

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.49

Thursday, May 26, 2011

Forty-ninth 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 34 Senators present and 4 Senators absent as follows:

PRESENT – 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

ABSENT – 4: Senators Ciccone, Goodwin, Moura, Picard.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

Upon suggestion of Senator Cote 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 23, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment as Chair to the Rhode Island Human Resource Investment Council:

Constance Howes, JD, FACHE of Providence

VICE
Joseph J. MarcAurele

for a term expiring January 1, 2014.

To this appointment, I 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 23, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

Michael Grey of Providence
(Representing Business)

VICE
Mia Caetano Johnson

for a term expiring January 1, 2014.

To this appointment, I 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 12-1.1-4 of the Rhode Island General Laws, I have made the following appointment to the State Crime Laboratory Commission:

Colonel John Whiting
(Representing the Rhode Island Police Chiefs Association)

VICE
Chief George L. Kelly
(retired)

for a term to expire January 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Judiciary.

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 12-1.1-4 of the Rhode Island General Laws, I have made the following reappointment to the State Crime Laboratory Commission:

Nancy R. Haley of West Kingston

for a term to expire January 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Judiciary.

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 12-1.1-4 of the Rhode Island General Laws, I have made the following reappointment to the State Crime Laboratory Commission:

Clay J. Choquette of Glocester

for a term to expire January 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Judiciary.

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 42-55-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Housing and Mortgage Finance Corporation:

James V. DeRentis of Providence

VICE
Mark R. Noble

for a term to expire July 1, 2014.

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 17, 2011 TO THE HONORABLE, THE SENATE: I have the honor to inform you that in accordance with the provisions of Section 42-55-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Housing and Mortgage Finance Corporation: T. Paul Dimeo of Providence VICE Perry R. Clough for a term to expire July 1, 2013. To this appointment, I respectfully request your advice and consent. Sincerely, Lincoln D. Chafee Governor
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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 42-140.1-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Energy Efficiency and Resource Management Council: Abigail Anthony of Providence (Representative with Knowledge Environmental Issues Pertaining to Energy) 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 Environment and Agriculture.

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 42-140.1-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Joseph E. Newsome of Providence
(Representing Low Income User)**

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 Environment and Agriculture.

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 42-140.1-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Energy Efficiency and Resource Management Council:

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

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 Environment and Agriculture.

COMMUNICATION

The Honorable President presents the following communication:

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

May 26, 2011

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

Dear Madam President:

Please be advised that due to illness, I will be absent from the Senate session today, Thursday, May 26, 2011. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Bethany L. Moura
SENATOR, DISTRICT 19

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:

Senate Bill No. 188 SUB A

BY Senators Ruggerio, Goodwin, McCaffrey, Sosnowski, Walaska

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RECHARGEABLE BATTERY COLLECTION AND RECYCLING {LC665/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 454 SUB A

BY Senators Lombardo, Sosnowski, Paiva Weed, Ruggerio, Walaska

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION (would authorize the central landfill to accept recyclable materials originating out-of-state for the purpose of further separation and/or sale, and to accept processed construction and demolition debris for onsite daily cover purposes) {LC1544/2/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 458 SUB A

BY Senators Ruggerio, Perry, Tassoni, Miller

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY (would prohibit the docking of the tails of cattle except under certain conditions) {LC423/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 525 SUB A

BY Senators Pichardo, Metts, Jabour, Gallo, Felag

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - ENVIRONMENTAL CLEAN UP OBJECTIVES FOR SCHOOLS (would provide further regulation of the use of former hazardous waste sites for new construction) {LC1454/1/A}

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

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

Senate Bill No. 471 SUB A

BY Senators Miller, Perry, Cote, Picard, Crowley

ENTITLED, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS - LICENSING OF FACILITIES AND PROGRAMS FOR PEOPLE WHO ARE MENTALLY ILL AND/OR DEVELOPMENTALLY DISABLED (would amend the title of Chapter 40.1-24 and provide for a "deemed status" which provides for the granting of a license renewal upon a showing of accreditation by a national accreditation organization) {LC1379/2/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 841 SUB A as amended (by request)

BY Senators Algiere, Maher, Ottiano

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ADVISORY COUNCIL ON ORGAN AND TISSUE DONATIONS AND TRANSPLANTS (would establish the Rhode Island advisory council on organ and tissue donations and transplants and would also create the organ and tissue donor registration fund) {LC87/3/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 867 SUB A**BY** Senators Picard, Ciccone, Cote, Lombardo, Miller**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HOSPITAL DISCHARGE PLANNING REQUIREMENTS (would require that Rhode Island hospitals submit to the director of the department of health a plan regarding the discharge of patients) {LC2366/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 899 SUB A (Human Services)**BY** Senators Perry, Miller, DeVall, Nesselbush, Metts**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - PUBLIC ASSISTANCE ACT (would clarify that general public assistance (GPA) includes child care assistance under the Public Assistance Act of chapter 40-6) {LC1316/2/A}

Read and ordered to be placed on the Calendar.

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

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

House Bill No. 5515 (Transportation)**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.) {LC1225/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Frank M. Sylvester (Permanent Fire Chief Representative) (appointment) of Pawtucket VICE Rene R. Coutu (deceased) to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of William Keith Burlingame (Public Member) (appointment) of Wakefield VICE Mark Blackburn to the Fire Safety Code of Appeals and Review for a term expiring March 1, 2013.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Mark J. Blackburn (Licensed Professional Engineer) (appointment) of Warwick VICE Gordon Preiss to the Fire Safety Code Board of Appeal and Review for a term March 1, 2017.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Dana Newbrook (Licensed Professional Architect) (reappointment) of Cumberland to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2017.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Pieter N. Roos (appointment) of Portsmouth VICE Patrice OMalley Hagan to the Historical Preservation and Heritage Commission for a term expiring June 1, 2013.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Karst R. Hoozeboom (reappointment) of Cumberland to the Historical Preservation and Heritage Commission for a term expiring June 1, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Dr. Ronald J. Onorato (reappointment) of Newport to the Historical Preservation and Heritage Commission for a term expiring June 1, 2013.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Dr. Patrick M. Malone (reappointment) of Barrington to the Historical Preservation and Heritage Commission for a term expiring June 1, 2013.

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:

Senate Bill No. 703 SUB A

(National Guard)

BY Felag, Pichardo, Tassoni

ENTITLED, AN ACT RELATING TO PROPERTY - FORM AND EFFECT OF CONVEYANCES (would prohibit the foreclosure on property owned by persons in the military who are on active duty under military deployment unless waived in writing by the debtor) {LC2071/1/A}

Read and ordered to be placed on the Senate Calendar

Also:

Senate Resolution No. 909 SUB A**BY** Gallo

ENTITLED, SENATE RESOLUTION ENACTING THE INSTITUTION OF THE RHODE ISLAND HUMANITIES CAUCUS {LC2476/1/A}

Read and ordered to be placed on the Senate Calendar

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

Senate Bill No. 293**BY** Senators Miller, Sosnowski, Goodwin, DaPonte, Walaska

ENTITLED, AN ACT RELATING TO PUBLIC UTILITY - RATES (would harmonize electric and natural gas energy efficiency funding with the provisions of the least-cost procurement law) {LC1184/1}

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded Senators Miller and Ruggerio.

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, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni.

NAYS- 0:

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5281

BY Ruggiero, Ehrhardt, Handy, Kennedy, Naughton

ENTITLED, AN ACT RELATING TO PUBLIC UTILITY - RATES

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded Senators Miller and Ruggerio.

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, DiPalma, Doyle, Felag, Fogarty, Gallo, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

NEW BUSINESS**Senate Resolution No. 985**

BY Senators Nesselbush, Paiva Weed, Ruggerio, Doyle, Crowley

ENTITLED, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF THE HONORABLE ALBERT P. VASLET {LC2740/1}

Senator Nesselbush requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Nesselbush moves passage, seconded by Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni and Walaska.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

Senate Majority Leader Ruggerio requests that item number 7 (11-S 992) be removed from the Consent Calendar and placed on the Calendar for Tuesday, May 31, 2011.

1 2011-S 986**BY Sosnowski**

ENTITLED, SENATE RESOLUTION CONGRATULATING RAYMOND A. DRISCOLL ON BEING NAMED THE 2011 "POLICEMAN OF THE YEAR" BY THE RICHMOND GRANGE #6

2 2011-S 987**BY Sosnowski**

ENTITLED, SENATE RESOLUTION CONGRATULATING DENNIS AND MICHAEL MOFFITT ON BEING NAMED THE 2010 "COMMUNITY SERVICE CITIZENS OF THE YEAR" BY THE RICHMOND GRANGE #6

3 2011-S 988**BY Sosnowski**

ENTITLED, SENATE RESOLUTION CONGRATULATING JOHN O'MALLEY ON BEING NAMED THE 2011 "TEACHER OF THE YEAR" BY THE RICHMOND GRANGE #6

4 2011-S 989**BY Sosnowski**

ENTITLED, SENATE RESOLUTION CONGRATULATING HOPE BRYANT ON BEING NAMED THE 2011 "GRANGER OF THE YEAR" BY THE RICHMOND GRANGE #6

5 2011-S 990**BY Sosnowski**

ENTITLED, SENATE RESOLUTION CONGRATULATING BRIAN ROBERTS ON BEING NAMED THE 2011 "AGRICULTURALIST OF THE YEAR" BY THE RICHMOND GRANGE #6

6 2011-S 991**BY Sosnowski**

ENTITLED, SENATE RESOLUTION CONGRATULATING MEMBERS OF THE KINGSTON FIRE DISTRICT ON BEING NAMED THE 2011 "FIRE DEPARTMENT OF THE YEAR" BY THE RICHMOND GRANGE #6

8 2011-S 993**BY Hodgson****ENTITLED,** SENATE RESOLUTION HONORING SUSAN AYLWARD ON THE OCCASION OF HER RETIREMENT AS THE DIRECTOR OF THE NORTH KINGSTOWN FREE LIBRARY

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 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, DiPalma, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR THURSDAY, MAY 26, 2011:****1 2011-S 151****BY DeVall****ENTITLED,** AN ACT AUTHORIZING HATTIE IDE CHAFFEE NURSING HOME TO RECEIVE, HOLD, TRANSMIT AND CONVEY REAL AND PERSONAL ESTATE TO AN AMOUNT NOT EXCEEDING TWENTY MILLION DOLLARS

Committee on Finance recommends passage.

Senator DeVall moves passage, seconded by Senators DaPonte and Nesselbush.

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

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

NAYS- 0:

2 2011-S 614 SUB A**BY DaPonte****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - INDEBTEDNESS
OF TOWNS AND CITIES

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

Senator DaPonte moves passage, seconded by Senators Bates, DiPalma and Felag.

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

NAYS- 0:

3 2011-S 618 SUB A**BY DaPonte****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- BUDGET
COMMISSIONS

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

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

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

NAYS- 0:

4 2011-S 619 SUB A**BY DaPonte****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

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

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

Senator Crowley discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 28 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, O'Neill, Ottiano, Perry, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 5: Senators Crowley, Kettle, Pichardo, Pinga, Shibley.

5 2011-S 333**BY McCaffrey****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLE OFFENSES**

Committee on Judiciary recommends passage.

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

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

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

NAYS- 0:

6 2011-S 334**BY Goodwin****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- DOMESTIC
VIOLENCE PREVENTION ACT**

Committee on Judiciary recommends passage.

Upon suggestion of Senator McCaffrey and without objection, ordered to be placed on the Calendar for Tuesday, May 31, 2011.

7 2011-S 924**BY McCaffrey****ENTITLED, AN ACT ESTABLISHING A REAPPORTIONMENT COMMISSION**

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Felag, Ruggerio, Sheehan 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 Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 2011-S 925 SUB A**BY McCaffrey****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURES --
COUNSELING**

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

Senator McCaffrey moves passage, seconded by Senators Lynch, Hodgson and Shibley.

Senator Hodgson discusses 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 Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 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.

Senator Miller moves passage, seconded by Senator Ruggerio.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 1 Senator voting in the negative and 1 Senator abstaining as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sosnowski, Tassoni.

NAYS- 1: Senator Shibley

ABSTAINED- 1: Senator Algiere

TRANSMITTAL

By unanimous consent, all Senate and some House 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)

GUESTS

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President, welcomes to the Chamber Evan White from Mt. Hope High, He is also the President of the Freshman class.

Upon suggestion of Senator Doyle and by unanimous consent, the Honorable President, welcomes to the Chamber Karen Daley, PhD., RN, President of the American Nurses Association, Cathy Duquette, PhD., RN, President of the RI State Nurses Association and Senior VP of Quality at RI Hospital, Sylvia Weber, MSN, Senior Policy Consultant for the RI State Nurses Association, Nicole Cardello – The first student applicant to the RI Nurses Institute Charter School and Middle College which will open in September 2011. The first statewide public Charter High School and Middle College in the country dedicated to the nursing profession.

ANNOUNCEMENTS

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

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

Senator 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 Walaska seconded by Senator Ruggerio and upon suggestion of Senator Nesselbush the Senate adjourns at 4:50 o'clock P.M. in memory of former member of the Rhode Island State Senate, the Honorable Albert P. Vaslet.

JOSEPH R. BRADY
Secretary of the Senate

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

Dear Lord, as we reflect on the lives of all who have died in service to our country, give us the strength and fortitude to act with integrity and fidelity as we remember them this Memorial Day weekend. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, MAY 31, 2011:**

- 1 Nomination of Frank M. Sylvester (Permanent Fire Chief Representative) (appointment) of Pawtucket VICE Rene R. Coutu (deceased) to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2012..**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 2 Nomination of William Keith Burlingame (Public Member) (appointment) of Wakefield VICE Mark Blackburn to the Fire Safety Code of Appeals and Review for a term expiring March 1, 2013..**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 3 Nomination of Mark J. Blackburn (Licensed Professional Engineer) (appointment) of Warwick VICE Gordon Preiss to the Fire Safety Code Board of Appeal and Review for a term March 1, 2017..**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 4 Nomination of Dana Newbrook (Licensed Professional Architect) (reappointment) of Cumberland to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2017..**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 5 Nomination of Pieter N. Roos (appointment) of Portsmouth VICE Patrice OMalley Hagan to the Historical Preservation and Heritage Commission for a term expiring June 1, 2013..**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 6 Nomination of Karst R. Hoozeboom (reappointment) of Cumberland to the Historical Preservation and Heritage Commission for a term expiring June 1, 2012..**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

7 Nomination of Dr. Ronald J. Onorato (reappointment) of Newport to the Historical Preservation and Heritage Commission for a term expiring June 1, 2013..

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

8 Nomination of Dr. Patrick M. Malone (reappointment) of Barrington to the Historical Preservation and Heritage Commission for a term expiring June 1, 2013..

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

9 2011-H 5515

BY Silva

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Housing & Municipal Government recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 31, 2011:****1 Nomination of Michael P. Lewis (reappointment) as Director of the Department of Transportation..**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

2 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.

3 2011-S 334**BY Goodwin****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- DOMESTIC
VIOLENCE PREVENTION ACT

Committee on Judiciary recommends passage.

4 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.

5 2011-S 992**BY Gallo****ENTITLED,** SENATE RESOLUTION EXTENDING THE REPORTING AND
EXPIRATION DATES OF THE SPECIAL SENATE COMMISSION
TO STUDY THE FUNDING OF VOCATIONAL SCHOOLS

Ordered on the Calendar.

IN ORDER FOR WEDNESDAY, JUNE 1, 2011:**1 2011-S 188 SUB A****BY Ruggerio****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY --

RECHARGEABLE BATTERY COLLECTION AND RECYCLING

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

2 2011-S 454 SUB A

BY Lombardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

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

3 2011-S 458 SUB A

BY Ruggerio

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY

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

4 2011-S 525 SUB A

BY Pichardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - ENVIRONMENTAL CLEAN UP OBJECTIVES FOR SCHOOLS

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

5 2011-S 471 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS - LICENSING OF FACILITIES AND PROGRAMS FOR PEOPLE WHO ARE MENTALLY ILL AND/OR DEVELOPMENTALLY DISABLED

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

6 2011-S 841 SUB A as amended

BY Algieri

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ADVISORY COUNCIL ON ORGAN AND TISSUE DONATIONS AND TRANSPLANTS

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

7 2011-S 867 SUB A**BY Picard****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HOSPITAL
DISCHARGE PLANNING REQUIREMENTS

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

8 2011-S 899 SUB A**BY Perry****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES - PUBLIC
ASSISTANCE ACT

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

9 2011-S 703 SUB A**BY Felag****ENTITLED,** AN ACT RELATING TO PROPERTY - FORM AND EFFECT OF
CONVEYANCES

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

10 2011-S 909 SUB A**BY Gallo****ENTITLED,** SENATE RESOLUTION ENACTING THE INSTITUTION OF THE
RHODE ISLAND HUMANITIES CAUCUS

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

APPENDIX

TRANSMITTED TO THE GOVERNOR

House Bill No. 5281

BY Ruggiero, Ehrhardt, Handy, Kennedy, Naughton

ENTITLED, AN ACT RELATING TO PUBLIC UTILITY - RATES