819 AS AMENDED

AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- CONTRACTING STANDARD FOR RENEWABLE  
ENERGY

Madam President:

I hereby move to amend 2010 -- S 2819 AS AMENDED, entitled "AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- CONTRACTING STANDARD FOR RENEWABLE ENERGY", as follows:

(1) On page 4, line 4, after the language "transmission engineering" by inserting the language "associated with the design of the cable".

Respectfully submitted,  
SENATOR SOSNOWSKI

The motion to amend prevails upon a voice vote.

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

Senators Raptakis and Sosnowski discuss the act.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 25 Senators voting in the affirmative and 10 Senators voting in the negative as follows:

YEAS- 25: The Honorable President Paiva Weed and Senators Connors, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Miller, Perry, Picard, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 10: Senators Algieri, Bates, Blais, Cote, Jabour, Maher, O'Neill, Pichardo, Pinga, Raptakis.

## NEW BUSINESS

### **Senate Resolution No. 2991**

**BY** Senator DaPonte

**ENTITLED**, SENATE RESOLUTION PROCLAIMING JUNE 10, 2010, AS "DAY OF PORTUGAL" IN THE STATE OF RHODE ISLAND {LC2907/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senator Levesque.

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

Also:

### **Senate Bill No. 2992**

**BY** Senators Connors, DaPonte, Miller, Perry

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- THE HOSPITAL CONVERSIONS ACT {LC2859/1}

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

Also:

**Senate Resolution No. 2993**

**BY** Senators Goodwin, McCaffrey, Miller, Perry

**ENTITLED**, SENATE RESOLUTION PROCLAIMING THE MONTH OF SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH IN THE STATE OF RHODE ISLAND {LC2900/1}

Read and ordered to be placed on the Consent Calendar.

**TRANSMITTAL**

By unanimous consent, all Senate 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 Room 212 of the State House.

Senator Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 211 of the State House.

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

**COMMITTEE ON LABOR**

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

**Senate Bill No. 2364 SUB A**

**BY** Senators Ruggerio, DaPonte, Doyle, Gallo, DiPalma

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION - INSURANCE (would require all information provided to the director would be confidential with the exception of workers' compensation insurance coverage verification) {LC1090/2/A}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2939**

**BY** Senators DiPalma

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS {LC2729/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2037**

**BY** Senators Ciccone, Pichardo, Ruggerio, Lanzi

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

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:

**Nomination of B. Michael Rauh, Jr. (appointment) of Narragansett VICE Keith Stokes to the Quonset Development Corporation for a term expiring January 1, 2012.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Christian J. Ladds, AIA (reappointment) of Providence to the Board of Examination and Registration of Architects for a term expiring April 1, 2015.**

Read and ordered to be placed on the Consent Calendar.

#### COMMITTEE ON JUDICIARY

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

**Nomination of James T. Murphy, Esq. (reappointment) (Rhode Island Bar Association Seat) of North Kingstown to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Joseph J. Roszkowski (reappointment) of Cumberland to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2012.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of Stephen J. Carlotti, Esq. (appointment) VICE Armeny Apkarian to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2013.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Nomination of John A. Sabatini (reappointment) of Pawtucket as Administrator of the Workers Compensation Court**

Read and ordered to be placed on the Consent Calendar.

#### **ADJOURNMENT**

Upon motion of Senator Doyle, seconded by Senator Ruggerio, the Senate adjourns at 7:57 o'clock P.M.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix****INVOCATION****SENATOR JAMES E. DOYLE, II**

Lord, today we express to You our gratitude and especially thank You for the many friendships we have formed and for the fruits of our efforts. As we depart from this chamber today, grant us your peace and grace. Enable us to enjoy the days ahead, ever mindful of Your presence in our lives. Amen.

**Appendix****INVOCATION****SENATOR WALTER S. FELAG, JR.**

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

**Appendix****INVOCATION****SENATOR DANIEL P. CONNORS**

Dear God, please bless us during our final days of adjournment. May we all enjoy the summer months ahead until we all meet again in this chamber to assist our fellow Rhode Islanders. Amen.

**Appendix****INVOCATION****SENATOR FRANK A. DEVALL, JR.**

Lord, we ask that strength and courage be given to all who work for a world of reason and understanding. May the good that lies in each of us be magnified. We ask that You bestow a special blessing of good health and happiness on each member of this chamber and their families. Amen.

**Appendix****CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 9, 2010:**

- 1. Nomination of Martin Trueb (reappointment) (Representing Business) of East Greenwich to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

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

- 2. Nomination of Kas R. DeCarvalho, Esq. (reappointment) of Providence to the Quonset Development Corporation for a term expiring January 1, 2013.**

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

- 3. Nomination of Robert H. Breslin, Jr. (reappointment) of Saunderstown to the Quonset Development Corporation for a term expiring January 1, 2012.**

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

- 4. Nomination of Mario Bueno (reappointment) (Representing Community Based Organization) to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

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

- 5. Nomination of Charles P. Roberts (reappointment) of Wakefield to the Rhode Island Public Telecommunications Authority for a term expiring January 31, 2013.**

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

- 6. Nomination of Cathy Streker (reappointment) (Representing Business) of North Kingstown to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

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

- 7. Nomination of Brandon Melton (reappointment) (Representing Business) of East Greenwich to the Rhode Island Human Resource Investment Council for a term**

**expiring January 1, 2013..**

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

**8. Nomination of William McGowan (reappointment) (Representing Labor) of North Kingstown to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

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

**9. Nomination of Paul MacDonald (reappointment) (Representing Labor) of Harrisville to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2013.**

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

**10. Nomination of Barbara Jackson (reappointment) of North Kingstown to the Quonset Development Corporation for a term expiring January 1, 2013.**

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

**11. Nomination of Frances H. Gammell-Roach (reappointment) of East Greenwich to the Rhode Island Industrial Recreational Building Authority for a term expiring February 1, 2014.**

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

**12. Nomination of B. Michael Rauh, Jr. (appointment) of Narragansett VICE Keith Stokes to the Quonset Development Corporation for a term expiring January 1, 2012.**

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

**13. Nomination of Christian J. Ladds, AIA (reappointment) of Providence to the Board of Examination and Registration of Architects for a term expiring April 1, 2015.**

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

**14. Nomination of Chief Scott G. Kettelle (reappointment) (Representing Regional Firemens League) of Exeter to the Fire Education and Training Coordinating Board**

**for a term expiring January 31, 2013.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 15. Nomination of Joseph Bertholic (reappointment) (Representing State Firemens League) of Pascoag to the Fire Education and Training Coordinating Board for a term expiring January 31, 2013.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 16. Nomination of Stanley A. Davies (reappointment) (Public Member) of Cranston to the Fire Education and Training Coordinating Board for a term expiring January 31, 2013.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 17. Nomination of Jeanne Cola (appointment) (Chairperson) of North Kingstown VICE Mary Jane K. "Susan" Baxter as Chairperson to the Rhode Island Housing Resources Commission for a term January 31, 2012.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 18. Nomination of Nicholas J. Mocerri (appointment) (Representing Business Community) of Cranston VICE William A. White (resigned) to the State Housing Appeals Board for a term expiring January 1, 2011.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 19. Nomination of Joseph Raymond (appointment) (Local Building Official) of Harrisville VICE Brian Lombardi to the Rhode Island Housing Resources Act for a term expiring January 31, 2012.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 20. Nomination of Albert Valliere (appointment) (Representative of the Rhode Island Builders Association) of North Smithfield VICE Mark VanNoppen to the Rhode Island Housing Resources Commission for a term expiring January 31, 2012.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 21. Nomination of Brian Jackvony (appointment) (Representing Combination Full/Time**

**Part Time Fire Chief) of Cumberland VICE Chief Richard G. Petrin to the Fire Education and Training Coordinating Board for a term expiring January 31, 2013.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 22. Nomination of Chief Kevin M. Sullivan (appointment) (Representing Full Time Fire Chief) of Warwick VICE Chief Edward W. McCarthy, Jr. (resigned) to the Fire Education and Training Coordinating Board for a term expiring January 31, 2012.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 23. Nomination of James T. Murphy, Esq. (reappointment) (Rhode Island Bar Association Seat) of North Kingstown to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2013.**

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

- 24. Nomination of Joseph J. Roszkowski (reappointment) of Cumberland to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2012.**

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

- 25. Nomination of Stephen J. Carlotti, Esq. (appointment) VICE Armeny Apkarian to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2013.**

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

- 26. Nomination of John A. Sabatini (reappointment) of Pawtucket as Administrator of the Workers Compensation Court.**

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

- 27. 2010-S 2993**

**BY Goodwin**

**ENTITLED,** SENATE RESOLUTION PROCLAIMING THE MONTH OF  
SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH IN  
THE STATE OF RHODE ISLAND

Ordered to be placed on the Consent Calendar

**28. 2010-H 8119****BY Walsh****ENTITLED, AN ACT SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

**29. 2010-H 8153****BY Almeida****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

**30. 2010-H 8189****BY Giannini****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

**31. 2010-H 8190****BY Caprio D****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

**32. 2010-H 8191****BY McNamara****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

**Appendix****CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 9, 2010:****1. 2010-S 2037****BY Ciccone****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
OVERTIME CALCULATION

Committee on Labor recommends passage.

**2. 2010-S 2212 SUB A****BY McCaffrey****ENTITLED,** AN ACT RELATING TO PROPERTY -- LEASED LAND  
DWELLINGSCommittee on Judiciary recommends indefinite postponement of the original bill and  
passage of Substitute A.**3. 2010-S 2285****BY Walaska****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
PHARMACIES

Committee on Health &amp; Human Services recommends passage.

**4. 2010-S 2364 SUB A****BY Ruggerio****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
WORKERS' COMPENSATION - INSURANCECommittee on Labor recommends indefinite postponement of the original bill and  
passage of Substitute A.**5. 2010-S 2421 SUB A as amended****BY Levesque C****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS - UNIFORM  
CONTROLLED SUBSTANCES ACTCommittee on Health & Human Services recommends indefinite postponement of the  
original bill and passage of Substitute A as amended.**6. 2010-S 2531 SUB A****BY Perry****ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS

SECTION 16-7-44 APPROVING THE ISSUANCE OF NOT TO EXCEED \$50,962,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO PROVIDE FUNDING FOR "WARM, SAFE AND DRY" PROJECTS IN PROVIDENCE PUBLIC SCHOOLS

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

**7. 2010-S 2734 SUB A**

**BY Doyle**

**ENTITLED,** AN ACT RELATING TO EDUCATION

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

**8. 2010-S 2933**

**BY Paiva-Weed**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF NEWPORT TO FINANCE THE DESIGN, ACQUISITION, DEMOLITION, CONSTRUCTION, REPAIR, REHABILITATION, IMPROVEMENT, FURNISHING AND EQUIPPING OF A NEW ELEMENTARY SCHOOL, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING AND CONSTRUCTION MANAGEMENT SERVICES, BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

**9. 2010-S 2939**

**BY DiPalma**

**ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage.

**10. 2010-S 2946**

**BY Doyle**

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

Committee on Judiciary recommends passage.

**11. 2010-S 2953**

**BY Tassoni**

**ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF UP TO \$3,620,000 LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE TOWN OF NORTH SMITHFIELD TO FINANCE THE CONSTRUCTION AND EQUIPPING OF AN ENERGY SAVINGS CAPITAL IMPROVEMENTS

PROJECT FOR SCHOOLS IN THE TOWN INCLUDING, BUT NOT LIMITED TO, LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Housing & Municipal Government recommends passage.

**12. 2010-S 2954**

**BY Tassoni**

**ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF UP TO \$3,620,000 LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE TOWN OF NORTH SMITHFIELD TO FINANCE THE CONSTRUCTION AND EQUIPPING OF AN ENERGY SAVINGS CAPITAL IMPROVEMENT PROJECT FOR SCHOOLS IN THE TOWN INCLUDING BUT NOT LIMITED TO LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Housing & Municipal Government recommends passage.

**13. 2010-S 2960**

**BY Goodwin**

**ENTITLED,** AN ACT RELATING TO LOTTERY

Committee on Judiciary recommends passage.

**14. 2010-S 2962**

**BY DiPalma**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE ROAD CONSTRUCTION AND DRAINAGE AND SIDEWALK IMPROVEMENTS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Housing & Municipal Government recommends passage.

**15 2010-S 2963**

**BY Paiva-Weed**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION OF A WIND TURBINE GENERATOR AND TO ISSUE NOT MORE THAN \$6,500,000 BONDS AND NOTES THEREFOR

Committee on Finance recommends passage.

**16. 2010-S 2965**

**BY Sheehan**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$9,200,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES

Committee on Housing & Municipal Government recommends passage.

**17. 2010-S 2981**

**BY Tassoni**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$5,700,000 GENERAL OBLIGATION BONDS OR NOTES FOR THE PURPOSES OF DEVELOPMENT AND CONSTRUCTION OF A WIND TURBINE

Committee on Housing & Municipal Government recommends passage.

**18. 2010-S 2994**

**BY Gallo**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM

Ordered on the Calendar

**19. 2010-S 2995**

**BY Gallo**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE SERVICES--UTILIZATION REVIEW ACT

Ordered on the Calendar

**20. 2010-S 2996**

**BY Felag**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- FLAMMABLE AND COMBUSTIBLE LIQUIDS

Ordered on the Calendar

**21. 2010-H 7767 SUB A**

**BY San Bento**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

Ordered on the Calendar