

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.59

Tuesday, June 21, 2011

Fifty-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 4:10 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT – 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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 – 1: Senator Hodgson.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

COMMUNICATION

The Honorable President presents the following communication:

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

June 17, 2011

Dear Madam President:

I am writing to inform you that I will be absent from legislative proceedings on Tuesday, June 21, as I will be in Washington D.C. to attend a special convening of the Pew Center on the States focused on reforming public employee pensions and retiree health benefits.

I appreciate your recording of this letter in the appropriate Senate Journal.

Very truly yours,

Dawson Hodgson
Senator District 35

Read and ordered to be placed on file.

APPOINTMENTS

The Honorable President presents the following communication transmitting the following appointments:

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

June 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Newport County:

JANE M. ANTHONY OF JAMESTOWN

for a term expiring February 1, 2016

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

Sincerely,

Alice Bridget Gibney, Presiding Justice

Read and referred to the Committee on Judiciary.

Also:

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

June 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Providence and Bristol Counties:

HENRY S. KINCH, JR., OF PAWTUCKET

for a term expiring February 1, 2016

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

Sincerely,

Alice Bridget Gibney, Presiding Justice

Read and referred to the Committee on Judiciary.

Also:

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

June 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Washington County:

EDWARD P. MORRONE OF WESTERLY

for a term expiring February 1, 2016

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

Sincerely,

Alice Bridget Gibney, Presiding Justice

Read and referred to the Committee on Judiciary.

Also:

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

June 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Kent County:

NANCY STRIULI OF WARWICK

for a term expiring February 1, 2016

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

Sincerely,

Alice Bridget Gibney, Presiding Justice

Read and referred to the Committee on Judiciary.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6142 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS {LC2644/1/A}

Received and referred to the Committee on Corporations.

Also:

House Bill No. 6205 SUB A

BY Martin, Tanzi

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- COMMERCIAL FISHERIES (would provide that, except for shellfish, an unlicensed crew may assist in direct commercial operations for commercial fisheries as long as the crew is supervised by a properly licensed individual in command of a commercially declared vessel) {LC2753/1/A}

Received and referred to the Committee on Environment and Agriculture.

Also:

House Bill No. 5203 SUB A as amended

BY Kennedy, Walsh, Azzinaro, Lally, Williams

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- USED COOKING OIL RECYCLING ACT (would establish procedures and requirements for the recycling of used or waste cooking oil and would authorize the department of environmental management to promulgate regulations with respect thereto.) {LC432/3/A}

Received and referred to the Committee on Environment and Agriculture.

Also:

House Bill No. 5205 SUB A

BY DaSilva, Savage

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 {LC777/1/A}

Received and referred to the Committee on Finance.

Also:

House Bill No. 5787 SUB A (General Treasurer)

BY O'Neill JP, Johnston

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - CRIMINAL INJURIES COMPENSATION {LC1892/1/A}

Received and referred to the Committee on Finance.

Also:

House Bill No. 6188 SUB A

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

ENTITLED, AN ACT RELATING TO THE CITY OF PAWTUCKET {LC2664/1/A}

Received and referred to the Committee on Finance.

Also:

House Bill No. 5741 SUB A (Human Services)

BY Slater

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.) {LC1318/1/A}

Received and referred to the Committee on Health and Human Services

Also:

House Bill No. 6136 SUB A**BY** Keable, Newberry**ENTITLED**, AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION
{LC2613/1/A}

Received and referred to the Committee on Municipal Government.

Also:

House Bill No. 5644 SUB A (Attorney General)**BY** Marcello, Blazejewski, Hearn, Hull, O'Neill JP**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - CRIMES AGAINST PUBLIC
TRUST {LC1680/2/A}

Received and referred to the Committee on Judiciary.

Also:

House Bill No. 5161 SUB A**BY** San Bento, Phillips, Ucci, Brien, Williams**ENTITLED**, AN ACT RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN
CONTRIBUTIONS AND EXPENDITURES REPORTING (would eliminate the additional
qualification requirements of independent candidates who wish to participate in the matching
public funds program...) {LC620/1/A}

Received and referred to the Committee on Judiciary.

Also:

House Bill No. 6231**BY** Gordon**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER OF PARK AVENUE TRAVEL, LTD. {LC2839/1}

Received and referred to the Consent Calendar.

Also:

House Bill No. 6230**BY** Ucci**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER OF 15 WELLINGTON ROAD HOLDING, LLC {LC2836/1}

Received and referred to the Consent Calendar.

Also:

House Bill No. 5026 SUB A**BY** Fellela, Serpa, Malik, Cimini, Carnevale**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- LICENSED

ACTIVITIES (would prohibit financial institutions from charging fees or requiring fingerprinting for the cashing of checks from existing accounts) {LC13/1/A}

Received and referred to the Committee on Corporations.

Also:

House Bill No. 6173 SUB A**BY** Ruggiero, Savage, Messier, Hearn, Walsh**ENTITLED**, AN ACT ENACTING THE INSTITUTION OF THE RHODE ISLAND HUMANITIES CAUCUS {LC2666/1/A}

Received and referred to the Committee on Education.

Also:

House Bill No. 6005 SUB A as amended**BY** Ferri, Ehrhardt, Morgan, Edwards, Guthrie**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- CESSPOOLS (would extend the date a cesspool must be abandoned under the Rhode Island cesspool act from January 1, 2013 to January 1, 2018) {LC2314/1/A}

Received and referred to the Committee on Environment and Agriculture.

Also:

House Bill No. 5949 as amended**BY** Ajello**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES (would allow cities and towns by ordinance to assess users a reasonable charge for use of master alarm fire box systems of the fire departments of the cities and towns.) {LC1693/1}

Received and referred to the Senate Committee on Finance.

Also:

House Bill No. 5918**BY** Ucci, Petrarca**ENTITLED**, AN ACT RELATING TO TAXATION (would allow cities and towns that have a homestead exemption to extend that exemption to all owner occupied premises regardless of any law, regulation or ordinance to the contrary.) {LC1134/1}

Received and referred to the Senate Committee on Finance.

Also:

House Bill No. 5901**BY** McNamara**ENTITLED**, AN ACT RELATING TO INSURANCE -- HEALTH (would increase the number of uniform health care benefit plans designed for their employees that can be considered for implementation by public school systems and districts.) {LC2093/1}

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

Also:

House Bill No. 5275 SUB A**BY** Palumbo, Schadone, Menard, Petrarca, McCauley**ENTITLED**, AN ACT RELATING TO INSURANCE -- AUTISM SPECTRUM DISORDERS (would require coverage for the diagnosis and treatment of autism spectrum disorders) {LC220/3/A}

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

Also:

House Bill No. 5065 SUB A as amended**BY** Gallison, Fellela, Azzinaro, Messier, Martin**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- GRAVES AND CORPSES (would increase the fines for the defacing or any injury to the Soldiers' and Sailors' Monument, any public statue or monument or any grave site/cemetery and would provide for full restitution of the amount of the cost of the damages incurred) {LC419/1/A}

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5062 SUB A**BY** Gallison, Martin, San Bento, Edwards, Silva**ENTITLED**, AN ACT RELATING TO REAL PROPERTY -- TRANSFER FEES (would prohibit transfer fees based solely upon the resale or subsequent transfer of real property) {LC303/1/A}

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5017 SUB A as amended**BY** Walsh, Martin, DaSilva, Johnston, Carnevale**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE (would establish a "Blue Alert" system to assist in the apprehension of criminal suspects who are involved in the murder or serious injury of law enforcement personnel) {LC54/1/A}

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5867 SUB A

BY Hull, Tarro, Carnevale

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST (would include Providence fire department arson investigators within the definition of "peace officer".) {LC1867/1/A}

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5757 SUB A (Corrections)

BY Bennett, McLaughlin, Edwards, Azzinaro

ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - MEDICAL PAROLE (would provide a medical parole procedure for inmates who are severely ill.) {LC1764/3/A}

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5652 SUB A

BY Diaz, Slater, Ferri, Silva

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - TAXATION - TAX SALES (would provide that in the event of a tax sale of real property the tax collector would notify RIHMFC not less than 40 days prior to the date of sale & notify the dept of elderly affairs 40 days prior to the date of sale an abatement of taxes) {LC623/3/A}

Received and referred to the Senate Committee on Judiciary.

Also:

House Bill No. 5948 SUB A as amended

BY O'Neill JP, Bennett, Hull, Blazejewski, Slater

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF ADMINISTRATION (would transfer the costs associated with fire hydrants from property tax payers to water rate payers by allowing municipalities that pass an appropriate ordinance to avoid payment of hydrant rental fees.) {LC1695/1/A}

Received and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6267

BY Walsh, Schadone, Ajello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2891/1}

Received and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6213

BY McNamara

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) {LC2752/1}

Received and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6228

BY Flaherty, Bennett, McNamara

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2821/1}

Received and ordered to be placed on the Consent Calendar.

Also:

House Resolution No. 6174

BY Naughton, Coderre E

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 THE CARE OF THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES" {LC2696/1}

Received and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5661 SUB A as amended

BY O'Neill JP, Johnston, Newberry, Carnevale, Brien

ENTITLED, AN ACT RELATING TO ELECTIONS (would amend the provisions of the general laws to provide that all voting polls in the state open at 7:00 a.m. and close at 8:00 p.m.) {LC1860/1/A}

Received and ordered to be placed on the Calendar.

TRANSFER OF BILLS

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

Senate Bill No. 973

BY Senator Tassoni

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS
{LC2640/1}

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

Senator Felag, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Special Legislation on Veterans Affairs to the Committee on Finance:

Senate Bill No. 927

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO AUTHORIZING STATE-OPERATED CASINO GAMING AT TWIN RIVER SUBJECT TO STATEWIDE AND LOCAL VOTER APPROVAL (would authorize casino gaming at Twin River subject to the approval of the qualified electors of the state and the qualified electors of the town of Lincoln)
{LC2551/1}

Read and referred to Senate Finance

**REPORTS OF COMMITTEES
COMMITTEE ON FINANCE**

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

Senate Bill No. 603 SUB A

BY Senators Doyle, Gallo

ENTITLED, AN ACT RELATING TO TAXATION -- CIGARETTE TAX {LC2002/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 620

BY Senator Walaska

ENTITLED, AN ACT RELATING TO TAXATION -- EXCISE ON MOTOR VEHICLES AND TRAILERS (would provide that buses, trucks and trailers operated by a bus company or truck

company would not be subject to excise tax on the condition that the bus, truck and/or trailer is utilized exclusively for more than 80% of the time in interstate commerce) {LC2171/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 623 (Business Regulation)

BY Senators Picard, Miller

ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS - BOARDS AND COMMISSIONS (would increase the weigh-in time for fighters from twenty-four (24) hours to thirty-six (36) hours and also impose an admission tax on ticket prices) {LC1314/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON LABOR

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

House Bill No. 6076 SUB A

BY Williams, Edwards, Guthrie, Hearn, Fellela

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - APPRENTICESHIP PROGRAMS IN TRADE AND INDUSTRY (would make various amendments to the state's apprenticeship programs in trade and industry laws in order to bring Rhode Island law into conformity with the federal apprenticeship regulations.) {LC2451/1/A}

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON CORPORATIONS

Senator Miller from the Committee on Corporations, reports back, with recommendation of passage of the following measures:

Nomination of Michael Grey (Representing Business) (appointment) of Providence VICE Mia Caetano Johnson to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2014.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Constance Howes, JD, FACHE (appointment) of Providence VICE Joseph J. MarcAurele as Chair to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2014.

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5465 SUB B

BY Kennedy, San Bento

ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR COMPETITION AND PRACTICES (would change the notice requirements for reduction in coverage and premium increases for commercial property and casualty insurance policies. also provide an insured with a right to request loss information.) {LC1620/1/B}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 509 (Business Regulation)

BY Senators Bates, Miller

ENTITLED, AN ACT RELATING TO INSURANCE - VOLUNTARY RESTRUCTURING OF SOLVENT INSURERS (would amend the Voluntary Restructuring of Solvent Insurers to lower the application fee and provide for reimbursement to the state of cost incurred in solvent runoffs) {LC1237/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 513 as amended (Business Regulation)

BY Senators Jabour, Bates

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would eliminate the requirement that insurers file reports concerning liquor liability insurance, workers' compensation insurance, casualty insurance rating and assigned risk plans) {LC1224/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 515 (Business Regulation)

BY Senators Bates, Jabour

ENTITLED, AN ACT RELATING TO INSURANCE (would repeal the chapter entitled administrative supervision act and correct typographical errors in the credit and group life chapters) {LC1257/1}

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 27

BY Senators Walaska, Lynch

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ACCIDENTS AND ACCIDENT REPORTS (would provide for the mandatory minimum two year revocation of an operator's license when convicted of leaving the scene of an accident resulting in serious bodily injury)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 217 SUB A

BY Senators DeVall, Crowley, Tassoni

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - ASSAULTS (would provide that choking or strangling another person would be a felony assault, whether or not the choking or strangling results in serious bodily injury) {LC941/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 346

BY Senators Lombardo, Nesselbush, Lynch, Shibley, Crowley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE TELEPHONE USE (would make unlawful the use of a non-hands-free mobile telephone by any person under 21 while operating a motor vehicle on any highway, road or street within the state with the exception of public safety personnel) {LC1183/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 686 (by request)

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - JUDICIAL SELECTION {LC2081/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 885 (Lieutenant Governor)

BY Senators Pichardo, Tassoni

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - EMERGENCY MANAGEMENT {LC2311/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 889

BY Senators Ciccone, Lanzi, Ruggerio

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND JUSTICE COMMISSION (would remove legislators from the criminal justice policy board) {LC2473/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 1030

BY Senator Nesselbush

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2788/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6190

BY Mattiello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Gary E. Hicks, Associate Justice of the Supreme Court of the State of NH, to join Alison Reinhard and James G. Hicks in marriage within the City of Newport, RI, on or about September 8, 2012) {LC2720/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6201

BY Ehrhardt

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Laurence Williamson Ehrhardt to join Catherine Anne Ehrhardt and John Darby Mitchell in marriage on or about September 24, 2011, within the Town of Jamestown, Rhode Island.) {LC2757/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6202**BY** Edwards, Morrison, Gallison**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Ann Grealish-Rust to join Rachel Stern and Jesse Fortes in marriage on or about September 3, 2011, within the Town of Bristol, Rhode Island.) {LC2755/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Debra Saunders term as clerk of the Rhode Island Supreme Court effective April 30, 2011.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senators Jabour, Nesselbush, Bates, Sosnowski, Metts, DeVall, Shibley and Moura.

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, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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:

GUESTS

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President, welcomes to the Chamber clerk of the Rhode Island Supreme Court Debra Saunders along with her husband, Bob Saunders, brother, Kevin Neff, niece, Kailey Neff, nephew Hunter Neff, goddaughters Danielle and Grace Thompson and friend Jim Thompson.

Upon suggestion of Senator Ruggerio and by unanimous consent, the Honorable President, welcomes to the Chamber Deputy Clerk Jean Maggiacomo, assistant Clerks Estelle Lupo Lauren Ezokski and Kim Perez.

NEW BUSINESS**Senate Resolution No. 1060****BY** Senator Pichardo**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE SOUTH SIDE COMMUNITY LAND TRUST ON THIRTY YEARS OF SUPPORTING AND ENERGIZING PROVIDENCE'S URBAN AGRICULTURE INITIATIVES {LC2865/1}

Senator Miller requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Resolution No. 1061

BY Senator Goodwin

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS {LC2918/1}

Read and referred to the Committee on Finance.

Also:

Senate Bill No. 1062

BY Senators Jabour, Goodwin, Metts, Pichardo, Ruggerio

ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS {LC2916/1}

Read and referred to the Committee on Education.

Also:

Senate Bill No. 1063 (by request)

BY Senators DiPalma, Lanzi, Bates

ENTITLED, AN ACT RELATING TO HIGHWAYS - RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY - NEWPORT BRIDGE TOLLS {LC2832/1}

Read and referred to the Committee on Judiciary.

Also:

Senate Resolution No. 1064

BY Senators Ottiano

ENTITLED, SENATE RESOLUTION CONGRATULATING DR. SUSAN FOLLETT LUSI ON SIX YEARS OF OUTSTANDING AND DEDICATED SERVICE AS SUPERINTENDENT OF THE PORTSMOUTH SCHOOL DEPARTMENT {LC2915/1}

Read and ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2011-H 5074 SUB A**

BY Gallison

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

2. **2011-H 5090**

BY Ajello

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

3. **2011-H 5287**

BY Walsh

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

4. **2011-H 5557 SUB A**

BY Serpa

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

5. **2011-H 5672 SUB A**

BY Ferri

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

6. **2011-H 5939 SUB A**

BY Carnevale

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

7. **2011-H 5962**

BY Tomasso

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

8. **2011-H 5996**

BY Valencia

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY

9. **2011-H 6069**

BY Gallison

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

10. 2011-H 6104 SUB A as amended**BY Ruggiero****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
DISTRIBUTED GENERATION STANDARD CONTRACTS**11. 2011-H 6222 SUB A as amended****BY Blazejewski****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
RENEWAL ENERGY

Upon motion of Senator Ruggiero, 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, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggiero, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR TUESDAY, JUNE 21, 2011:****8. 2011-S 155 SUB A****BY Ciccone****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
STATE PURCHASES

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

Senator Ciccone moves passage, seconded by Senators Maher, Sheehan and Ruggiero.

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 and 1 Senator abstaining as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Kettle, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggiero, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Lanzi.

9. 2011-S 864 SUB A**BY Ciccone****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS**

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

Senator Ciccone moves passage, seconded by Senators Sheehan, DiPalma And Ruggerio.

Senator Ciccone seconded by Senators Sheehan, Maher and Ruggerio, offers the following written motion to amend.

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

TO

2011 -- S 864 SUBSTITUTE A

AN ACT RELATING TO PUBLIC PROPERTY AND WORKS

Madam President:

I hereby move to amend 2011 -- S 864 SUBSTITUTE A, entitled "AN ACT RELATING TO PUBLIC PROPERTY AND WORKS", as follows:

(1) On page 2, line 16, by deleting the words "department of transportation".

Respectfully submitted,
SENATOR CICCONE

The motion to amend prevails 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, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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 Ciccone moves passage of the act, as amended, seconded by Senators Sheehan, Maher and Ruggerio.

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, 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:

10. 2011-S 865

BY Ciccone

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

Committee on Government Oversight recommends passage.

Senator Ciccone moves passage, seconded by Senators DiPalma, Maher and Goodwin.

Senator Ciccone seconded by Senators DiPalma and Ruggerio, offers the following written motion to amend.

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

TO

2011 -- S 865

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

Madam President:

I hereby move to amend 2011 -- S 865, entitled "AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES", as follows:

(1) On page 2, line 24, by deleting the language "department of transportation".

Respectfully submitted,
SENATOR CICCONE

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, 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 Ciccone moves passage of the act, as amended, seconded by Senators Ruggerio, Maher and Sheehan.

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 Algieri, Bates, Ciccone, Cote, Crowley, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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:

11. 2011-S 866 SUB A

BY Ciccone

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

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

Senator Ciccone moves passage, seconded by Senators Sheehan, Cote and Maher.

Senator Ciccone seconded by Senator Ruggerio, offers the following written motion to amend.

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

TO

2011 -- S 865

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

Madam President:

I hereby move to amend 2011 -- S 865, entitled "AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES", as follows:

(1) On page 2, line 24, by deleting the language "department of transportation".

Respectfully submitted,
SENATOR CICCONE

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, 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 Ciccone moves passage of the act, as amended, seconded by Senators Cote, DiPalma and Sheehan.

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, 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:

1. 2011-S 99

BY Gallo

ENTITLED, AN ACT RELATING TO TAXATION - CRANSTON

Committee on Finance recommends passage.

Senator Gallo moves passage, seconded by Senators Miller, Pichardo and Felag.

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, Goodwin, 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:

2. 2011-S 615 SUB A

BY Metts

**ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
REGULATORY POWERS OF ADMINISTRATION**

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

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

Senator Goodwin seconded by Senator Jabour, offers the following written motion to amend.

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

TO

2011 -- S 615 SUBSTITUTE A

**AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF
ADMINISTRATION**

Madam President:

I hereby move to amend 2011 -- S 615 SUBSTITUTE A, entitled "AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF ADMINISTRATION", as follows:

(1) On page 2, line 13, by deleting the language "of that", and by inserting in place thereof the language "within the".

(2) On page 2, line 13, after the word "municipality", by inserting the language "which enacted the enabling ordinance".

Respectfully submitted,
SENATOR GOODWIN

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator McCaffrey.

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

The act is read and passed, by unanimous consent, as amended, 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, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Gallo, Goodwin, 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:

3. 2011-S 629 SUB A

BY Tassoni

ENTITLED, AN ACT RELATING TO TAXATION - ASSESSMENT

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

Upon suggestion of Senator Tassoni and without objection, ordered to be placed on the Calendar for Thursday, June 23, 2011.

4. 2011-S 856

BY Sosnowski

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE STATE
BUILDING COMMISSIONER - DUTIES**

Committee on Finance recommends passage.

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

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, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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 858

BY Felag

**ENTITLED, AN ACT RELATING TO PUBLIC FINANCE - ESTABLISHING
LOCAL GOVERNMENT INVESTMENT POOLS**

Committee on Finance recommends passage.

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

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

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

TO

2011 -- S 858 AS AMENDED

AN ACT RELATING TO PUBLIC FINANCE - ESTABLISHING LOCAL GOVERNMENT INVESTMENT POOLS

Madam President:

I hereby move to amend 2011 -- S 858 AS AMENDED, entitled "AN ACT RELATING TO PUBLIC FINANCE - ESTABLISHING LOCAL GOVERNMENT INVESTMENT POOLS", as follows:

By deleting all of the language after the enactment clause and by inserting the following:

"SECTION 1. Title 35 of the General Laws entitled "PUBLIC FINANCE" is hereby amended by adding thereto the following chapter:

CHAPTER 35-10.2

RHODE ISLAND LOCAL GOVERNMENT INVESTMENT POOL

35-10.2-1. Short title. -- This chapter shall be known and may be cited as the "Rhode Island Local Government Investment Pool Act".

35-10.2-2. Purpose. -- The purpose of this chapter is to enable eligible governmental entities to participate with the state in providing maximum opportunities for the investment of public funds consistent with safety and protection of such funds. It is the intention of the general assembly in enabling the general treasurer with the approval of the state investment commission to establish the said investment pools, that the general treasurer and state investment commission consider the importance of retaining deposits with the banks located and operating within the state, that further consideration be given to a bank's commitment to the various communities within the state, the bank's role as an employer within the state, as well as the bank's commitment to the growth of economic development within the state. **35-10.2-3. Definitions.** -- As used in this chapter, the following terms, unless the context requires a different interpretation, have the following meanings:

(1) "Commission" means the state investment commission;

(2) "Participation Unit" means the equal proportionate share into which the beneficial interest in the trust is divided and includes a fraction of a unit as well as whole units.

35-10.2-4. Establishing investment pools. -- Notwithstanding and general or special law or regulation to the contrary, the general treasurer may establish, subject to the approval of the commission, one or more investment pool

trust funds containing certain monies in accordance with section 35-10.2-5.

35-10.2-5. Monies included in investment pools. -- Each investment pool trust fund may contain any or a combination of any of the following:

- (1) Monies of the several funds of the state according to section 35-10-2;
- (2) The proceeds of all bond issues not immediately required; or
- (3) The funds under the custody of agencies, authorities, commissions, boards, municipalities, political subdivisions and other public units of the state.

35-10.2-6. Trustee of the funds. -- The general treasurer shall serve as trustee for each established investment pool trust fund in accordance with this chapter.

35-10.2-7. Investment of funds. -- The general treasurer shall invest each investment pool trust fund in instruments prescribed, and in amounts approved, by the commission in accordance with section 35-10-6.

35-10.2-8. Participation units. -- The general treasurer is authorized to sell to all agencies, authorities, commissions, boards, municipalities, political subdivisions, and other public units of the state, participation units in any such combined investment trust fund. Such participation units are made legal investments for all the funds under the custody of such agencies, authorities, commissions, boards, municipalities, political subdivisions, and other public units of the state.

35-10.2-9. Reporting. -- (a) The general treasurer shall keep a separate account of each participant having funds in the investment pool. Each separate account shall record the individual amounts deposited in the investment pool, the date of withdrawals, and the earnings credited or paid. The general treasurer shall report monthly the status of the respective account to each participant having funds in the pool during the previous month.

(b) At the end of each fiscal year, the general treasurer shall submit to the governor and the state auditor a summary of the activity of the investment pool. The summary shall indicate the quantity of funds deposited; the earnings of the pool; the investments purchased, sold, or exchanged; the administrative expenses of the investment pool; and such other information as the state treasurer deems relevant.

35-10.2-10. Rules and regulations. -- The general treasurer, subject to the approval of the commission, shall by rule prescribe the time periods for investments in the investment pool and the procedure for withdrawal of funds from the investment pool. The state treasurer shall promulgate such other rules as are deemed necessary for the efficient operation of the investment pool.

35-10.2-11. Severability. -- The holding of any section or sections or parts thereof to be void, ineffective, or

unconstitutional for any cause shall not be deemed to affect any other section or part thereof.

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

Respectfully submitted,
SENATOR DAPONTE

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Bates, Cote, Crowley, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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 Felag moves passage of the act, as amended, seconded by Senator Bates.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative and 2 abstaining as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Bates, Cote, Crowley, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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:

ABSTAINED- 2: Senators Algieri, DaPonte.

6. 2011-S 907

BY Walaska

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

Committee on Environment & Agriculture recommends passage.

Upon suggestion of Senator Ruggerio, seconded by Senator Bates and without objection, ordered to be recommitted to the committee on Environment and Agriculture.

7. 2011-S 1040

BY Bates

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

Committee on Finance recommends passage.

Senator Bates moves passage, seconded by Senator DiPalma

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

12. 2011-S 206 as amended

BY Fogarty P

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

Committee on Housing & Municipal Government recommends passage as amended.

Senator Fogarty moves passage, seconded by Senators Tassoni, DeVall, Nesselbush and Crowley.

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, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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:

13. 2011-S 534 SUB A

BY Maher

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

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

Senator Maher moves passage, seconded by Senators Tassoni and DeVall.

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 Algiere, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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:

14. 2011-S 22 SUB A

BY Tassoni

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

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

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Wednesday, June 22, 2011.

15. 2011-H 5657 as amended

BY O'Neill JP

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

Committee on Finance recommends passage as amended in concurrence.

Senator Ruggerio moves passage, seconded by Senator Metts.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, 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, some 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 Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Katherine Brown, Executive Director, Garmai Mawalo, Michelle Walker, Deborah Schimberg and Vera Wayne.

ANNOUNCEMENTS

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

Senator DeVall announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 310 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.

Senator Lombardo announces that the Committee on Labor will meet tomorrow, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Lynch announces that the Committee on Special Legislation and Veterans' Affairs will meet tomorrow, the rise of the Senate, in Room 211 the State House.

Senator DaPonte announces that Senate President M. Teresa Paiva Weed was recognized by the government of Portugal and awarded the Order of Merit by the Ambassador of Portugal.

Senator DaPonte announces that the Senate will meet on Thursday, June 23, 2011 at 4:00 o'clock P.M. in the Senate Lounge for a Budget Briefing.

Senator Felag announces that the Committee on Finance will meet today, and Thursday, June 23, 2011, at the rise of the Senate, in Room 211 of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Ruggerio the Senate adjourns at 4:52 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR HANNA M. GALLO**

Dear God, please bless us during our final days of adjournment. May we all enjoy the summer months ahead until we all meet again in this chamber to assist our fellow Rhode Islanders. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, JUNE 22, 2011:**

- 1. Nomination of Michael Grey (Representing Business) (appointment) of Providence VICE Mia Caetano Johnson to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2014..**

Committee on Corporations recommends that the Senate give its Advice and Consent to this nomination.

- 2. Nomination of Constance Howes, JD, FACHE (appointment) of Providence VICE Joseph J. MarcAurele as Chair to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2014..**

Committee on Corporations recommends that the Senate give its Advice and Consent to this nomination.

- 3. 2011-S 1030
BY Nesselbush
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

- 4. 2011-S 1064
BY Ottiano
ENTITLED, SENATE RESOLUTION CONGRATULATING DR. SUSAN FOLLETT LUSI ON SIX YEARS OF OUTSTANDING AND DEDICATED SERVICE AS SUPERINTENDENT OF THE PORTSMOUTH SCHOOL DEPARTMENT**

Ordered to be placed on the Consent Calendar

- 5. 2011-H 5465 SUB B
BY Kennedy
ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR COMPETITION AND PRACTICES**

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

- 6. 2011-H 5948 SUB A as amended
BY O'Neill JP
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF ADMINISTRATION**

Ordered to be placed on the Consent Calendar

7. **2011-H 6076 SUB A**

BY Williams

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
APPRENTICESHIP PROGRAMS IN TRADE AND INDUSTRY

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

8. **2011-H 6174**

BY Naughton

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 THE CARE OF THE
DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES" {LC2696/1}

Ordered to be placed on the Consent Calendar.

9. **2011-H 6190**

BY Mattiello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

10. **2011-H 6201**

BY Ehrhardt

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

11. **2011-H 6202**

BY Edwards

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

12. **2011-H 6213**

BY McNamara

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) {LC2752/1}

Ordered to be placed on the Consent Calendar

13. 2011-H 6228**BY Flaherty****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
{LC2821/1}

Ordered to be placed on the Consent Calendar.

14. 2011-H 6230**BY Ucci****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF 15 WELLINGTON ROAD HOLDING, LLC

Ordered to be placed on the Consent Calendar

15. 2011-H 6231**BY Gordon****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF PARK AVENUE TRAVEL, LTD.

Ordered to be placed on the Consent Calendar

16. 2011-H 6267**BY Walsh****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered to be placed on the Consent Calendar

Appendix**CALENDAR**

IN ORDER FOR WEDNESDAY, JUNE 22, 2011:

1. 2011-S 31 SUB A as amended

BY Algieri

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

Ordered on the Calendar

2. 2011-S 228 as amended

BY Sheehan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - CEMETERIES

Ordered on the Calendar

3. 2011-S 553 SUB A

BY Fogarty P

**ENTITLED, AN ACT RELATING TO THE BURRILLVILLE SEWER
COMMISSION**

Ordered on the Calendar

4. 2011-S 478 SUB A

BY Perry

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

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

5. 2011-S 22 SUB A

BY Tassoni

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

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

6. 2011-S 34

BY Tassoni

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
PAYMENT OF WAGES**

Committee on Labor recommends passage.

7. **2011-S 72**

BY DiPalma

ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHER RETIREMENT

Committee on Labor recommends passage.

8. **2011-S 73**

BY DiPalma

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage.

9. **2011-S 371 SUB A**

BY McCaffrey

ENTITLED, SENATE RESOLUTION MEMORIALIZING THE GOVERNOR OF
THE STATE OF RHODE ISLAND TO PARDON JOHN GORDON

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

10. **2011-S 1032**

BY Pichardo

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING
THE RHODE ISLAND COLLEGE GREENHOUSE

Committee on Special Legislation and Veterans Affairs recommends passage.

11. **2011-H 5276 SUB A**

BY Naughton

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
PATIENT-CENTERED MEDICAL HOME ACT

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

IN ORDER FOR THURSDAY, JUNE 23, 2011:

1. **2011-S 509**

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE - VOLUNTARY
RESTRUCTURING OF SOLVENT INSURERS

Committee on Corporations recommends passage.

2. 2011-S 513 as amended**BY Jabour****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

Committee on Corporations recommends passage as amended.

3. 2011-S 515**BY Bates****ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Corporations recommends passage.

4. 2011-S 603 SUB A**BY Doyle****ENTITLED, AN ACT RELATING TO TAXATION -- CIGARETTE TAX**

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

5. 2011-S 620**BY Walaska****ENTITLED, AN ACT RELATING TO TAXATION -- EXCISE ON MOTOR VEHICLES AND TRAILERS**

Committee on Finance recommends passage.

6. 2011-S 623**BY Picard****ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS - BOARDS AND COMMISSIONS**

Committee on Finance recommends passage.

7. 2011-S 629 SUB A**BY Tassoni****ENTITLED, AN ACT RELATING TO TAXATION - ASSESSMENT**

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

8. 2011-S 27**BY Walaska****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ACCIDENTS AND ACCIDENT REPORTS**

Committee on Judiciary recommends passage.

9. 2011-S 217 SUB A**BY DeVall****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES - ASSAULTS

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

10. 2011-S 346**BY Lombardo****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOBILE TELEPHONE USE

Committee on Judiciary recommends passage.

11. 2011-S 686**BY Goodwin****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
COURTS - JUDICIAL SELECTION

Committee on Judiciary recommends passage.

12. 2011-S 885**BY Pichardo****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -
EMERGENCY MANAGEMENT

Committee on Judiciary recommends passage.

13. 2011-S 889**BY Ciccone****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
RHODE ISLAND JUSTICE COMMISSION

Committee on Judiciary recommends passage.

14. 2011-H 5661 SUB A as amended**BY O'Neill JP****ENTITLED,** AN ACT RELATING TO ELECTIONS

Ordered on the Calendar

APPENDIX

TRANSMITTED TO THE GOVERNOR

House Bill No. 5074 SUB A**BY Gallison, Fellela, Azzinaro, Messier, Martin**

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD (would eliminate the mandate that commissioned officers in the judge advocate general's dept be a member of the RI bar, provided there is compliance with the RI Supreme Court Rules) {LC418/1/A}

House Bill No. 5090**BY Ajello, Mattiello, Newberry, O'Neill JP, Walsh**

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- IDENTIFICATION AND APPREHENSION OF CRIMINALS (would extend the life of the task force on improvement of lineup procedures) {LC280/1}

House Bill No. 5257 SUB A**BY Walsh, Ruggiero, Tanzi, Ajello, Costa**

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (would create the Healthy Pregnancies for Incarcerated Women Act in order to provide restrictions on the physical restraint of pregnant prisoners) {LC727/2/A}

House Bill No. 5578 SUB A**(Dept. of Business Regulation)****BY Medina, Nunes, Johnston, Williams, Tanzi**

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE BROKERS AND SALESPERSONS {LC1312/1/A}

House Bill No. 5657 as amended**BY O'Neill JP, Melo, Valencia, Tomasso, Hull**

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL BUS SAFETY ENFORCEMENT (would amend various sections regarding school bus safety enforcement and would add new sections permitting the enforcement of certain traffic violations based on evidence obtained from a school bus safety video monitoring system.) {LC884/1}

House Bill No. 5672 SUB A**BY Ferri, Cimini, Bennett, Hull, Edwards**

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHYSICIAN ASSISTANTS {LC1839/2/A}

House Bill No. 6096**BY Ucci**

ENTITLED, AN ACT ESTABLISHING A REAPPORTIONMENT COMMISSION

(would create an 18 member special commission on reapportionment whose purpose is to draft and to report to the general assembly an act to reapportion the districts of the general assembly and the state's United States Congressional districts.) {LC2555/1}

House Bill No. 6109**BY Nunes**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Randy Kenney to join Kevin Snow and Kelli Rose in marriage on or about October 1, 2011, within the Town of North Kingstown, Rhode Island) {LC2561/1}

House Bill No 6120**BY Ferri**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Frank Ferri to join Patty Ann McDonald and Paul Gerard Norato in marriage on or about August 13, 2011, within the City of Providence, RI) {LC2570/1}

House Bill No. 6138**BY Lima**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Charlene M. Lima to join Turibia Sophia Dorothy Alves and David Paul Baribault in marriage on or about October 15, 2011, within the City of Cranston, Rhode Island.) {LC2628/1}

House Bill No. 6144**BY Martin, Ucci**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Sister Mary McDevitt, IHM, to join John William McDevitt and Kimberly Devine in marriage on or about August 7, 2011, within the City of Newport, Rhode Island.) {LC2658/1}

House Bill No. 6145**BY Brien, Baldelli-Hunt, Phillips**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Jean Rondeau to join Debra Theresa Coutu and Dennis Rene Tancrell in marriage within the City of Woonsocket, Rhode Island, on or about September 3, 2011.) {LC2646/1}

House Bill No. 6175**BY Jackson**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Daniel Sassman to join Dawn Boudria and Brian Curtis in marriage on or about October 9, 2011, within the Town of Middletown, Rhode Island) {LC2650/1}