

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.40

Thursday, May 5, 2011

Fortieth 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 4:29 o'clock P.M.

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

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

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirty-ninth Legislative Day of the 2011 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President, welcomes to the Chamber Louise Blakeock, Louise A. Napier, Ian W. Dow, Kin Ming Cheung and Erin V. Scott visiting from Scotland.

APPOINTMENT BY THE GOVERNOR

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

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

April 29, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-23-2 of the Rhode Island General Laws, I have made the following appointment to the Coastal Resources Management Council:

Michael Hudner of Little Compton
(Appointed/Elected Official Representing a Municipality Under 25,000)

VICE
Robert Driscoll

for a term expiring January 31, 2015.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Environment and Agriculture.

COMMUNICATION

The Honorable President presents the following communication:

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

May 5, 2011

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

Dear Secretary Brady:

I would like to take this opportunity to respectfully request that my name be removed from 2011 Senate Bill 848. I appreciate your assistance in this matter. If you have any questions, please feel free to contact me.

Sincerely,

John J. Tassoni, Jr.
Senator – District 22

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

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

Nomination of Geraldine Ann DiPaolo (reappointment) of North Providence to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Sheila Dormody (appointment) of Providence VICE Carole Belle (resigned) to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Geoffrey Kirkman (appointment) of Providence VICE Brad Gorham (resigned) to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 120 SUB A

BY Senators Bates, Walaska, Hodgson, Jabour, McCaffrey

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA DETECTION OF SEXUAL AND VIOLENT OFFENDERS (would require the collection of DNA samples for any person arrested for a crime of violence as defined in this act. This act would expand the list of crimes for which a DNA sample is required) {LC62/2/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 400 SUB A (Secretary of State)

BY Senator Metts

ENTITLED, AN ACT RELATING TO ELECTIONS - VOTER IDENTIFICATION (would provide that any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election, shall provide proof of identity) {LC1516/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 834 (Attorney General)

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO PROPERTY -- CONSERVATION AND PRESERVATION RESTRICTIONS ON REAL PROPERTY (would clarify the merger of conservation and preservation easements. This act would also provide for judicial review in cases where conservation and preservation easements are terminated or significantly amended) {LC1654/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 940****BY** Senators McCaffrey, Ruggerio, Sheehan, DeVal**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF ELIZABETH A. SIMONINI {LC2598/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Resolution No. 941**BY** Senators Paiva Weed, Ottiano, DeVal**ENTITLED**, SENATE RESOLUTION RECOGNIZING AND CONGRATULATING MRS. JUDY TRAVIS FOR MYRIAD CONTRIBUTIONS AS FACILITATOR OF THE ALZHEIMER'S CAREGIVER'S SUPPORT GROUP IN PORTSMOUTH, RHODE ISLAND {LC2581/1}

Senator Ottiano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ottiano moves passage, seconded by Senator Ruggerio.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2011-S 939**BY Tassoni****ENTITLED**, SENATE RESOLUTION CONGRATULATING THE RHODE ISLAND LIONS SIGHT FOUNDATION, INC., FOR 50 YEARS OF SERVICE

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Paiva Weed and Senators Bates, Cote, Crowley, DaPonte, DeVal, Fogarty, Gallo, Hodgson, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts,

Miller, Moura, Nesselbush, Ottiano, Perry, Picard, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, MAY 5, 2011:

1. **2011-S 753**

BY Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- CORRECTIONS DEPARTMENT

Committee on Judiciary recommends passage.

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

2. **2011-S 806**

BY Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- CORRECTIONS DEPARTMENT

Committee on Judiciary recommends passage.

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

3. **2011-S 31**

BY Algieri

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

Committee on Judiciary recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVal, Fogarty, Gallo, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2011-S 88 SUB A**BY Bates****ENTITLED, AN ACT RELATING TO INSURANCE**

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

Senator Bates moves passage, seconded by Senator Miller.

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

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

TO

2011 -- S 88 SUBSTITUTE A

AN ACT RELATING TO INSURANCE

Madam President:

I hereby move to amend 2011 -- S 88 SUBSTITUTE A, entitled "AN ACT RELATING TO INSURANCE", as follows:

1. On page 1, line 5, by deleting the language "as and may be cited", and by inserting in place thereof the language "and cited as".
2. On page 5, line 15, by deleting the number "1", and by inserting in place thereof the word "one".
3. On page 9, line 33, by deleting the word "Insurance", and by inserting in place thereof the word "insurance".
4. On page 13, line 31, by deleting the comma ",", immediately after the word "actions".
5. On page 16, line 12, by deleting the word "hat" following the word "provided", and by inserting in place thereof the word "that".

Respectfully submitted,
SENATOR BATES

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

NAYS- 0:

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

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

NAYS- 0:

5. 2011-S 101

BY Ottiano

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$350,000 BONDS BY THE TOWN OF PORTSMOUTH TO FINANCE IMPROVEMENTS TO SCHOOL BUILDINGS INCLUDING, BUT NOT LIMITED TO, BONDS AND NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Finance recommends passage.

Senator Ottiano moves passage, seconded by Senator DaPonte.

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

NAYS- 0:

6. 2011-S 106

BY Perry

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

Committee on Health & Human Services recommends passage.

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

Senators Moura, Miller, Kettle, Nesselbush, Maher, Ottiano, Sheehan, Shibley and Perry discuss the act.

The act is read and passed, upon a roll call vote with 26 Senators voting in the affirmative and 8 Senators voting in the negative as follows:

YEAS- 26: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Lanzi, Lombardo, Lynch, McCaffrey, Metts, Miller, Moura, Nesselbush, Ottiano, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 8: Senators Cote, Kettle, Maher, Moura, O'Neill, Picard, Pinga, Shibley.

7. 2011-S 144 SUB A

BY Ruggerio

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

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

Senator Ruggerio moves passage, seconded by Senators Goodwin 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 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, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Walaska.

NAYS- 0:

8. 2011-S 165 SUB A

BY Perry

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
CORRECTIONS

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

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

Senators Hodgson, Shibley discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 23 Senators voting in the affirmative and 11 Senators voting in the negative as follows:

YEAS- 23: The Honorable President Paiva Weed and Senators Ciccone, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 11: Senators Algieri, Bates, Cote, Hodgson, Kettle, Maher, Moura, O'Neill Ottiano, Pinga, Shibley.

9. 2011-S 180 SUB A

BY Picard

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - SECURITY

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

Senator Picard moves passage, seconded by Senators Miller, McCaffrey and Ciccone.

Senators Maher, Shibley, Miller, Moura Sheehan and O'Neill discuss the act.

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 4 Senators voting in the negative and 2 Senator abstaining as follows:

YEAS- 27: The Honorable President Paiva Weed and Senators Bates, Ciccone, Cote, Crowley, DeVall, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski.

NAYS- 4: Senators Kettle, Moura, Pinga, Shibley.

ABSTAINED- 2: Senators Algieri, Walaska.

10. 2011-S 283

BY Sheehan

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

Committee on Corporations recommends passage.

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

Senators Hodgson, Sheehan, Walaska, Hodgson, Miller and Moura discuss the act.

The act is read and passed, upon a roll call vote with 23 Senators voting in the affirmative and 10 Senators voting in the negative as follows:

YEAS- 23: The Honorable President Paiva Weed and Senators Ciccone, Cote, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, O'Neill, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski.

NAYS- 10: Senators Algieri, Bates, Hodgson, Kettle, Maher, Moura, Ottiano, Pinga, Shibley, Walaska.

11. 2011-S 349 SUB A

BY O'Neill E

**ENTITLED, AN ACT RELATING TO ELECTIONS -- STATEWIDE REFERENDA
ELECTIONS**

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

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

12. 2011-S 508 SUB A

BY Bates

**ENTITLED, AN ACT RELATING TO INSURANCE -- INSURANCE HOLDING
COMPANY SYSTEMS**

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

Senator Bates 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 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, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Walaska.

NAYS- 0:

13. 2011-S 507 SUB A

BY Picard

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS

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

Senator Picard moves passage, seconded by Senator Miller.

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

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

TO

2011 -- S 507 SUBSTITUTE A

AN ACT RELATING TO FINANCIAL INSTITUTIONS

Madam President:

I hereby move to amend 2011 -- S 507 SUBSTITUTE A, entitled "AN ACT RELATING TO FINANCIAL INSTITUTIONS", as follows:

1. On page 4, line 20, by deleting the language: "29-14-23(b)" and by inserting in place thereof the language: "19-14-23(b)".

Respectfully submitted,
SENATOR PICARD

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

NAYS- 0:

Senator Picard moves passage of the act, as amended, seconded by Senator Miller.

Senators Moura and Picard 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 and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch,

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

NAYS- 0:

ABSTAINED- 1: Senator Algiere.

14. 2011-S 652

BY Jabour

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES

Committee on Judiciary recommends passage.

Senator Jabour moves passage, seconded by Senators Goodwin, Crowley, Pinga and Lynch.

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

NAYS- 0:

15. 2011-S 738

BY McCaffrey

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
COMMISSION ON JUDICIAL TENURE AND DISCIPLINE**

Committee on Judiciary recommends passage.

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

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

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

NAYS- 0:

16. 2011-S 739

BY McCaffrey

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

Committee on Judiciary recommends passage.

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

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

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

NAYS- 0:

17. 2011-S 761

BY Walaska

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT

Committee on Corporations recommends passage.

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

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

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

NAYS- 0:

1. 2011-S 753

BY Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

Committee on Judiciary recommends passage.

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

Senator McCaffrey seconded by Senators Sosnowski, Ruggerio, Goodwin, Fogarty, Jabour, Lynch, Walaska and Moura, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2011 -- S 753

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

Madam President:

I hereby move to amend 2011 -- S 753, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT", as follows:

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

"SECTION 1. Section 42-56-24 of the General Laws in Chapter 42-56 entitled "Corrections Department" is hereby amended to read as follows:

42-56-24. Earned time for good behavior or program participation or completion. --

(a) A person serving a sentence of a violation of sections 11-23-1, 11-26-1.4, 11-37-2, 11-37-8.1 or 11-37-8.3 shall not be eligible to earn time off their term or terms of incarceration for good behavior.

(b) The director, or his or her designee, shall keep a record of the conduct of each prisoner, and for each month that a prisoner who has been sentenced to imprisonment for six (6) months or more and not under sentence to imprisonment for life, appears by the record to have faithfully observed all the rules and requirements of the institutions and not to have been subjected to discipline, and is serving a sentence imposed for violation of sexual offenses under sections ~~11-37-2~~, 11-37-4, 11-37-6, 11-37-8, ~~11-37-8.1 and 11-37-8.3~~ or 11-9-1.3 there shall, with the consent of the director of the department of corrections, or his or her designee, upon recommendation to him or her by the assistant director of institutions/operations, be deducted from the term or terms of sentence of that prisoner the same number of days that there are years in the term of his or her sentence; provided, that when the sentence is for a longer term than ten (10) years, only ten (10) days shall be deducted for one month's good behavior; and provided, further, that in the case of sentences of at least six (6) months and less than one year, one day per month shall be deducted.

For the purposes of this subsection computing the number of days to be deducted for good behavior, consecutive sentences shall be counted as a whole sentence. This subsection recognizes the serious nature of sex offenses; promotes community safety and protection of the public; and maintains the ability of the department of

corrections to oversee the rehabilitation and supervision of sex offenders.

~~(b)~~(c) For all prisoners serving sentences of more than one month, and not serving a sentence of imprisonment for life or a sentence imposed for a violation of the ~~sexual~~ offenses identified in subsection (a) or ~~(b)~~ the director, or his or her designee, shall keep a record of the conduct of each prisoner, and for each month that prisoner has faithfully observed all the rules and requirements of the institutions and has not been subjected to discipline, there shall, with the consent of the director of the department of corrections or his or her designee and upon recommendation by the assistant director of institutions/operations, be deducted from the term or terms of sentence of that prisoner ten (10) days for each month's good behavior.

~~(e)~~(d) For every day a prisoner shall be shut up or otherwise disciplined for bad conduct, as determined by the assistant director, institutions/operations, subject to the authority of the director, there shall be deducted one day from the time he or she shall have gained for good conduct.

~~(d)~~(e) The assistant director, or his or her designee, subject to the authority of the director, shall have the power to restore lost good conduct time in whole or in part upon a showing by the prisoner of subsequent good behavior and disposition to reform.

~~(e)~~(f) For each month that a prisoner who has been sentenced to imprisonment for more than one month and not under sentence to imprisonment for life who has faithfully engaged in institutional industries there shall, with the consent of the director, upon the recommendations to him or her by the assistant director, institutions/operations, be deducted from the term or terms of the prisoner an additional two (2) days a month.

~~(f)~~(g) Except those prisoners serving a sentence imposed for violation of subsection (a) or (b) ~~any sexual offense committed under sections 11-37-2, 11-37-4, 11-37-6, 11-37-8, 11-37-8.1, 11-37-8.3 or 11-9-1.3~~, for each month that a prisoner who has been sentenced to imprisonment for more than one month and not under sentence to imprisonment for life has participated faithfully in programs that have been determined by the director or his/her designee to address that prisoner's individual needs that are related to his/her criminal behavior, there may, with the consent of the director and upon the recommendation of the assistant director, rehabilitative services, be deducted from the term or terms of the prisoner up to an additional five (5) days a month. Furthermore, whenever the prisoner has successfully completed such program, they may; with the consent of the director and upon the recommendation by the assistant director, rehabilitative services, be deducted from the term or terms of the prisoner up to an additional thirty (30) days.

SECTION 2. Section 42-56-24 of the General Laws in Chapter 42-56 entitled "Corrections Department" is

hereby amended to read as follows:

42-56-26. Additional time allowed for meritorious service. -- With the exception of the prisoners eligible for credits pursuant to subsections 42-56-24(b) and 42-56-24(f), any prisoner sentenced to imprisonment for one year or more in the adult correctional institutions, whether the sentence was imposed before or after May 8, 1974, Prisoners sentenced to imprisonment for violations of offenses identified in section 42-56-24 (a) and (b) shall be eligible to have deducted from his or her sentence up to three (3) days per month up to a maximum of thirty-six (36) days per year, when in the determination of the director, or his or her designee, an inmate has performed heroic acts affecting the lives and welfare of the institutional personnel, inmates, or the general public, or when an inmate has submitted extraordinary and useful ideas and plans which have been implemented for the benefit of the state resulting in substantial savings and/or a higher degree of efficiency or performance while participating in and completing academic or vocational education programs, or when an inmate has submitted useful ideas concerning academic or vocational programs which have been implemented at the adult correctional institutions. Nothing in this section shall be construed to deprive a prisoner of time already accumulated or deducted prior to May 8, 1974.

SECTION 3. This act shall take effect on August 1, 2011 and shall apply to all earned time not awarded or otherwise credited to a prisoner's sentence on or before that date."

Respectfully submitted,
SENATOR MCCAFFREY

Senators Sosnowski and Lynch discuss the amendment.

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, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, McCaffrey, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Walaska.

NAYS- 0:

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

Senators Moura, McCaffrey, Ruggerio and Hodgson discuss the act.

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

NAYS- 0:

2. 2011-S 806

BY Sosnowski

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

Committee on Judiciary recommends passage.

Senator Sosnowski moves passage, seconded by Senators McCaffrey, Ruggerio,

Senator McCaffrey seconded by Senators Sosnowski, Ruggerio, Pichardo, Hodgson and Jabour, offers the following written motion to amend.

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

TO

2011 -- S 806

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT

Madam President:

I hereby move to amend 2011 -- S 806, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT", as follows:

(1) On page 3, line 1, after the language "years" by inserting the language "for murder in the second degree pursuant to sections 11-23-1 and 11-23-2,".

(2) On page 3, line 3, by deleting the language "October 31" and inserting in place thereof the language "January 1".

(3) On page 3, line 4, by deleting the numerals "2011" and inserting in place thereof the numerals "2012".

Respectfully submitted,
SENATOR MCCAFFREY

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, Crowley, DaPonte, DeVall, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Walaska.

NAYS- 0:

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

Senators Moura, McCaffrey and Hodgson discuss the act.

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

NAYS- 0:

11. 2011-S 349 SUB A

BY O'Neill E

**ENTITLED, AN ACT RELATING TO ELECTIONS -- STATEWIDE REFERENDA
ELECTIONS**

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

Senator O'Neill moves passage, seconded by Senators Sheehan, Cote, Picard, Algieri, Hodgson and Lombardo.

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

NAYS- 0:

TRANSMITTAL

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

ANNOUNCEMENTS

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

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

Senator DeVall announces that the Committee on Housing and Municipal Government will meet on Monday, May 9, 2011, at 6:00 o'clock P.M. in Room 313 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.

RECESS

Upon motion of Senator Goodwin, seconded by Senator Ruggerio, the Senate stands at recess at 4:32 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, May 10, 2011, at 4:20 o'clock P.M.

COMMITTEE ON FINANCE

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

Senate Bill No. 863

BY Senator Bates

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) {LC2450/1}

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. 60 SUB A

BY Senators Crowley, Sosnowski, DeVall, Perry, Miller

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S CARDIOVASCULAR SCREENING AND RISK REDUCTION PILOT PROGRAM (would establish a women's cardiovascular screening and risk reduction pilot program) {LC292/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 105

BY Senators Ciccone, Tassoni, Picard, Goodwin

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- OPTOMETRISTS (would prohibit insurers from requiring optometrists to participate in a subsidiary's or third-party vision care plan as a condition for participation in the insurer's participating provider panel)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 203

BY Senators Perry, DeVall, Tassoni, Crowley, Nesselbush

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES (would prohibit landlords of commercial property from limiting or restricting who may provide services to their tenants) {LC1023/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 268 (by request)

BY Senators Cote, Lombardo, Sheehan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE COORDINATING COMMITTEE ON DISABILITY RIGHTS {LC1140/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 301 SUB A**BY** Senator Felag**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - HEALTH CARE ASSISTANCE FOR WORKING PEOPLE WITH DISABILITIES (would change the determination of eligibility, premiums and co-sharing of workers with disabilities enrolled into the Sherlock Medicaid Buy-In program) {LC1065/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 303 SUB A**BY** Senators Ottiano, Bates, Kettle, Cote, Perry**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHYSICIAN ASSISTANTS (would remove the allowance for "graduate practice" status for physician assistants, would grant immunity from liability for gratuitous emergency assistance to state-licensed and federally-credentialed physician assistants) {LC1176/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 325**BY** Senators Perry, Miller, Sosnowski, Crowley, Nesselbush**ENTITLED**, AN ACT RELATING TO TAXATION -- IMAGING SERVICES SURCHARGE (excludes mammography services from the surcharge imposed on net patient revenue of service providers of imaging services) {LC1221/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 461 SUB A (OHIC)**BY** Senator Picard**ENTITLED**, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER HEALTH INSURANCE AND EARLY RETIREES (would further expand the definition of "eligible employee" under the small employer health insurance act to include a former employee of an employer who retired before normal retirement age, as defined in the US Code) {LC1320/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 467**BY** Senator Walaska**ENTITLED**, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS (would repeal the current sunset provided effective July 1, 2012) {LC1505/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 468

BY Senators Gallo, Doyle, DiPalma

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --

PSYCHOLOGISTS (would make changes regarding the licensing and discipline of psychologists) {LC1991/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 480 SUB A

BY Senator Walaska

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

(would allow the administration of immunizations by a pharmacy to adults and children nine (9) years of age and older) {LC1856/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 482

BY Senators DiPalma, Lanzi, Lynch, Ottiano

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - OPTICIANS

(would eliminate the need for an opticianary applicant to complete one year of postgraduate internship with a licensed optometrist or optician) {LC1870/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 483

BY Senators Gallo, DeVall, DiPalma

ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH (would increase the number of uniform health care benefit plans designed for their employees, that can be considered for implementation by public school systems and districts) {LC1967/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 772 SUB A as amended (Dept. of BHDDH)

BY Senators Perry, Miller, Nesselbush, DeVall, Metts

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS (would create a vocational rehabilitation purchasing program to provide employment opportunities, and to enhance the independence of people with disabilities) {LC1974/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 874 SUB A as amended (Lieutenant Governor)

BY Senators Nesselbush, Fogarty P, Jabour, Pinga, DeVall

ENTITLED, AN ACT RELATING TO INSURANCE (require an insured to designate his or her primary care physician) {LC2310/1/A}

Read and ordered to be placed on the Calendar.

COMMITTEE ON GOVERNMENT OVERSIGHT

Senator Ciccone from the Committee on Government Oversight, reports back, with recommendation of passage of the following measures:

Senate Bill No. 152 SUB A

BY Senators Ciccone, Sheehan, DiPalma, Nesselbush

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES (would permit the property committee to hire or consult outside experts) {LC694/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 153 SUB A

BY Senators DiPalma, Sheehan, O'Neill E, Nesselbush, Ciccone

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES (would require the chief purchasing officer as well as all public corporations and quasi-public agencies to monitor all state contracts with a value of greater than \$500,000 for certain changes) {LC691/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 154 SUB A as amended

BY Senators Sheehan, DiPalma, Ciccone, O'Neill E, Nesselbush

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (would add certain definitions regarding "construction management at-risk" services to the state purchases chapter) {LC696/1/A}

Read and ordered to be placed on the Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5279 as amended

BY Blazejewski, Keable, Newberry, Marcello, Petrarca

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- LOW PROFIT LIMITED LIABILITY COMPANIES

Received and referred to the Committee on Corporations.

Also:

House Bill No. 5202

BY Kennedy, Walsh, Azzinaro, Lally, Marcello

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - UNFAIR SALES PRACTICES - CONSUMER EMPOWERMENT AND IDENTITY THEFT PREVENTION ACT (would expand the social security privacy laws by prohibiting the use of any part of an individual's social security number)

Received and referred to the Committee on Corporations.

Also:

House Bill No. 5244 SUB A as amended

BY Kennedy, San Bento, Naughton, Azzinaro, Gallison

ENTITLED, AN ACT RELATING TO INSURANCE - LIFE INSURANCE BENEFICIARIES' BILL OF RIGHTS (would provide greater amounts of information and transparency for purchasers and beneficiaries of life insurance products) {LC699/1/A}

Received and referred to the Committee on Corporations.

Also:

House Bill No. 5472

BY McNamara

ENTITLED, AN ACT RELATING TO UNIFORM COMMERCIAL CODE -- SALES {LC1426/1}

Received and referred to the Committee on Corporations.

Also:

House Bill No. 5110 SUB A as amended

BY Kennedy, Coderre E, Marcello, Gallison, McNamara

ENTITLED, AN ACT RELATING TO INSURANCE (would establish the surplus lines ins. multi-state compliance compact) {LC430/2/A}

Received and referred to the Committee on Corporations.

Also:

House Bill No. 5425 SUB A

BY Walsh, Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT DENTAL SERVICE CORPORATIONS (would require dental plans to give participating dentists thirty days notice of any changes in coverage or payment for dental services) {LC1154/1/A}

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

Also:

House Bill No. 5466

BY Kennedy, Coderre E, McNamara, Naughton, Diaz

ENTITLED, AN ACT RELATING TO INSURANCE -- MANDATED BENEFITS (would repeal the sunset provision on high deductible health plans) {LC1539/1}

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

Also:

House Bill No. 5996

BY Valencia, Walsh, O`Grady, Dickinson, Tanzi

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY {LC2230/1}

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

Also:

House Bill No. 5962

BY Tomasso

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF WEST GREENWICH (would ratify and validate the amendments to the West Greenwich town charter which were approved by the electors of the town of West Greenwich at the polls on November 2, 2010.) {LC2178/1}

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

Also:

House Bill No. 6009

BY Coderre E, Messier, Johnston, O'Neill JP, DaSilva

ENTITLED, AN ACT RELATING TO VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF PAWTUCKET (would ratify certain amendments to the home rule charter of the city of Pawtucket.) {LC2334/1}

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

Also:

House Bill No. 5446 SUB A

BY Petrarca, Ucci, Morrison, O'Neill JP, Silva

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AGENCY RELATIONSHIPS IN RESIDENTIAL REAL ESTATE TRANSACTIONS (would redefine "real estate" as vacant land or land with physical improvements consisting of a house or structure comprised of four or fewer residential units for the purposes of agency relationships in residential real estate transactions.) {LC1343/2/A}

Received and referred to the Committee on Judiciary.

Also:

House Bill No. 5131 as amended

BY O'Neill JP, Flaherty, Petrarca, Ucci, Marcello

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - DISTRICT COURT (would reduce the number of divisions of the district court from six to four. To be implemented by order of the Chief Judge.)

Received and referred to the Committee on Judiciary.

TRANSFER OF BILLS

Senator Tassoni, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Housing and Municipal Government to the Committee on Finance:

Senate Bill No. 537

BY Senators Pichardo, Ciccone, Jabour, Metts, Perry

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES (would allow cities and towns by ordinance to assess users a reasonable charge for use of master alarm fire box systems of the fire departments of the cities and towns) {LC1521/1}

Read and referred to the Committee on Finance.

ADJOURNMENT

Upon motion of Senator Algieri, seconded by Senator Ruggerio, the Senate adjourns at 4:22 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR DAVID E. BATES**

Lord, as we observe Mother's Day this weekend, we ask you to bless our mothers for the endless hours of time they spent and the boundless energy they invested in us. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, MAY 10, 2011:**

- 1. Nomination of Geraldine Ann DiPaolo (reappointment) of North Providence to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013..**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

- 2. Nomination of Sheila Dormody (appointment) of Providence VICE Carole Belle (resigned) to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

- 3. Nomination of Geoffrey Kirkman (appointment) of Providence VICE Brad Gorham (resigned) to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 10, 2011:****1. 2011-S 75****BY DiPalma****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

Committee on Special Legislation and Veterans Affairs recommends passage.

2. 2011-S 171**BY DiPalma****ENTITLED, JOINT RESOLUTION CREATING A PERMANENT LEGISLATIVE
COMMISSION ON SHARED MUNICIPAL SERVICES**

Committee on Special Legislation and Veterans Affairs recommends passage.

3. 2011-S 488**BY Metts****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES
GENERALLY**

Committee on Special Legislation and Veterans Affairs recommends passage.

4. 2011-S 510**BY Lanzi****ENTITLED, AN ACT RELATING TO INSURANCE -- PRODUCER LICENSING
ACT -- LIFE AND HEALTH REINSURANCE AGREEMENTS --
COMMERCIAL SPECIAL RISKS**

Committee on Corporations recommends passage.

5. 2011-S 511**BY Miller****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ARCHITECTS**

Committee on Corporations recommends passage.

6. 2011-S 715**BY Crowley****ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION**

Committee on Corporations recommends passage.

7. 2011-S 716**BY DiPalma****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
PUBLIC ACCOUNTANCY

Committee on Corporations recommends passage.

8. 2011-S 717**BY Jabour****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS -- RHODE ISLAND NONPROFIT CORPORATION
ACT

Committee on Corporations recommends passage.

9. 2011-S 718**BY Felag****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS -- RHODE ISLAND BUSINESS CORPORATION
ACT

Committee on Corporations recommends passage.

10. 2011-S 719**BY Picard****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS -- RHODE ISLAND BUSINESS CORPORATION
ACT

Committee on Corporations recommends passage.

11. 2011-S 758 SUB A**BY Lanzi****ENTITLED,** AN ACT RELATING TO INSURANCECommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**12. 2011-S 759****BY Walaska****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS - THE RHODE ISLAND LIMITED LIABILITY
COMPANY ACT

Committee on Corporations recommends passage.

IN ORDER FOR WEDNESDAY, MAY 11, 2011:**1. 2011-S 863****BY Bates****ENTITLED,** AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT
OF LOCAL TAXES

Committee on Finance recommends passage.

2. 2011-S 152 SUB A**BY Ciccone****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
STATE PURCHASESCommittee on Government Oversight recommends indefinite postponement of the
original bill and passage of Substitute A.**3. 2011-S 153 SUB A****BY DiPalma****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
STATE PURCHASESCommittee on Government Oversight recommends indefinite postponement of the
original bill and passage of Substitute A.**4. 2011-S 154 SUB A as amended****BY Sheehan****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
STATE PURCHASESCommittee on Government Oversight recommends indefinite postponement of the
original bill and passage of Substitute A as amended.**5. 2011-S 60 SUB A****BY Crowley****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S
CARDIOVASCULAR SCREENING AND RISK REDUCTION
PILOT PROGRAMCommittee on Health & Human Services recommends indefinite postponement of the
original bill and passage of Substitute A.**6. 2011-S 105****BY Ciccone****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
OPTOMETRISTS

Committee on Health & Human Services recommends passage.

7. **2011-S 203**

BY Perry

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

Committee on Health & Human Services recommends passage.

8. **2011-S 268**

BY Cote

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
STATE COORDINATING COMMITTEE ON DISABILITY RIGHTS

Committee on Health & Human Services recommends passage.

9. **2011-S 301 SUB A**

BY Felag

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - HEALTH CARE
ASSISTANCE FOR WORKING PEOPLE WITH DISABILITIES

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

10. **2011-S 303 SUB A**

BY Ottiano

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.

11. **2011-S 325**

BY Perry

ENTITLED, AN ACT RELATING TO TAXATION -- IMAGING SERVICES
SURCHARGE

Committee on Health & Human Services recommends passage.

12. **2011-S 461 SUB A**

BY Picard

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.

13. 2011-S 467**BY Walaska****ENTITLED, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS**

Committee on Health & Human Services recommends passage.

14. 2011-S 468**BY Gallo****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PSYCHOLOGISTS**

Committee on Health & Human Services recommends passage.

15. 2011-S 480 SUB A**BY Walaska****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PHARMACIES**

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

16. 2011-S 482**BY DiPalma****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
OPTICIANS**

Committee on Health & Human Services recommends passage.

17 2011-S 483**BY Gallo****ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH**

Committee on Health & Human Services recommends passage.

18. 2011-S 772 SUB A as amended**BY Perry****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS**

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

19. 2011-S 874 SUB A as amended**BY Nesselbush****ENTITLED, AN ACT RELATING TO INSURANCE**

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

20. 2011-S 120 SUB A**BY Bates****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA
DETECTION OF SEXUAL AND VIOLENT OFFENDERS

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

21. 2011-S 400 SUB A**BY Metts****ENTITLED,** AN ACT RELATING TO ELECTIONS - VOTER IDENTIFICATION

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

22. 2011-S 834**BY Sosnowski****ENTITLED,** AN ACT RELATING TO PROPERTY -- CONSERVATION AND
PRESERVATION RESTRICTIONS ON REAL PROPERTY

Committee on Judiciary recommends passage.