

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.46

Thursday, May 19, 2011

Forty-sixth 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 4:18 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

PRESENT – 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, 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 – 2: Senators Ciccone, DaPonte.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty-fifth Legislative Day of the 2011 proceedings is read in part.

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

APPOINTMENTS BY THE GOVERNOR

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

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

May 16, 2011

TO THE HONORABLE, THE SENATE:

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

David L. DeQuattro, AIA of North Smithfield

VICE
Wilbur Yoder
(resigned)

for a term expiring April 1, 2013.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Corporations.

Also:

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

May 16, 2011

TO THE HONORABLE, THE SENATE:

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

David R. Prengaman, AIA of Riverside

for a term expiring April 1, 2016.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Corporations.

Also:

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

May 16, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.3-2 of the Rhode Island General Laws, I have made the following appointment to the Fire Safety Code Board of Appeal and Review:

Frank M. Sylvester of Pawtucket
(Permanent Fire Chief Representative)

VICE
Rene R. Coutu
(deceased)

for a term expiring March 1, 2012.

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

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

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

May 16, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.3-2 of the Rhode Island General Laws, I have made the following appointment to the Fire Safety Code Board of Appeal and Review:

William Keith Burlingame of Wakefield
(Public Member)

VICE
Mark Blackburn

for a term expiring March 1, 2013.

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

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

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

May 16, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.3-2 of the Rhode Island General Laws, I have made the following appointment to the Fire Safety Code Board of Appeal and Review:

Mark J. Blackburn of Warwick
(Licensed Professional Engineer)

VICE
Gordon Preiss

for a term expiring March 1, 2017.

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

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

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

May 16, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.3-2 of the Rhode Island General Laws, I have made the following reappointment to the Fire Safety Code Board of Appeal and Review:

Dana Newbrook of Cumberland
(Licensed Professional Architect)

for a term expiring March 1, 2017.

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

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-45-2 of the Rhode Island General Laws, I have made the following appointment to the Historical Preservation and Heritage Commission:

Pieter N. Roos of Portsmouth

VICE
Patrice O'Malley Hagan

for a term expiring June 1, 2013.

To this appointment, I request your advice and consent.

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

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

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-45-2 of the Rhode Island General Laws, I have made the following reappointment to the Historical Preservation and Heritage Commission:

Karst R. Hoogeboom of Cumberland

for a term expiring June 1, 2012.

To this reappointment, I request your advice and consent.

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

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

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-45-2 of the Rhode Island General Laws, I have made the following reappointment to the Historical Preservation and Heritage Commission:

Dr. Ronald J. Onorato of Newport

for a term expiring June 1, 2013.

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

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

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

May 17, 2011

TO THE HONORABLE, THE SECRETARY OF STATE:

I have the honor to inform you that in accordance with the provisions of Section 42-45-2 of the Rhode Island General Laws, I have made the following reappointment to the Historical Preservation and Heritage Commission:

Dr. Patrick M. Malone of Barrington

for a term expiring June 1, 2013.

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

Sincerely,



Lincoln D. Chafee
Governor

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

Also:

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

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following reappointment to the Library Board of Rhode Island:

Edward A. Garcia, Jr. of Cranston
(Representing the Economically Disadvantaged)

for a term expiring December 31, 2014.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following reappointment to the Library Board of Rhode Island:

Rose Ellen A. Reynolds of Warwick
(General Public/Library User)

for a term expiring December 31, 2012.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following reappointment to the Library Board of Rhode Island:

Bart Hollingsworth of Foster
(General Public/Library User)

for a term expiring December 31, 2012.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following reappointment to the Library Board of Rhode Island:

Thomas W. Viall of Riverside
(General Public/Library User)

for a term expiring December 31, 2012.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

May 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following reappointment to the Library Board of Rhode Island:

Joan Ress Reeves of Providence
(Representing Statewide Library Advocacy Group)

for a term expiring December 31, 2014.

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

Sincerely,



Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

May 18, 2011

The Honorable M. Teresa Paiva Weed
Senate President
State House Room 317
Providence, RI 02903

RE: Appointment of Debra A. Saunders as Clerk of the Supreme Court

Dear President Paiva Weed:

Pursuant to the provisions of Rhode Island General Laws § 8-4-2, I am hereby appointing Debra Saunders, Esq. to a five (5) year term as clerk of the Rhode Island Supreme Court effective April 30, 2011 subject to confirmation by the Senate. Ms. Saunders is currently completing the balance of the term formerly held by Pamela Woodcock Pfeiffer which term expired April 30, 2011.

Should you require any information regarding Ms. Saunders credentials, I would be happy to provide them. I appreciate your assistance and the cooperation of the Senate in this matter.

Sincerely,

Paul A. Suttell
Chief Justice

Read and ordered to be placed on file.

COMMUNICATION

The Honorable President presents the following communication:

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

May 19, 2011

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

Dear Madam President:

I am writing to inform you that I will be absent from Legislative Session on Thursday, May 19, 2011.

I would appreciate my letter being recorded in the appropriate Senate Journal.

Thank you,

Sincerely yours,

Daniel DaPonte Senator—District 14

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. 5781 SUB A

BY Marcello, Carnevale

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - LIMITED LIABILITY COMPANIES – FILING (would prohibit the secretary of state from accepting Limited Liability Company Act (LLC) conversion applications until the entity being converted to an LLC pays all outstanding franchise taxes and fees.)

Received and referred to the Senate Committee on Corporations.

House Bill No. 5389

BY San Bento, Brien, Gallison

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (would address expiration periods pertaining to any approval or permit issued pursuant to any state law.)

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

House Bill No. 5515

BY Silva

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would allow the governor's representative to the national highway traffic safety administration to appoint a designee to the state traffic commission.)

Received and Referred to Senate Committee on Housing and Municipal Government.

House Bill No. 5660 SUB A

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.)

Received and Referred to Senate Committee on Judiciary.

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)

Read and Referred to Senate Committee on Judiciary.

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.)

Read and Referred to Senate Committee on Judiciary.

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.)

Read and Referred to Senate Committee on Judiciary.

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.)

Read and Referred to Senate Committee on Judiciary.

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)

Read and Referred to Senate Committee on Judiciary.

House Bil No. 5804**BY** Carnevale, Hull, Messier, O'Neill JP, DaSilva**ENTITLED**, AN ACT RELATING TO ELECTIONS (would increase the number of voters served by the same polling place from 1,900 voters to 4,000 voters or the local election board can increase the number of votes at a single voting place above 4000 voters)

Read and Referred to Senate Committee on Judiciary.

TRANSFER OF BILLS

Senator Fogarty, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Labor to the Committee on Finance:

Senate Bill No. 402 (Elementary & Secondary Education)

BY Senators Gallo, Doyle, DiPalma

ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT (would allow certain retired teachers, administrators, and retired employees of the board of regents to be employed on a temporary basis by certain educational entities, in furtherance of the federal race to the top grant) {LC1952/1}

Read and referred to the Committee on Finance.

**REPORTS OF COMMITTEES
COMMITTEE ON EDUCATION**

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

Senate Resolution No. 912

BY Senators DiPalma, Lanzi, DeVall, Shibley

ENTITLED, SENATE RESOLUTION ENDORSING THE STATE'S EDUCATION STRATEGIC PLAN KNOWN AS TRANSFORMING EDUCATION IN RHODE ISLAND {LC2475/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 913

BY Senators DiPalma, Lanzi, DeVall, Shibley

ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS (would codify that school committees are primary advocates for public school students and would add additional phrasing to section 16-2-9.1) {LC2470/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 956

BY Senator Felag

ENTITLED, AN ACT RELATING TO EDUCATION - RHODE ISLAND CERTIFICATION STANDARDS BOARD (would add additional members of the association of independent colleges and universities of Rhode Island (AICU Rhode Island) to the policy advisory board on teacher and administrator certification) {LC2595/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 957 as amended

BY Senators Gallo, Paiva Weed, Bates, DeVall, Ruggerio

ENTITLED, AN ACT RELATING TO EDUCATION -- CAREER AND TECHNICAL EDUCATION (would require the department of elementary and secondary education to promulgate regulations pertaining to career and technical education and would report annually on a number of metrics to the house and senate) {LC2609/1}

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. 299 SUB A

BY Senators Ottiano, Bates, Shibley, O'Neill E, Lynch

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF BUSINESS REGULATION {LC1175/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 475 SUB A (by request)

BY Senators Sheehan, Miller, Tassoni, Perry

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE SERVICES--UTILIZATION REVIEW ACT (would authorize an attending physician to designate a qualified provider to provide information to the utilization agent) {LC1462/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 770 SUB A as amended (Lieutenant Governor)

BY Senator Crowley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (would require that the health insurance commissioner develop and implement standards of certification for patient-centered medical home facilities) {LC2313/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 871 SUB A**BY** Senators Picard, Ciccone, Cote, Lombardo, Miller**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS (would require any emergency services system operated by the DCYF to direct families with children in need of behavioral health evaluation to community-based settings unless the hospital emergency department is voluntarily sought or is medically necessary {LC2367/1/A})

Read and ordered to be placed on the Calendar.

Also:

Senate Resolution No. 875 SUB A**BY** Senators Perry, Crowley, Jabour, Metts, Miller**ENTITLED**, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY RHODE ISLAND EMERGENCY DEPARTMENT ROOM DIVERSION {LC2365/1/A}

Read and ordered to be placed on the Calendar.

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}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5728**BY** Brien, Baldelli-Hunt, Phillips**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - OPTICIANS (would eliminate the need for an opticianry applicant to complete one year of postgraduate internship with a licensed optometrist or optician.) {LC2006/1}

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. 5102**BY** Kennedy, San Bento, O'Neill JP, Coderre E, Baldelli-Hunt**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (would provide for motor vehicle registration plates for passenger vehicles based upon the Red Sox Foundation)

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5516**BY** Lally, Petrarca, Brien, DeSimone**ENTITLED**, AN ACT RELATING TO PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (would change the building number of the Gloria DiSandro McDonald building.) {LC1763/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 132**BY** Senator Picard**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - GAMBLING AND LOTTERIES - BINGO (would allow charitable organization operators of bingo games to employ non-members of the organization to help conduct the bingo. It would allow members or workers of the bingo operating charities to work for more than one charity or organization)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 797 (Dept. of Revenue)**BY** Senator Goodwin**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CREDIT UNIONS (would amend certain procedures necessary to conduct a savings promotion raffle under state law and would repeal the provisions of state law which authorized credit union savings lotteries) {LC2076/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 798 (Dept. of Revenue)**BY** Senator Goodwin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - VIDEO LOTTERY TERMINAL (provide that any net terminal income paid to UTGR or Newport Grand related to the marketing program shall be paid out of the share of net terminal income disbursed as an administrative expense of the division of state lottery) {LC2088/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 979****BY** Senators Bates, Walaska, Felag, McCaffrey, Metts**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE ORGANIZERS AND PARTICIPANTS OF THE 34TH ANNUAL OCEAN STATE SENIOR OLYMPICS {LC2699/1}

Senator Bates requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Bates moves passage, seconded by Senators Algieri, Ruggerio, Maher, O'Neill, Lynch, Felag, Metts and Crowley.

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

GUESTS

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President, welcomes to the Chamber Dr. William Garrahan, John Costine Cup Recipient, Dr. Patrick Conley, John Costine Cup Recipient, Jayne Headley, the Anna Tucker Cup Recipient and Michael Lyons.

CONSENT CALENDAR

In order for the day is taken up as follows:

Senate Majority Leader Ruggerio asks that item number 3 be removed from the Consent Calendar and placed on the Calendar for Tuesday, May 24, 2011.

1. 2011-H 5110 SUB A as amended**BY Kennedy****ENTITLED**, AN ACT RELATING TO INSURANCE**2. 2011-H 5566****BY Nunes****ENTITLED**, AN ACT RELATING TO INSURANCE -- PRODUCER LICENSING ACT -- LIFE AND HEALTH REINSURANCE AGREEMENTS -- COMMERCIAL SPECIAL RISKS**3. 2011-H 5576****BY Flaherty****ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PUBLIC ACCOUNTANCY**4. 2011-H 5577****BY Johnston****ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ARCHITECTS

5. 2011-H 5730 SUB A**BY Keable****ENTITLED,** AN ACT RELATING TO INSURANCE -- INSURANCE HOLDING COMPANY SYSTEMS**6. 2011-H 5775 SUB A****BY Marcello****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT**7. 2011-H 5953 SUB A****BY Marcello****ENTITLED,** AN ACT RELATING TO INSURANCE**8. 2011-H 5187****BY Keable****ENTITLED,** AN ACT RELATING TO THE TOWN OF BURRILLVILLE - VALIDATING AND RATIFYING AMENDMENTS TO HOME RULE CHARTER**9. 2011-H 5266****BY Gallison****ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF BRISTOL**10. 2011-H 5299****BY Walsh****ENTITLED,** AN ACT RELATING TO TOWN AND CITIES**11. 2011-H 5551****BY Coderre E****ENTITLED,** AN ACT RELATING TO CITIES AND TOWNS - DISTRICT MANAGEMENT AUTHORITIES**12. 2011-H 5553****BY Coderre E****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - ZONING ORDINANCES**13. 2011-H 6008****BY Ruggiero****ENTITLED,** AN ACT RELATING TO THE TOWN OF MIDDLETOWN**14. 2011-H 6009****BY Coderre E****ENTITLED,** AN ACT RELATING TO VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF PAWTUCKET

15. 2011-H 6019**BY Jackson****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -
DOGS

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

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

NAYS- 0:

TRANSMITTAL

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

ANNOUNCEMENTS

Senator DeVall announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in the Senate Lounge 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 the Senate adjourns at 4:32 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR HAROLD M. METTS**

Lord, we know not what to make of our current circumstances. These are perilous times, times of natural disasters, times of violence throughout the world, times of declining morality, and times of economic woes. We face many challenges and uncertainties, but you have given us direction and a spiritual road map to guide us. "Thy word is a lamp unto my feet and a light unto my path." You said, "If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land." Help us O Lord to heed thy word and heal us as we labor together in unity to make our state, our country, and this world a better place. Amen.

Appendix**CONSENT CALENDAR**

IN ORDER FOR TUESDAY, MAY 24, 2011:

1. 2011-S 912

BY DiPalma

ENTITLED, SENATE RESOLUTION ENDORSING THE STATE'S EDUCATION STRATEGIC PLAN KNOWN AS TRANSFORMING EDUCATION IN RHODE ISLAND

Committee on Education recommends passage.

2. 2011-H 5466

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- MANDATED BENEFITS

Committee on Health & Human Services recommends passage in concurrence.

3. 2011-H 5728

BY Brien

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - OPTICIANS

Committee on Health & Human Services recommends passage in concurrence.

4. 2011-H 5102

BY Kennedy

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

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

5. 2011-H 5516

BY Lally

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

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

JOSEPH R. BRADY
Secretary of the Senate

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 24, 2011:****1. 2011-S 179****BY Ruggerio**

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL
REGULATORY PROVISIONS - UNFAIR SALES PRACTICES -
CONSUMER EMPOWERMENT AND IDENTITY THEFT
PREVENTION ACT

Committee on Corporations recommends passage.

2. 2011-S 631**BY Pichardo**

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- BURGLARY
AND BREAKING AND ENTERING

Committee on Judiciary recommends passage.

3. 2011-S 666**BY Metts**

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Committee on Judiciary recommends passage.

4. 2011-S 741 SUB A**BY Nesselbush**

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - CRIMINAL
INJURIES COMPENSATION

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

5. 2011-H 5576**BY Flaherty**

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
PUBLIC ACCOUNTANCY

Committee on Corporations recommends passage in concurrence.

6. 2011-H 5579 SUB B**BY Medina****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS**

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

7. 2011-H 5598 SUB A**BY Lally****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND PUBLIC RAIL CORPORATION ACT**

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

IN ORDER FOR WEDNESDAY, MAY 25, 2011:**1. 2011-S 913****BY DiPalma****ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS**

Committee on Education recommends passage.

2. 2011-S 956**BY Felag****ENTITLED, AN ACT RELATING TO EDUCATION - RHODE ISLAND CERTIFICATION STANDARDS BOARD**

Committee on Education recommends passage.

3. 2011-S 957 as amended**BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION -- CAREER AND TECHNICAL EDUCATION**

Committee on Education recommends passage as amended.

4. 2011-S 299 SUB A**BY Ottiano****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF BUSINESS REGULATION**

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

5. 2011-S 475 SUB A**BY Sheehan****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE SERVICES--UTILIZATION REVIEW ACT

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

6. 2011-S 770 SUB A as amended**BY Crowley****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

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

7. 2011-S 871 SUB A**BY Picard****ENTITLED,** AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS

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

8. 2011-S 875 SUB A**BY Perry****ENTITLED,** SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY RHODE ISLAND EMERGENCY DEPARTMENT ROOM DIVERSION

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

9. 2011-S 132**BY Picard****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES - GAMBLING AND LOTTERIES - BINGO

Committee on Special Legislation and Veterans Affairs recommends passage.

10. 2011-S 797**BY Goodwin****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CREDIT UNIONS

Committee on Special Legislation and Veterans Affairs recommends passage.

11. 2011-S 798

BY Goodwin

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
VIDEO LOTTERY TERMINAL

Committee on Special Legislation and Veterans Affairs recommends passage.

JOSEPH R. BRADY
Secretary of the Senate