

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.52

Thursday, June 2, 2011

Fifty-second 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 4:22 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 Algieri, 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 DiPalma to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

**REPORTS OF COMMITTEES
COMMITTEE ON EDUCATION**

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

Senate Bill No. 436 SUB A

BY Senators Gallo, Lanzi

ENTITLED, AN ACT RELATING TO EDUCATION {LC1525/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 437

BY Senators Ciccone, Pichardo, Jabour, Metts, Perry

ENTITLED, AN ACT RELATING TO LIBRARIES-REFERENCE RESOURCE CENTERS (would allow the Office of Library Information Services to rotate the location of reference resource centers) {LC1481/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 720 SUB A

BY Senators DeVall, Tassoni, Gallo, Picard

ENTITLED, AN ACT RELATING TO EDUCATION - FAMILY ENGAGEMENT ADVISORY COUNCIL (would amend Title 16 by adding a new chapter 93 to create the Rhode Island Family Engagement Advisory Council. The purpose of the council would be to promote family engagement with education practice in Rhode Island) {LC2180/1/A}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5732 SUB A

BY Senators Williams, Coderre E, Serpa, Ajello, Handy

ENTITLED, AN ACT RELATING TO EDUCATION (would require the department of education to implement a genocide education program.) {LC1938/1/A}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 1013****BY** Senators Pichardo**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE LATINA LEADERSHIP INSTITUTE CLASS OF 2011 {LC2673/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Crowley, Jabour, Metts, Pinga, Gallo, Algieri, Ruggerio and Picard.

The act is read and passed, by unanimous consent, 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, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Mrs. Carmen Diaz-Jusino, Doris Blanchard, Norelys Consuegra, Doris DeLos Santos, Aura Sanchez, Elizabeth Fernandez, Iris Silva, Josefina Dias, Karina Palaez, Lissbeth Carmona, Lissette Guzman, Magali Gracia, Magira Valentiner, Marcia DeJesus, Melida Espinal, Mercy Parada, Miguelina Dominguez, Natalia Zapata and Paula Choquette.

NEW BUSINESS**Senate Resolution No. 1012****BY** Senators Ruggerio, Goodwin**ENTITLED**, SENATE RESOLUTION EXPRESSING OUR DEEPEST CONDOLENCES ON THE PASSING OF OREST J. RICCI {LC2783/1}

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Bill No. 1014

BY Senators O'Neill E, Doyle

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS {LC2802/1}

Read and referred to the Senate Committee on Labor.

Also:

Senate Bill No. 1015

BY Senators Pinga, Shibley

ENTITLED, AN ACT RELATING TO LIBRARIES - STATE AID TO LIBRARIES
{LC2790/1}

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 1016

BY Senators Doyle, Nesselbush, Crowley, O'Neill E

ENTITLED, AN ACT RELATING TO THE CITY OF PAWTUCKET {LC2811/1}

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 1017

BY Senators Doyle, Nesselbush, Crowley, O'Neill E

ENTITLED, AN ACT RELATING TO LIBRARIES - STATE AID TO LIBRARIES
{LC2810/1}

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 1018

BY Senator Tassoni

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2812/1}

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 1019

BY Senators Lynch, McCaffrey, Jabour

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- UNIFORM INTERSTATE
FAMILY SUPPORT ACT -- GENERAL PROVISIONS {LC2816/1}

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Resolution No. 1020

BY Senator Sosnowski

ENTITLED, SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF MILTON ALLEN KELLEY {LC2794/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 1021

BY Senators Moura, Picard, Lynch

ENTITLED, SENATE RESOLUTION CONGRATULATING JANET LEVESQUE ON HER RETIREMENT FROM THE CUMBERLAND PUBLIC LIBRARY {LC2817/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 1022

BY Senator Walaska

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT OF PORT FACILITIES IN THE STATE OF RHODE ISLAND {LC2800/1}

Read and ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2011-S 1008

BY Perry

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION KNOWN AS "THE TASK FORCE ON THE EDUCATION OF CHILDREN AND YOUTH IN CARE OF THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES"

2. 2011-S 1009

BY Lombardo

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF BLUE KNIGHTS OF RHODE ISLAND, CHAPTER 1, INC.

3. 2011-S 1011

BY Paiva Weed

ENTITLED, SENATE RESOLUTION HONORING THE IBM CORPORATION ON ITS 100TH ANNIVERSARY

4. 2011-H 5202

BY Kennedy

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

5. 2011-H 5279 SUB A

BY Blazejewski

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

6. 2011-H 5781 SUB A

BY Marcello

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

7. 2011-H 5777 SUB A

BY Marcello

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

8. 2011-H 5778 SUB A

BY Marcello

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - FEES

9. 2011-H 5389

BY San Bento

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

10. 2011-H 5729

BY Slater

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CREDIT

UNIONS

11. 2011-H 6154**BY Petrarca****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER ITALICI, L.L.C.

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

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, JUNE 2, 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.

Senator Ruggerio moves passage, seconded by Senators Walaska and Jabour.

Senator Ruggerio seconded by Senators Walaska and Jabour, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2011 -- S 188 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- RECHARGEABLE BATTERY COLLECTION AND
RECYCLING

Madam President:

I hereby move to amend 2011 -- S 188 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RECHARGEABLE BATTERY COLLECTION AND RECYCLING", as follows:

(1) On page 2, line 18, after the word "than", by deleting the language "twenty-five pounds (25 lbs)", and inserting in place thereof the language "eleven pounds (11 lbs)".

(2) On page 2, line 30, after the word "batteries", by inserting the language "that weigh less than eleven pounds (11 lbs)".

(3) On page 4, line 13, after the word "Charge" by inserting the language ", at the manufacturers option,".

Respectfully submitted,
SENATOR RUGGERIO

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, 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:

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

The act is read and passed, by unanimous consent, as amended, 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 Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, 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:

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.

Senator Lombardo moves passage, seconded by Senators Lynch Ruggerio, Kettle Goodwin, DeVall, Walaska and DiPalma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 35 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DeVall, DiPalma, Doyle, Felag, Fogarty, 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- 2: Senators Ciccone, DaPonte

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.

Senator Ruggerio moves passage, seconded by Senators Goodwin, Perry and Sosnowski.

Senators Felag, Ciccone, Sosnowski and Nesselbush discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

NAYS- 0:

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.

Senator Pichardo moves passage, seconded by Senators Sosnowski, Metts, Jabour, Goodwin, Ruggerio and Ciccone.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

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.

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

Senator Perry 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 471 SUBSTITUTE A

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

Madam President:

I hereby move to amend 2011 -- S 471 SUBSTITUTE A, 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", as follows:

(1) On page 1, line 16, after the word "more", by striking the language "adults who are alcoholic, drug

abusers, mentally ill", and inserting in place thereof the following language: "persons with mental illness, addiction/substance abuse disorders".

(2) On page 2, line 7, after the word "persons", by striking the language "who are alcoholic, drug abusers, mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders".

(3) On page 2, lines 15 and 16, after the word "persons", by striking the language "who are alcoholic, drug abusers, mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders".

(4) On page 2, line 18, by striking the language "who are alcoholic, drug abusers, mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders".

(5) On page 2, lines 30 and 31, after the word "persons", by striking the language "who are alcoholic, drug abusers, mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders". (6) On page 3, lines 4 and 5, after the word "people", by striking the language "who are alcoholic, drug abusers, mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders".

(7) On page 3, lines 8 and 9, after the word "people", by striking the language: "who are alcoholic, drug abusers, mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders".

(8) On page 3, line 17, after the word "persons", the first time it appears on said line, by striking the language "who are mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders".

(9) On page 3, lines 19 and 20, after the word "people", by striking the language "who are alcoholic, drug abusers, mentally ill", and inserting in place thereof the following language: "with mental illness, addiction/substance abuse disorders".

(10) On page 4, line 33, after the word "disabled", by inserting the following language: "and adults who are alcoholic, drug abusers, mentally ill".

Respectfully submitted,
SENATOR PERRY

The motion to amend prevails upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

NAYS- 0:

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

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

NAYS- 0:

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.

Upon suggestion of Senator Ruggerio seconded by Senator Algieri, and without objection, ordered to be recommitted to the committee on Health and Human Services.

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.

Senator Picard moves passage, seconded by Senators Miller, Perry and Moura.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, 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:

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.

Senator Perry moves passage, seconded by Senator Miller.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a 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, Ciccone, 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, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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.

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Tuesday, June 5, 2011.

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.

Senator Gallo moves passage, seconded by Senators Ruggerio, Metts 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 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, 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, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11. 2011-S 284 SUB A

BY Fogarty P

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
PROPANE GAS SALES**

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

Senator Fogarty moves passage, seconded by Senators Miller, Gallo, Sosnowski, Nesselbush, Lombardo and Cote.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, 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, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12. 2011-S 498 SUB A

BY Picard

**ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR COMPETITION
AND PRACTICES**

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

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Tuesday, June 5, 2011.

13. 2011-S 512 SUB A**BY Miller****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
REAL ESTATE BROKERS AND SALESPERSONS

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

Senator Miller moves passage, seconded by Senator Jabour.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, 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, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

14. 2011-S 961**BY DaPonte****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY - ACTUARIAL
COST

Committee on Finance recommends passage.

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

Senator DaPonte seconded by Senators Gallo, Felag, Bates and Lynch, offers the following written motion to amend.

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

TO

2011 -- S 961

AN ACT RELATING TO GENERAL ASSEMBLY - ACTUARIAL COST

Madam President:

I hereby move to amend 2011 -- S 961, entitled "AN ACT RELATING TO GENERAL ASSEMBLY - ACTUARIAL COST", as follows:

1. On page 2, between lines 10 and 11, by inserting the following language:

“(d)(1) The director of the department of administration, with approval of the governor, may request a pension impact note.

(2) The reasonable cost of preparing impact notes which are not related to existing proposed legislation shall be paid from the annual appropriation for the department of administration budget.”

Respectfully submitted,
SENATOR DAPONTE

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, 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, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator DaPonte moves passage of the act, as amended, seconded by Senators Bates and DiPalma.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, 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, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

15. 2011-S 969

BY Kettle

ENTITLED, AN ACT RELATING TO THE TOWN OF COVENTRY

Committee on Housing & Municipal Government recommends passage.

Senator Kettle moves passage, seconded by Senators Moura, Metts, Jabour, Shibley, Ottiano and Maher.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, 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, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16. 2011-S 647 SUB A

BY Perry

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - ABUSED AND
NEGLECTED CHILDREN

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

Senator Perry moves passage, seconded by Senators Maher, Metts 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 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

NAYS- 0:

17. 2011-S 544 as amended

BY Crowley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
RHODE ISLAND PUBLIC RAIL CORPORATION ACT

Ordered on the Calendar.

Senator Crowley moves passage, seconded by Senators Tassoni, Ruggerio, Sosnowski, Hodgson and O'Neill.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

NAYS- 0:

18. 2011-S 719 as amended**BY Picard**

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

Ordered on the Calendar.

Senator Picard moves passage, seconded by Senators Miller, Lombardo and Pichardo.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, 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:

19. 2011-S 759 as amended**BY Walaska**

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT

Ordered on the Calendar.

Senator Walaska moves passage, seconded by Senators Bates, Ruggerio and Miller.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

NAYS- 0:

20. 2011-S 761 as amended**BY Walaska**

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

Ordered on the Calendar.

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

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

NAYS- 0:

21. 2011-H 5131 as amended

BY O'Neill JP

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

Committee on Judiciary recommends passage as amended in concurrence.

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

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Paiva Weed and Senators Algieri, 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.

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.

(See Appendix for List of Bills)

ANNOUNCEMENTS

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 Pinga announces that the Committee on Government Oversight will meet today, at the rise of the Senate, in Room 310 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 Goodwin seconded by Senator Algieri and upon suggestion of Senator Ruggerio the Senate adjourns at 5:02 o'clock P.M. in memory of Orest J. Ricci.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR LOUIS P. DIPALMA

Almighty God, as we return to this chamber, we beseech you to fit us for today's work and for the work in days ahead. Amen

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, JUNE 7, 2011:****1. 2011-S 1020****BY Sosnowski****ENTITLED,** SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES
ON THE PASSING OF MILTON ALLEN KELLEY

Ordered to be placed on the Consent Calendar.

2. 2011-S 1021**BY Crowley****ENTITLED,** SENATE RESOLUTION CONGRATULATING JANET LEVESQUE
ON HER RETIREMENT FROM THE CUMBERLAND PUBLIC
LIBRARY

Ordered to be placed on the Consent Calendar.

3. 2011-S 1022**BY Walaska****ENTITLED,** JOINT RESOLUTION EXTENDING THE REPORTING DATE OF
THE SPECIAL LEGISLATIVE COMMISSION TO STUDY
POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT
OF PORT FACILITIES IN THE STATE OF RHODE ISLAND

Ordered to be placed on the Consent Calendar.

4. 2011-H 5732 SUB A**BY Williams****ENTITLED,** AN ACT RELATING TO EDUCATIONCommittee on Education recommends indefinite postponement of the original bill and
passage of Substitute A in concurrence.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, JUNE 7, 2011:****1. 2011-S 498 SUB A****BY Picard****ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR COMPETITION
AND PRACTICES**

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

2. 2011-S 968**BY Ruggerio****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TITLE**

Committee on Housing & Municipal Government recommends passage.

3. 2011-S 228**BY Sheehan****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - CEMETERIES**

Committee on Judiciary recommends passage.

4. 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.

5. 2011-H 5729**BY Slater****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CREDIT
UNIONS**

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

IN ORDER FOR WEDNESDAY, JUNE 8, 2011:**1. 2011-S 436 SUB A****BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION**

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

2. **2011-S 437**

BY Ciccone

ENTITLED, AN ACT RELATING TO LIBRARIES-REFERENCE RESOURCE
CENTERS

Committee on Education recommends passage.

3. **2011-S 720 SUB A**

BY DeVall

ENTITLED, AN ACT RELATING TO EDUCATION - FAMILY ENGAGEMENT
ADVISORY COUNCIL

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

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 544 as amended (Transportation)

BY Senators Crowley, Tassoni

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND PUBLIC RAIL CORPORATION ACT (would empower the Rhode Island Public Rail Corporation to defend, indemnify and save harmless the Massachusetts Bay Transportation Authority (MBTA) to the extent that MBTA is required to defend and indemnify third-parties for liabilities) {LC1230/1}

Also:

Senate Bill No. 719 as amended (Secretary of State)

BY Senator Picard

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE ISLAND BUSINESS CORPORATION ACT (would require that an application for certificate of authority for a foreign corporation to transact business in this state must include, among other things, the street address of the principal office of the corporation) {LC1489/1}

Also:

Senate Bill No. 759 as amended (Secretary of State)

BY Senator Walaska

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT (would amend the schedule of filing fees payable to the secretary of state with respect to limited liability companies) {LC1501/1}

Also:

Senate Bill No. 761 as amended (Secretary of State)

BY Senator Walaska

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT (would provide that words and/or abbreviations required by statutes to identify a particular type of business entity would be disregarded if the name is distinguishable upon the records of the secretary of state) {LC1484/1}