

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Journal of the Senate

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

Volume 138, No.58

Thursday, June 16, 2011

Fifty-Eighth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:35 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 3: Senators Crowley, Doyle, Shibley.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Fifty-seventh Legislative Day of the 2011 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator O'Neill and by unanimous consent, the Honorable President, welcomes to the Chamber Judith Vasitti.

Upon suggestion of Senator Ottiano and by unanimous consent, the Honorable President, welcomes to the Chamber Mr. Kyle Bowie.

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber Andrew Amaudo.

Upon suggestion of Senator Hodgson and by unanimous consent, the Honorable President, welcomes to the Chamber Akash Chougule.

COMMUNICATION

The Honorable President presents the following communication:

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

June 16, 2011

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

Dear Madam President:

Please be advised that I will be absent from today's session, Thursday, June 16, 2011. My daughter, Lt. Heather Shibley, will be shipping out to Afghanistan, and today is the last day I have to spend with her before her deployment. I would appreciate your prayers and you recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Glenford J. Shibley
SENATOR, DISTRICT 33

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. 5118 as amended

BY McCauley, Fox, Carnevale, Williams, Ajello

ENTITLED, AN ACT RELATING TO LIBRARIES-REFERENCE RESOURCE CENTERS

Received and referred to the Senate Committee on Education.

Also:

House Bill No. 5946

BY Williams, Hull, Medina, Slater, Ajello

ENTITLED, AN ACT RELATING TO TAXATION -- PAYMENT OF LOCAL TAXES (would permit municipalities to require immediate payment of taxes on only a late installment and to impose an interest charge only on that late installment.) {LC1687/1}

Received and referred to the Senate Committee on Finance.

Also:

House Bill No. 6068

BY Hearn, Malik

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES (would permit the Town of Barrington to conduct its second statistical revaluation update as of 2010 rather than 2011.) {LC2466/1}

Received and referred to the Senate Committee on Finance.

Also:

House Bill No. 5984 SUB A as amended

BY Serpa

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE {LC2248/1/A}

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

Also:

House Bill No. 6207

BY Hull, Corvese, Schadone, McLaughlin, Bennett

ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE (would amend the town charter of the town of North Providence/The amendment would direct the town council of the town of North Providence to establish a budget reserve account and would specify a minimum budget reserve balance requirement) {LC1358/1}

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

Also:

House Bill No. 6147**BY** Corvese, Schadone, Hull**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TITLE {LC2643/1}

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

Also:

House Bill No. 5945**BY** Williams, Slater, Carnevale, Blazejewski, Medina**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES (would allow the city of Providence to establish a lead court calendar within its housing court.) {LC1971/1}

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5375 as amended**BY** Tanzi, Lally, Walsh, Kennedy, Ehrhardt**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - CEMETERIES (would make sweeping changes to the laws on historical cemeteries including establishing a register of historical cemeteries)

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5122 as amended**BY** Walsh, Fellela, Kennedy, Marcello, Carnevale**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLE OFFENSES - ADJUDICATION OF TRAFFIC OFFENSES (would require anyone who receives a third summons within a twelve month period to appear in court.)

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5537 SUB A as amended**BY** Serpa, Ruggiero**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS (would expand the types of buildings which would be exempt from the state mandated requirements of boiler and pressure system inspections, based on the size of the water heater.) {LC1734/1/A}

Received and referred to the Senate Committee on Labor.

Also:

House Bill No. 6212**BY** Fox, Gallison, Bennett, Cimini**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE RHODE ISLAND COLLEGE GREENHOUSE {LC2744/1}

Received and referred to the Senate Committee on Special Legislation and Veterans Affairs.

Also:

Senate Bill No. 31 SUB A as amended**BY** Senators Algiere, Maher**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- CHARLESTOWN MUNICIPAL COURT (would authorize the Charlestown town council to expand the jurisdiction of its municipal court over traffic and parking violations and would increase the maximum fine the court may impose from \$300 to \$500.) {LC85/1/A}

Read and ordered to be placed on the Calendar.

Senate Bill No. 228 as amended**BY** Sheehan, Sosnowski**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - CEMETERIES (would make sweeping changes to the laws on historical cemeteries including establishing a register of historical cemeteries) {LC840/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 553 SUB A**BY** Fogarty P**ENTITLED**, AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION {LC1969/1/A}

Read and ordered to be placed on the Calendar.

**REPORTS OF COMMITTEES
COMMITTEE ON LABOR**

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

Senate Bill No. 34**BY** Senators Tassoni, Bates, Lombardo, Doyle**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (would authorize the director to permit, for good and sufficient reason, an employer to pay its employees less frequently than weekly)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 72

BY Senators DiPalma, DaPonte, Sheehan, Sosnowski, Lombardo

ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHER RETIREMENT (allow any teacher employed in at least a 1/2 program including a job share program in a school district or between 2 or more different school districts to remain a contributing member of the retirement system and receive credit for that part-time service)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 73

BY Senators DiPalma, Bates, Sosnowski, Lombardo, Felag

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS (would allow an arbitration board to render a decision regarding a collective bargaining agreement for firefighters or municipal police for multiple years in order to bring the contract up to date)

Read and ordered to be placed on the Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

House Bill No. 5287

BY Walsh, Kennedy, Tanzi, Azzinaro, Dickinson

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - HAZARDOUS WASTE CLEANUP (would exempt from liability a person who in the normal course of government duties provides assistance or services in mitigating hazardous discharge, to further include local fire depts, districts and reps of the RI DEM)

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5939 SUB A

BY Senators Carnevale, Blazejewski, Tanzi, Edwards, Trillo

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RENEWABLE ENERGY STANDARD (would diversify the state's energy generation sources by increasing maximum allowable distributed generation capacities and would provide for public/private partnerships and multi-municipal nonprofit energy consortiums.) {LC1934/2/A}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6104 SUB A as amended

BY Senators Ruggiero, Edwards, Walsh, Chippendale, Tanzi

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -

DISTRIBUTED GENERATION STANDARD CONTRACTS (would establish procedures to determine the terms of Distributed Generation Standard contracts that would establish the price to be paid for renewable energy credits.) {LC2543/2/A}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6222 SUB A as amended

BY Senators Blazejewski, Ehrhardt, Ruggiero, Gallison, Tanzi

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - RENEWAL

ENERGY (would institute and expedite the application process for renewable distributed generation resources.) {LC2796/1/A}

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFAIRS

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

House Bill No. 5074 SUB A

BY Senators Gallison, Fellela, Azzinaro, Messier, Martin

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL

GUARD (would eliminate the mandate that commissioned officers in the judge advocate general's dept be a member of the RI bar, provided there is compliance with the RI Supreme Court Rules) {LC418/1/A}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6069

BY Gallison, Messier, Azzinaro, Martin, Flaherty

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - NATIONAL

GUARD (would expand eligibility for the military family relief fund to active duty members of the military who live or entered the service from Rhode Island.) {LC2484/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 371 SUB A**BY** Senators McCaffrey, Lynch**ENTITLED**, SENATE RESOLUTION MEMORIALIZING THE GOVERNOR OF THE STATE OF RHODE ISLAND TO PARDON JOHN GORDON {LC655/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 1032**BY** Senators Pichardo, Goodwin, Lanzi**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE RHODE ISLAND COLLEGE GREENHOUSE {LC2866/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

House Bill No. 5090**BY** Ajello, Mattiello, Newberry, O'Neill JP, Walsh**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- IDENTIFICATION AND APPREHENSION OF CRIMINALS (would extend the life of the task force on improvement of lineup procedures)

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

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

Senate Bill No. 478 SUB A**BY** Senators Perry, Crowley, DeVall, Nesselbush, Miller**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- VITAL RECORDS (would define adoptees in the State of Rhode Island and would provide a procedure for the release to adoptees of their birth certificates in cases where a no release form has not been filed with the division of vital records) {LC1337/2/A}

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Bill No. 1034**BY** Picard**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS
{LC2835/1}

Read and referred to Senate Judiciary

Senate Resolution No. 1054**BY** Senators Pichardo, Tassoni, Miller, Jabour, Perry**ENTITLED**, SENATE RESOLUTION RESPECTFULLY URGING NATIONAL BANKS TO PARTICIPATE IN THE LOAN MODIFICATION PROGRAM OF THE HARDEST HIT FUND PROGRAM IN RHODE ISLAND {LC2864/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by DeVall, Miller, McCaffrey, Ruggerio and Moura.

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

Also:

Senate Resolution No. 1055**BY** Senators O'Neill E, Shibley**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF JOSEPH R. TAYLOR {LC2899/1}

Senator O'Neill requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator O'Neill moves passage, seconded by Senators Kettle, Algieri and Pinga.

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

Also:

Senate Resolution No. 1056**BY** Senators Tassoni, Picard, DaPonte**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE BOSTON BRUINS ON WINNING THE 2011 NATIONAL HOCKEY LEAGUE STANLEY CUP {LC2909/1}

Senator Tassoni requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Tassoni moves passage, seconded by Senators Picard, DaPonte, Ruggerio, Sheehan, Lombardo, Pinga and Pichardo.

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

Senate Bill No. 1057

BY Senators Walaska, Lynch, McCaffrey

ENTITLED, AN ACT RELATING TO THE CITY OF WARWICK -- SEWER AUTHORITY
{LC2833/1}

Read and referred to Senate Environment and Agriculture

Senate Bill No. 1058

BY Senators Shibley, Kettle

ENTITLED, AN ACT AUTHORIZING THE TOWN OF COVENTRY TO FINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION, DEMOLITION, IMPROVEMENT, ALTERATION, REPAIR, ADDITIONS TO, AND FURNISHING AND EQUIPPING OF, EXISTING SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$7,500,000 BONDS, NOTES AND/OR OTHER EVIDENCES OF INDEBTEDNESS THEREFOR
{LC2895/1}

Read and referred to Senate Housing and Municipal Government

Senate Bill No. 1059

BY Senators Shibley, Kettle

ENTITLED, AN ACT AUTHORIZING THE TOWN OF COVENTRY TO FINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION, DEMOLITION, IMPROVEMENT, ALTERATION, REPAIR, ADDITIONS TO, AND FURNISHING AND EQUIPPING OF, EXISTING MUNICIPAL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,500,000 BONDS, NOTES AND/OR OTHER EVIDENCES OF INDEBTEDNESS THEREFOR
{LC2894/1}

Read and referred to Senate Housing and Municipal Government

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2011-S 1053

BY Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

2. 2011-H 5578 SUB A**BY Medina****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
REAL ESTATE BROKERS AND SALESPERSONS**3. 2011-H 5660 SUB A****BY Johnston****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES - JAILS AND
PRISONS

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

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR THURSDAY, JUNE 16, 2011:****9. 2011-S 732 SUB A as amended****BY Lanzi****ENTITLED,** AN ACT RELATING TO EDUCATION -- SAFE SCHOOLS

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

Senator Lanzi moves passage, seconded by Senators DiPalma, Tassoni, Gallo, DeVall, Metts, Lynch and Goodwin.

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

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

10. 2011-S 781 SUB A**BY Lanzi****ENTITLED,** AN ACT PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS

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

Senator Lanzi moves passage, seconded by Senators McCaffrey, Goodwin, Gallo, Sosnowski, Pichardo, Moura and Ciccone.

Senator Ruggerio discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 33 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Kettle, Perry.

1. 2011-S 289 SUB A**BY DiPalma****ENTITLED,** AN ACT RELATING TO EDUCATION

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

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

Senator DiPalma seconded by Senators Gallo, Goodwin, DeVall, Nesselbush and Ruggerio, offers the following written motion to amend.

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

TO

2011 -- S 289 SUBSTITUTE A

AN ACT RELATING TO EDUCATION

Madam President:

I hereby move to amend 2011 -- S 289 SUBSTITUTE A, entitled "AN ACT RELATING TO

EDUCATION", as follows:

On page 1, line 7, by inserting the following language immediately following the language "years.":

"Notwithstanding the foregoing, the person serving as commissioner of elementary and secondary education as of the effective date of this act shall continue to serve at the pleasure of the board of regents."

Respectfully submitted,
SENATOR DIPALMA

The motion to amend prevails 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, Ciccone, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 3: Senators Cote, Moura, Tassoni.

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

The act is read and passed, as amended, upon a roll call vote with 27 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Paiva Weed and Senators Ciccone, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Algieri, Bates, Cote, Hodgson, Kettle, Moura, O'Neill.

2. 2011-S 291 SUB A

BY Felag

**ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL AND YOUTH
PROGRAMS CONCUSSION ACT**

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

Senator Felag moves passage, seconded by Senators Goodwin, Gallo, Perry, Fogarty, Metts and Hodgson.

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

NAYS- 0:

3 2011-S 92 SUB A

BY Perry

**ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY
-- ANIMAL ABUSE OFFENDERS**

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

Senator Perry moves passage, seconded by Senators Ruggerio, Tassoni, DeVall and Nesselbush.

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

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

TO

2011 -- S 92 SUBSTITUTE A

AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL ABUSE OFFENDERS

Madam President:

I hereby move to amend 2011 -- S 92 SUBSTITUTE A, entitled "AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL ABUSE OFFENDERS", as follows:

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

"SECTION 1. Chapter 4-1 of the General Laws entitled "Cruelty to Animals" is hereby amended by adding thereto the following section:

4-1-40. Possession of animals. – (a) In addition to any other penalty imposed by law, a person convicted of, or who entered a plea of nolo contendere to, any misdemeanor violation under the provisions of this chapter may, based on the discretion of the sentencing judge, not possess or reside with any animal for a period of up to five (5) years following entry of the conviction or upon acceptance of a plea of nolo contendere by the court. Any offense under this subsection is a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000), by

imprisonment for a term not more than one year, or both, and forfeiture of the animal(s).

(b) In addition to any other penalty imposed by law, a person convicted of, or who entered a plea of nolo contendere to, any felony violation under the provisions of this chapter may, based on the discretion of the sentencing judge, not possess or reside with any animal for a period of up to fifteen (15) years following entry of the conviction or upon acceptance of a plea of nolo contendere by the court. An offense under this subsection is a felony punishable by a fine of more than one thousand dollars (\$1000), imprisonment for a term of more than one year, or both, and forfeiture of the animal(s).

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

Respectfully submitted,
SENATOR SOSNOWSKI

The motion to amend prevails 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, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Kettle, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

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

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Kettle, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2011-S 907

BY Walaska

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CESSPOOLS

Committee on Environment & Agriculture recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Tuesday, June 21, 2011.

6. 2011-S 615 SUB A**BY Metts****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
REGULATORY POWERS OF ADMINISTRATION

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

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Tuesday, June 21, 2011.

5. 2011-S 537**BY Pichardo****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

Committee on Finance recommends passage.

Senator Pichardo moves passage, seconded by Senators Goodwin, Ruggerio and Miller.

Senator DaPonte seconded by Senators Pichardo, Miller, Goodwin and Ruggerio, offers the following written motion to amend.

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

TO

2011 -- S 537

AN ACT RELATING TO TOWNS AND CITIES

Madam President:

I hereby move to amend 2011 -- S 537, entitled "AN ACT RELATING TO TOWNS AND CITIES", as follows:

On page 1, line 10, by deleting the language "bears a reasonable relation to" and inserting in place thereof the word "recovers".

Respectfully submitted,
SENATOR DAPONTE

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 Algiere, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lombardo,

Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

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

TO

2011 -- S 537

AN ACT RELATING TO TOWNS AND CITIES

Madam President:

I hereby move to amend 2011 -- S 537, entitled "AN ACT RELATING TO TOWNS AND CITIES", as follows:

1. On page 1, line 6, after the word "town" by adding the language:
"and fire district".

2. On page 1, line 7, after the word "town" by adding the language:
"or fire district".

3. On page 1, line 8, after the word "town" by adding the language:
"and fire district".

4. On page 1, line 9, after the word "towns" by adding the language:
"and fire districts".

5. On page 1, line 10, after the word "town" by adding the language:
"or fire district".

6. On page 1, line 11, after the word "town" by adding the language:
"or fire district".

7. On page 1, line 13, after the word "town" by adding the language:

"and fire district".

Respectfully submitted,
SENATOR SOSNOWSKI

Senators Pichardo, Ruggerio, Goodwin and Jabour discuss the amendment.

The motion to amend prevails upon a roll call vote with 30 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Algiere, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Goodwin, Jabour, Kettle, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Hodgson, Moura, Pinga.

Senator Pichardo moves passage of the act, as amended, seconded by Senators Ruggerio, Goodwin and Jabour.

Senators Moura, Pichardo, DaPonte, Hodgson, Ciccone, Goodwin, Pinga, Jabour, Metts, Miller, Sheehan and Ruggerio discuss the act.

The act is read and passed, upon a roll call vote with 18 Senators voting in the affirmative and 16 Senators voting in the negative as follows:

YEAS- 18: The Honorable President Paiva Weed and Senators Ciccone, DaPonte, DeVall, DiPalma, Felag, Gallo, Goodwin, Jabour, Lynch, McCaffrey, Metts, Miller, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni.

NAYS- 16: Senators Algiere, Bates, Cote, Fogarty, Hodgson, Kettle, Lombardo, Maher, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pinga, Sheehan, Walaska.

7. 2011-S 107 SUB A

BY O'Neill E

ENTITLED, AN ACT RELATING TO INSURANCE -- AUTISM SPECTRUM DISORDERS

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

Senator O'Neill moves passage, seconded by Senators Lynch, DiPalma, Gallo, Nesselbush, Metts, Pinga, Sosnowski, Tassoni and Perry.

Senators Maher, Perry, Gallo, Sheehan and Jabour 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 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, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lombardo,

Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8. 2011-S 164

BY Lynch

ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

Senator Lynch moves passage, seconded by Senators McCaffrey, Miller, Nesselbush, Moura, Lombardo and Ruggerio.

Senator Lynch 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

2011 -- S 164

AN ACT RELATING TO ELECTIONS

Madam President:

I hereby move to amend 2011 -- S 164, entitled "AN ACT RELATING TO ELECTIONS", as follows:

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

"SECTION 1. Title 17 of the General Laws entitled "ELECTIONS" is hereby amended by adding thereto the following chapter:

CHAPTER 4.2

AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE

17-4.2-1. Compact enacted. – The interstate compact entitled the "Agreement Among the States to Elect the President by National Popular Vote" is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

ARTICLE I.

MEMBERSHIP.

Any state of the United States and the District of Columbia may become a member of this agreement by

enacting this agreement.

ARTICLE II.

RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR PRESIDENT AND VICE PRESIDENT.

Each member state shall conduct a statewide popular election for president and vice president of the United States.

ARTICLE III.

MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN MEMBER STATES.

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each state of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a "national popular vote total" for each presidential slate.

The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the "national popular vote winner."

The presidential elector certifying official of each member state shall certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner.

At least six (6) days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within twenty-four (24) hours to the chief election official of each other member state.

The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress.

In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official's own state.

If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the

appointment of such nominees.

The chief election official of each member state shall immediately release to the public all vote counts or statements of votes as they are determined or obtained.

This article shall govern the appointment of presidential electors in each member state in any year in which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.

ARTICLE IV.

OTHER PROVISIONS.

This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state.

Any member state may withdraw from this agreement, except that a withdrawal occurring six (6) months or less before the end of a president's term shall not become effective until a president or vice president shall have been qualified to serve the next term.

The chief executive of each member state shall promptly notify the chief executive of all other states of when this agreement has been enacted and has taken effect in that official's state, when the state has withdrawn from this agreement, and when this agreement takes effect generally.

This agreement shall terminate if the electoral college is abolished.

If any provision of this agreement is held invalid, the remaining provisions shall not be affected.

ARTICLE V.

DEFINITIONS.

For purposes of this agreement:

(1) "Chief executive" shall mean the governor of a state of the United States or the mayor of the District of Columbia;

(2) "Elector slate" shall mean a slate of candidates who have been nominated in a state for the position of presidential elector in association with a presidential slate;

(3) "Chief election official" shall mean the state official or body that is authorized to certify the total number of popular votes for each presidential slate;

(4) "Presidential elector" shall mean an elector for president and vice president of the United States;

(5) "Presidential elector certifying official" shall mean the state official or body that is authorized to certify

the appointment of the state's presidential electors;

(6) "Presidential slate" shall mean a slate of two (2) persons, the first of whom has been nominated as a candidate for president of the United States and the second of whom has been nominated as a candidate for vice president of the United States, or any legal successors to such persons, regardless of whether both names appear on the ballot presented to the voter in a particular state;

(7) "State" shall mean a state of the United States and the District of Columbia; and

(8) "Statewide popular election" shall mean a general election in which votes are cast for presidential slates by individual voters and counted on a statewide basis.

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

Respectfully submitted,
SENATOR MCCAFFREY

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

NAYS- 0:

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

Senators Sheehan, Moura, Lynch and Miller discuss the act.

The act is read and passed, as amended, upon a roll call vote with 30 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Algiere, Bates, Ciccone, DaPonte, DeVall, DiPalma, Felag, Fogarty, Goodwin, Hodgson, Jabour, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 4: Senators Cote, Gallo, Kettle, Sheehan.

11. 2011-S 972**BY McCaffrey****ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - VIOLATIONS**

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Sosnowski, Nesselbush, Goodwin and Hodgson.

Senators Sheehan, McCaffrey, Maher and Sosnowski discuss the act.

The act is read and passed, upon a roll call vote with 30 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, Perry, Picard, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

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

12. 2011-S 144 SUB B**BY Ruggerio****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
SCHOOL BUS SAFETY ENFORCEMENT**

Ordered on the Calendar

Senator Ruggerio moves passage, seconded by Senators Goodwin and Bates.

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

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

14. 2011-H 5257 SUB A**BY Walsh****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Committee on Judiciary recommends indefinite postponement of the original bill and

passage of Substitute A in concurrence.

Senator McCaffrey moves passage, seconded by Senators Perry, Sheehan and Nesselbush.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 27 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Paiva Weed and Senators Algiere, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Hodgson, Kettle, Maher, Moura, O'Neill, Pinga.

15. 2011-H 6041 SUB A

BY Carnevale

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULT

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 29 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Paiva Weed and Senators Algiere, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Jabour, Lombardo, Lynch, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Hodgson, Kettle, Maher.

13. 2011-S 218 SUB A

BY Metts

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

Ordered on the Calendar

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

NAYS- 0:

TRANSMITTAL

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

(See Appendix for List of Bills)

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

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Ruggerio and upon suggestion of Senator O'Neill the Senate adjourns at 6:09 o'clock P.M. in memory of Joseph R. Taylor.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR CHRISTOPHER SCOTT OTTIANO**

Dear God, we beseech you to fit us for today's work and for the work in days ahead. May we profit by this moment by being still and knowing that You alone are sufficient for all our needs. Amen.

Appendix**CONSENT CALENDAR**

IN ORDER FOR TUESDAY, JUNE 21, 2011:

1. 2011-H 5074 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
NATIONAL GUARD

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

2. 2011-H 5090

BY Ajello

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

Committee on Judiciary recommends passage in concurrence.

3. 2011-H 5287

BY Walsh

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - HAZARDOUS
WASTE CLEANUP

Committee on Environment & Agriculture recommends passage in concurrence.

4. 2011-H 5557 SUB A

BY Serpa

ENTITLED, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER HEALTH
INSURANCE AND EARLY RETIREES

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

5. 2011-H 5672 SUB A

BY Ferri

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PHYSICIAN ASSISTANTS

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

6. 2011-H 5939 SUB A

BY Carnevale

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --

RENEWABLE ENERGY STANDARD

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

7. **2011-H 5962**

BY Tomasso

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF WEST GREENWICH

Committee on Housing & Municipal Government recommends passage in concurrence.

8. **2011-H 5996**

BY Valencia

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY

Committee on Housing & Municipal Government recommends passage in concurrence.

9. **2011-H 6069**

BY Gallison

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - NATIONAL GUARD

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

10. **2011-H 6104 SUB A as amended**

BY Ruggiero

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - DISTRIBUTED GENERATION STANDARD CONTRACTS

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

11. **2011-H 6222 SUB A as amended**

BY Blazejewski

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - RENEWAL ENERGY

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

Appendix**CALENDAR****IN ORDER FOR TUESDAY, JUNE 21, 2011:****1. 2011-S 99****BY Gallo****ENTITLED, AN ACT RELATING TO TAXATION - CRANSTON**

Committee on Finance recommends passage.

2. 2011-S 615 SUB A**BY Metts****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
REGULATORY POWERS OF ADMINISTRATION**

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

3. 2011-S 629 SUB A**BY Tassoni****ENTITLED, AN ACT RELATING TO TAXATION - ASSESSMENT**

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

4. 2011-S 856**BY Sosnowski****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE STATE
BUILDING COMMISSIONER - DUTIES**

Committee on Finance recommends passage.

5. 2011-S 858**BY Felag****ENTITLED, AN ACT RELATING TO PUBLIC FINANCE - ESTABLISHING
LOCAL GOVERNMENT INVESTMENT POOLS**

Committee on Finance recommends passage.

6. 2011-S 907**BY Walaska****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CESSPOOLS**

Committee on Environment & Agriculture recommends passage.

7. 2011-S 1040**BY Bates**

ENTITLED, JOINT RESOLUTION PROVIDING GENERAL ASSEMBLY
APPROVAL OF LEASE AGREEMENTS FOR LEASED OFFICE
AND OPERATING SPACE

Committee on Finance recommends passage.

8. 2011-S 155 SUB A**BY Ciccone**

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
STATE PURCHASES

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

9. 2011-S 864 SUB A**BY Ciccone**

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS

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

10. 2011-S 865**BY Ciccone**

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
STATE PURCHASES

Committee on Government Oversight recommends passage.

11. 2011-S 866 SUB A**BY Ciccone**

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
STATE PURCHASES

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

12. 2011-S 206 as amended**BY Fogarty P**

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - STATE
BUILDING CODE

Committee on Housing & Municipal Government recommends passage as amended.

13. 2011-S 534 SUB A**BY Maher**

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

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

14. 2011-S 22 SUB A

BY Tassoni

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
SAFETY BELT USE

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

15. 2011-H 5657 as amended

BY O'Neill JP

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
SCHOOL BUS SAFETY ENFORCEMENT

Committee on Finance recommends passage as amended in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 22, 2011:

1. 2011-S 31 SUB A as amended

BY Algieri

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- CHARLESTOWN
MUNICIPAL COURT

Ordered on the Calendar

2. 2011-S 228 as amended

BY Sheehan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CEMETERIES

Ordered on the Calendar

3. 2011-S 553 SUB A

BY Fogarty P

ENTITLED, AN ACT RELATING TO THE BURRILLVILLE SEWER
COMMISSION.

Ordered on the Calendar

4. 2011-S 478 SUB A

BY Perry

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- VITAL
RECORDS

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

5. 2011-S 34**BY Tassoni****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
PAYMENT OF WAGES

Committee on Labor recommends passage.

6. 2011-S 72**BY DiPalma****ENTITLED,** AN ACT RELATING TO EDUCATION -- TEACHER RETIREMENT

Committee on Labor recommends passage.

7. 2011-S 73**BY DiPalma****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage.

8. 2011-S 371 SUB A**BY McCaffrey****ENTITLED,** SENATE RESOLUTION MEMORIALIZING THE GOVERNOR OF
THE STATE OF RHODE ISLAND TO PARDON JOHN GORDONCommittee on Special Legislation and Veterans Affairs recommends indefinite
postponement of the original bill and passage of Substitute A.**9. 2011-S 1032****BY Pichardo****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING
THE RHODE ISLAND COLLEGE GREENHOUSE

Committee on Special Legislation and Veterans Affairs recommends passage.

10. 2011-H 5276 SUB A**BY Naughton****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
PATIENT-CENTERED MEDICAL HOME ACTCommittee on Health & Human Services recommends indefinite postponement of the
original bill and passage of Substitute A in concurrence.

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 144 SUB B**BY** Senators Ruggerio, Gallo, Lanzi, Tassoni, Metts**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL BUS SAFETY ENFORCEMENT (would amend the procedures set forth in the School Bus Safety Enforcement Act) {LC563/1/B}

Also:

Senate Bill No. 218 SUB A**BY** Senators Metts, Jabour, Miller, Perry, Pichardo**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - IDENTIFICATION AND APPREHENSION OF CRIMINALS (would extend the life of the state lineup procedure task force through April 30, 2012) {LC795/1/A}

Also:

House Bill No. 5211 SUB A as amended**BY** Serpa**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES {LC794/1/A}

Also:

House Bill No. 5212**BY** Diaz, Slater, Valencia, Williams, Blazejewski**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (would include various forms of cigars, flavored cigars, flavored & unflavored blunt wraps & rolling papers as items subject to the restrictions, which prohibits the sale of certain tobacco products to minors)

Also:

House Bill No. 5264**BY** Coderre E, Serpa, Fellela, Naughton, San Bento**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- DOMESTIC VIOLENCE PREVENTION ACT (would add the crime of cyberstalking and cyberharassment pursuant to section 11-52-4.2 to the list of crimes and offenses that constitute domestic violence)

Also:

House Bill No. 5660 SUB A (Corrections)**BY** Johnston, Hull, DaSilva, McLaughlin**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - JAILS AND PRISONS (would make it unlawful for any prisoner to possess any portable electronic communication device.) {LC1243/2/A}

Also:

House Bill No. 5933 SUB A**BY** San Bento, Johnston**ENTITLED**, AN ACT RELATING TO ELECTIONS (a person who has not registered to vote, or whose registration has been canceled may cast a vote for president & vice-president on election day at his or her city or town hall or alternate location designated by the board of canvassers) {LC2108/2/A}

Also:

House Bill No. 6041 SUB A**BY** Carnevale**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULT (would make an assault on a constable whose position is authorized by Rhode Island general law 45-16-4.4 a felony.) {LC2409/1/A}

Also:

House Bill No. 6045 SUB A**BY** Naughton, Mattiello, Coderre E, Gallison, Lally**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURES -- COUNSELING (would provide that with respect to domestic violence cases & cases of DUI or drugs, a court may permit a service member or veteran to complete any court-approved counseling program administered by the Veterans' Adm.) {LC2375/1/A}

Also:

House Bill No. 6046**BY** Ajello, Tarro, O'Neill JP**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS (would delete outdated references to a department of administration personnel office regulation which does not apply to the judiciary, and would correct a reference to a repealed statute.) {LC2245/1}

Also:

House Bill No. 6047**BY** Ajello, Tarro, O'Neill JP**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COMMISSION ON JUDICIAL TENURE AND DISCIPLINE (would remove language referring to the terms of

members of the general assembly on the commission on judicial tenure and discipline. Said members were removed on July 1, 2007.) {LC2243/1}

Also:

House Bill No. 6089

BY Edwards

ENTITLED, AN ACT AUTHORIZING THE TOWN OF TIVERTON TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$7,000,000 TO FINANCE THE ACQUISITION, CONSTRUCTING, BUILDING, FURNISHING AND EQUIPPING OF A PUBLIC LIBRARY (authorizes the town of Tiverton to issue not more than \$7,000,000 bonds and notes to finance the acquisition, constructing, building, furnishing and equipping of a public library.) {LC2516/1}