

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 third day of January in the year of Our Lord two thousand and twelve.

Volume 139, No.47

Thursday, May 10, 2012

Forty-seventh 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 4:21 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, 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 – 1: Senator Doyle.

INVOCATION

The Honorable President, by unanimous consent, presents Senator O'Neill to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty-sixth Legislative Day of the 2012 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Sheehan and by unanimous consent, the Honorable President, welcomes to the Chamber Mr. Nathan McGuire.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No. 7542 SUB A

BY Naughton, Morrison, Keable, Baldelli-Hunt, Walsh

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO ASSESS THE EDUCATIONAL NEEDS OF CHILDREN WITH READING DISABILITIES AND DYSLEXIA

{LC1256/A/2}

Read and ordered to the Committee on Education.

Also:

House Bill No. 7739 SUB A

BY McNamara, Handy, Bennett, Hull, Savage

ENTITLED, AN ACT RELATING TO EDUCATION -- CHILDREN WITH DISABILITIES (add a rep. of community-based providers of services to adults with disabilities and a rep. of community-based providers of adult behavioral healthcare to the interagency transition council within the dept. of elementary and secondary education)

{LC1731/A/1}

Read and ordered to the Committee on Education.

Also:

House Bill No. 8046

BY Chippendale, Winfield

ENTITLED, AN ACT RELATING TO THE PRESERVATION OF FARM LAND AND OPEN SPACE IN THE TOWN OF GLOCESTER AND ESTABLISHING A LAND TRUST

{LC2370/1}

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

Also:

House Bill No. 7225 SUB A**BY** Gallison, Silva, O'Neill, Keable, Jackson**ENTITLED**, AN ACT RELATING TO PROPERTY - FORM AND EFFECT OF CONVEYANCES (would stay or prohibit the foreclosure on property owned by persons in the military under certain circumstances.)

{LC746/A/1}

Read and ordered to the Committee on Special Legislation and Veteran Affairs.

Also:

House Bill No. 8022**BY** Martin, Jackson**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES (would exempt certain described property within the city of Newport from the prohibition from issuing liquor licenses within a certain proximity of schools and churches)

{LC2338/1}

Read and ordered to the Committee on Special Legislation and Veteran Affairs.

Also:

House Bill No. 8048**BY** Keable, Hull, Silva, Slater, Guthrie**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - THE FIREFIGHTER CANCER WELLNESS ACT (would require that emergency medical technicians cancer incidence will be reported annually by the director of the department of health to the office of the state fire marshal.)

{LC2350/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 7827**BY** Marcello, Ruggiero**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS - DRUG DISPOSAL (would allow for the establishment of disposal containers for unused, expired or unwanted drugs or drug products, except for controlled substances, at local police departments.)

{LC1911/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 7735 SUB A**BY** Bennett, Hull, Naughton, Handy, Silva**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (would provide a statutory framework for administration of medical orders for life sustaining treatment or MOLST with respect to terminally ill patients)

{LC1722/A/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 7445**BY** Handy, Jacquard, Naughton, Coderre, Cimini**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - EQUAL RIGHTS OF BLIND AND DEAF PERSONS TO PUBLIC FACILITIES (would require a place of public accommodation upon request, to keep closed-captioning activated on a television used in public areas during regular hours, if the television is capable of such display)

{LC1137/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 7889**BY** Bennett, Hull, McNamara, Medina, Gallison**ENTITLED**, AN ACT RELATING TO THE BOARD OF MEDICAL LICENSURE AND DISCIPLINE (would add a definition for medical records to the current statute)

{LC2107/1}

Read and ordered to the Committee on Health and Human Services.

**REPORTS OF COMMITTEES
COMMITTEE ON CORPORATIONS**

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

Senate Bill No. 2387 SUB A**BY** Perry, Metts, Crowley, Miller, DeVall**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - DUTIES OF UTILITIES AND CARRIERS (would require that the public utilities commission and the RI division of utilities and carriers establish a program to require electric utilities to conduct voltage detection surveys and complete timely repairs of faults)

{LC384/A/1}

Read and ordered to be placed on the Calendar for Tuesday, May 15, 2012.

Also:

Senate Bill No. 2747

BY Fogarty, Kettle, Gallo, Tassoni, Moura

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PROPANE GAS SALES (would provide that the price for propane gas would be expressed in terms of the sum of any fees divided by the number of gallons delivered.)

{LC2184/1}

Read and ordered to be placed on the Calendar for Tuesday, May 15, 2012.

Also:

Senate Bill No. 2392 SUB A as amended

BY Walaska

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BURGLARY ALARMS (would comprehensively revise the statutory laws, rules and regulations of the burglar alarm/security systems industry.)

{LC1246/A/2}

Read and ordered to be placed on the Calendar for Tuesday, May 15, 2012.

Also:

House Bill No. 7068

(Secretary of State)

BY Petrarca, Ucci, Keable, Corvese

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - LIMITED PARTNERSHIPS (would clarify the authority of foreign limited liability limited partnerships.)

{LC454/1}

Read and ordered to be placed on the Consent Calendar for Tuesday, May 15, 2012.

Also:

House Bill No. 7358 SUB A

(Business Regulations)

BY Keable, Lally, Petrarca, Hull, Johnston

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - DEPARTMENT OF BUSINESS REGULATION (would correct typographical errors in four banking and insurance statutes)

{LC1177/A/1}

Read and ordered to be placed on the Consent Calendar for Tuesday, May 15, 2012.

Also:

House Bill No. 7484 SUB A

(Business Regulation)

BY Kennedy, Messier, Ferri, McNamara**ENTITLED**, AN ACT RELATING TO INSURANCE - FIRE INSURANCE POLICIES AND RESERVES (would relocate the existing section of law relative to hurricanes to a new chapter which would also include additional provisions for the processing of insurance claims for hurricane damage.)

{LC1425/A/1}

Read and ordered to be placed on the Consent Calendar for Tuesday, May 15, 2012.

COMMITTEE ON FINANCE

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

Senate Bill No. 2623**BY** Lynch, Walaska, McCaffrey**ENTITLED**, AN ACT EXEMPTING FROM TAXATION CLOUDS HILL VICTORIAN HOUSE MUSEUM IN AN AMOUNT NOT EXCEEDING THREE MILLION DOLLARS (\$3,000,000) (would exempt the Clouds Hill Victorian House Museum from taxation in an amount not exceeding \$3,000,000)

{LC1357/1}

Read and ordered to be placed on the Calendar for Tuesday, May 15, 2012.

Also:

Senate Bill No. 2834**BY** Algieri**ENTITLED**, AN ACT AUTHORIZING AN INCREASE IN THE HOLDINGS OF MEMORIAL AND LIBRARY ASSOCIATION (would increase the authorized holdings of Memorial and Library Association, a nonprofit corporation located in Westerly, Rhode Island, to thirty million dollars (\$30,000,000).)

{LC2300/1}

Read and ordered to be placed on the Calendar for Tuesday, May 15, 2012.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

Senate Bill No. 2615**BY** McCaffrey

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- INSPECTION OF DAMS AND RESERVOIRS (would make a number of procedural and substantive changes to the powers of the department of environmental management with respect to the inspection and repair of dams and reservoirs)

{LC1509/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

Also:

Senate Bill No. 2617 SUB A

(DEM)

BY Fogarty, Sosnowski, Tassoni, Algiere, Maher

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- INSPECTION OF DAMS (would expand the ability of the director of the department of environmental management to regulate water dam safety)

{LC1923/A/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

Also:

Senate Bill No. 2613 SUB A

(DEM)

BY Sosnowski, Fogarty, Ruggerio, Walaska, McCaffrey

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - GENERAL PROVISIONS (would provide for an emergency waiver for veterinarians to perform veterinary services in Rhode Island under certain emergency situations)

{LC1921/A/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

Also:

Senate Bill No. 2445 SUB A**BY** Miller, McCaffrey, Lynch, Gallo, Sosnowski

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - SOIL EROSION AND SEDIMENT CONTROL (would establish guidelines for the use of alternative paving materials for non-residential driveways and parking lots under the soil erosion and sediment control model ordinance.)

{LC465/A/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

Also:

Senate Bill No. 2442 SUB A

BY Sosnowski, Walaska, Felag, McCaffrey, Bates

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - ZONING ORDINANCES

(would make plant agriculture a permitted use within all lands subject to the jurisdiction of the RI Coastal Resources Management Council and grants to the dem jurisdiction and enforcement of such use.)

{LC1598/A/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFAIRS

Senator Felag from the Committee on Special Legislation and Veterans' Affairs, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2738

BY Felag, Tassoni, DiPalma, Ottiano, Lanzi

ENTITLED, AN ACT RELATING TO INSURANCE - FRATERNAL CODE (would exempt certain military associations organized before 1880 from the laws regulating fraternal benefit societies.)

{LC1667/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

Also:

Senate Bill No. 2905

BY Goodwin

ENTITLED, AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2012 (would provide that for the fiscal year ending June 30, 2012 the state lottery may amend the Master Video Terminal Contract providing additional promotional points to the gambling facilities covered thereby.)

{LC2450/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

Also:

Senate Bill No. 2946**BY** Paiva Weed, DiPalma**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

{LC2539/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

Also:

Senate Bill No. 2948**BY** Crowley**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

{LC2395/1}

Read and ordered to be placed on the Calendar for Wednesday, May 16, 2012.

COMMITTEE ON HEALTH AND HUMAN SERVICES

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

Senate Bill No. 2204 SUB A**BY** Sosnowski, Tassoni, Crowley, DiPalma, McCaffrey**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -

MISCELLANEOUS RULES (would create "The Rhode Island Protection From Secondhand Smoke For Children Act of 2012" which would prohibit smoking in any vehicle in which a child is required by law to be restrained.)

{LC561/A/3}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

Also:

Senate Bill No. 2878**BY** Picard**ENTITLED**, AN ACT RELATING TO INSURANCE -- SELF-INSURANCE OF

DEVELOPMENTAL DISABILITY AGENCIES (would authorize operators of developmental disability agencies acting as a group, to self-insure healthcare costs for employees/retirees/other beneficiaries, and allow a competent third-party administrator to administer said program.)

{LC2311/1}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

Also:

Senate Bill No. 2127 SUB A as amended**BY** DiPalma, Ottiano, Perry, Tassoni, Nesselbush**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - FOOD ALLERGY AWARENESS IN RESTAURANTS (would establish a food allergy awareness program through the department of health which would require compliance by food-service establishments.)
{LC135/A/2}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

COMMITTEE ON EDUCATION

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

Senate Bill No. 2185**BY** Felag**ENTITLED**, AN ACT RELATING TO EDUCATION - RHODE ISLAND CERTIFICATION STANDARDS BOARD (would add two (2) members of the Association of Independent Colleges and Universities of Rhode Island (AICU Rhode Island) to the policy advisory board on teacher and administrator certification.)
{LC403/1}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

Also:

Senate Bill No. 2276 SUB A**BY** DiPalma, Sheehan, Gallo, DeVall, Metts**ENTITLED**, AN ACT RELATING TO EDUCATION - STATEWIDE VIRTUAL EDUCATION (would establish the RI statewide virtual education act, to promote the use of quality virtual courses as part of public education in RI.)
{LC1026/A/2}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

Also:

Senate Resolution No. 2609 SUB A**BY** Gallo, Goodwin, Paiva Weed, Lynch, Ruggerio**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO ASSESS THE EDUCATIONAL NEEDS OF CHILDREN WITH READING DISABILITIES AND DYSLEXIA
{LC2103/A/4}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

Also:

Senate Bill No. 2542 SUB A**BY** Pichardo, Ruggerio, Goodwin, Metts, Perry**ENTITLED**, AN ACT RELATING TO EDUCATION - COMPULSORY ATTENDANCE
{LC1751/A/1}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

Also:

Senate Bill No. 2447 SUB A**BY** Perry**ENTITLED**, AN ACT RELATING TO EDUCATION -- BOARD OF GOVERNORS FOR HIGHER EDUCATION (would authorize the addition of a voting student representative member to be the RI board of regents for elementary and secondary education.)
{LC1141/A/1}

Read and ordered to be placed on the Calendar for Thursday, May 17, 2012.

NEW BUSINESS**Senate Bill No. 2951****BY** Miller, Goodwin, Ruggerio, Sosnowski, DeVall**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - GREEN JOBS FOR DEMAND SIDE MANAGEMENT PROGRAM (establishes the Green Jobs for Demand Side Management Program.)
{LC2283/1}

Read and ordered to the Committee on Labor.

Also:

Senate Resolution No. 2952**BY** Ciccone, Lanzi, Algieri, Ruggerio**ENTITLED**, SENATE RESOLUTION HONORING AND CONGRATULATING THE YOUNG PANNENESE SOCIAL CLUB OF PROVIDENCE ON THE OCCASION OF ITS 100TH ANNIVERSARY
{LC2581/1}

Senator Ciccone requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ciccone moves passage, seconded by Senator Ruggerio.

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

Also:

Senate Resolution No. 2953

BY DeVall

ENTITLED, SENATE RESOLUTION CELEBRATING MAY 13TH - 19TH, 2012, AS
"NATIONAL NURSING HOME WEEK" IN THE STATE OF RHODE ISLAND
{LC2620/1}

Senator DeVall requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DeVall moves passage, seconded by Senator Metts.

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

Also:

Senate Bill No. 2954

BY Pinga, Shibley

ENTITLED, AN ACT RELATING TO THE TOWN OF WEST WARWICK
{LC2593/1}

Senator Pinga requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pinga moves passage, seconded by Senators Shibley and Kettle.

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 Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, 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:

Also:

Senate Bill No. 2955

BY Crowley

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - RETIREMENT OF
MUNICIPAL EMPLOYEES
{LC2559/1}

Read and ordered to the Committee on Finance.

CALENDAR

IN ORDER FOR THURSDAY, MAY 10, 2012:

1. **2012-S 2561****BY** Miller**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ALCOHOLISM

Committee on Health & Human Services recommends passage.

Senator Miller moves passage, seconded by Senators Perry, Goodwin, Gallo, Maher, Shibley, Sheehan and Pichardo.

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, 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, Tassoni, Walaska.

NAYS- 0:

2. **2012-S 2764****BY** Pichardo**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - THE RHODE ISLAND WORKS PROGRAM

Committee on Health & Human Services recommends passage.

Senator Pichardo moves passage, seconded by Senators Crowley, Perry, Miller, Ruggerio Lynch and DiPalma.

The act is read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Hodgson, Kettle, Shibley.

3. 2012-S 2167 SUB A**BY** Felag**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES

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

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

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

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

TO

2012 -- S 2167 SUBSTITUTE A

AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES

Madam President:

I hereby move to amend 2012 -- S 2167 SUBSTITUTE A, entitled "AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES", as follows:

1. On page 2, line 6, by deleting the word "upon".
2. On page 2, line 7, by deleting the following language: "which said licensee is required to close."

Respectfully submitted,
SENATOR FELAG

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

NAYS- 0:

Senator Felag moves passage of the act, as amended, seconded by Senators Lynch and

Ruggerio.

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

NAYS- 0:

4. 2012-S 2384 SUB A

BY Felag

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

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

Senator Felag moves passage, seconded by Senators Lynch 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 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, 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. 2012-S 2533 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.

Senator Felag moves passage, seconded by Senators Perry, Fogarty, Ciccone, Ottiano, Gallo and Crowley.

Senators Moura and McCaffrey 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 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, 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. 2012-S 2906

BY Paiva Weed

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

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

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

NAYS- 0:

7. 2012-S 2042

BY Gallo

ENTITLED, AN ACT RELATING TO EDUCATION - COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Committee on Finance recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for next Tuesday, May 15, 2012.

8. 2012-H 7870

BY Martin

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE SAILING EDUCATION VESSEL

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

Senator DiPalma moves passage, seconded by Senator Felag.

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

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

2012 -- H 7870

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE SAILING EDUCATION
VESSEL

Madam President:

I hereby move to amend 2012 -- H 7870, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE SAILING EDUCATION VESSEL", as follows:

1. By deleting all of the language after the enactment clause, and by inserting, in lieu thereof, the following language:

“SECTION 1. Chapter 42-4 of the General Laws entitled "State Emblems" is hereby amended by adding thereto the following section:

42-4-18. State sailing education vessel. – The Class A size Tall Ship, commonly known as the “SSV Oliver Hazard Perry”, is hereby designated as the official state sailing education vessel.

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

Respectfully submitted,
SENATOR DIPALMA

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, 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 DiPalma moves passage of the act, as amended, seconded by Senator Felag.

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, Pichardo, Pinga, Ruggiero, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2012-H 7120**
BY Marcello
ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- PARTNERSHIPS--FILING
2. **2012-H 7121**
BY Marcello
ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT
3. **2012-H 7150 SUB B**
BY Keable
ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE ISLAND NON-PROFIT CORPORATION ACT
4. **2012-H 7360**
BY McCauley
ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS - MIXED MARTIAL ARTS

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, Felag, Fogarty, Gallo, Goodwin, Hodgson, 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:

TRANSMITTAL

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

(See Appendix for List)

ANNOUNCEMENTS

Senator Jabour announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 310 of the State House.

Senator Pichardo announces that the task force on youth will meet on Monday, May 14th at 5:00 o'clock P.M in Room 313 of the State House.

Senator Goodwin announces that 2012 Civic Leadership Awards Ceremony will be held at the State House on Friday, May 11th at 5:30 o'clock P.M.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Algieri the Senate adjourns at 4:44 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR EDWARD J. O'NEILL

Lord, as we observe Mother's Day this weekend, we ask you to bless our mothers and the mothers of our children, for the endless hours of time and the boundless energy they have invested in us. Most of all, Lord, bless our mothers for their unconditional love, for loving us and for frequently showing that love in ways that make us feel valued and cherished. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, MAY 15, 2012:

1. 2012-H 7068

BY Petrarca

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

Committee on Corporations recommends passage in concurrence.

2. 2012-H 7358 SUB A

BY Keable

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - DEPARTMENT OF BUSINESS REGULATION

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

3. 2012-H 7484 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE - FIRE INSURANCE POLICIES AND RESERVES

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

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 15, 2012:**

- 1. 2012-S 2042**
BY Gallo
ENTITLED, AN ACT RELATING TO EDUCATION - COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Committee on Finance recommends passage.
- 2. 2012-S 2387 SUB A**
BY Perry
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - DUTIES OF UTILITIES AND CARRIERS

Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute A.
- 3. 2012-S 2392 SUB A as amended**
BY Walaska
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BURGLARY ALARMS

Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute A as amended.
- 4. 2012-S 2747**
BY Fogarty
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PROPANE GAS SALES

Committee on Corporations recommends passage.
- 5. 2012-S 2623**
BY Lynch
ENTITLED, AN ACT EXEMPTING FROM TAXATION CLOUDS HILL VICTORIAN HOUSE MUSEUM IN AN AMOUNT NOT EXCEEDING THREE MILLION DOLLARS (\$3,000,000)

Committee on Finance recommends passage.

6. 2012-S 2834**BY** Algieri**ENTITLED**, AN ACT AUTHORIZING AN INCREASE IN THE HOLDINGS OF MEMORIAL AND LIBRARY ASSOCIATION

Committee on Finance recommends passage.

IN ORDER FOR WEDNESDAY, MAY 16, 2012:**1. 2012-S 2277 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.

2. 2012-S 2615**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- INSPECTION OF DAMS AND RESERVOIRS

Committee on Environment & Agriculture recommends passage.

3. 2012-S 2617 SUB A**BY** Fogarty**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- INSPECTION OF DAMS

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

4. 2012-S 2613 SUB A**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE - GENERAL PROVISIONS

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

5. 2012-S 2445 SUB A**BY** Miller**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - SOIL EROSION AND SEDIMENT CONTROL

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

6. 2012-S 2442 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - ZONING ORDINANCES

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

7. 2012-S 2738

BY Felag

ENTITLED, AN ACT RELATING TO INSURANCE - FRATERNAL CODE

Committee on Special Legislation and Veterans Affairs recommends passage.

8. 2012-S 2905

BY Goodwin

ENTITLED, AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2012

Committee on Special Legislation and Veterans Affairs recommends passage.

9. 2012-S 2946

BY Paiva Weed

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

10. 2012-S 2948

BY Crowley

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

IN ORDER FOR THURSDAY, MAY 17, 2012:

1. 2012-S 2185

BY Felag

ENTITLED, AN ACT RELATING TO EDUCATION - RHODE ISLAND CERTIFICATION STANDARDS BOARD

Committee on Education recommends passage.

2. 2012-S 2447 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO EDUCATION -- BOARD OF GOVERNORS FOR HIGHER EDUCATION**

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

3. 2012-S 2542 SUB A**BY Pichardo****ENTITLED, AN ACT RELATING TO EDUCATION - COMPULSORY ATTENDANCE**

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

4. 2012-S 2609 SUB A**BY Gallo****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO ASSESS THE EDUCATIONAL NEEDS OF CHILDREN WITH READING DISABILITIES AND DYSLEXIA**

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

5. 2012-S 2127 SUB A as amended**BY DiPalma****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - FOOD ALLERGY AWARENESS IN RESTAURANTS**

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

6. 2012-S 2204 SUB A**BY Sosnowski****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MISCELLANEOUS RULES**

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

7. 2012-S 2878**BY Picard****ENTITLED, AN ACT RELATING TO INSURANCE -- SELF-INSURANCE OF DEVELOPMENTAL DISABILITY AGENCIES**

Committee on Health & Human Services recommends passage.

Appendix**BILLS TRANSMITTED TO THE GOVERNOR****House Bill No. 7120**

(Secretary of State)

BY Marcello, Kennedy**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- PARTNERSHIPS--FILING (would remove a reference to an incorrect clause in a section of the general laws pertaining to partnerships.)

{LC453/1}

House Bill No. 7121

(Secretary of State)

BY Marcello, Kennedy**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT (would require that a foreign corporation in the state of RI which converts into another be required to file for authority to transact business in this state & the provisions set forth in the general laws which requires them to do so.)

{LC457/1}

House Bill No. 7360

(Business Regulations)

BY McCauley, Corvese, Schadone, Petrarca, Carnevale**ENTITLED**, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS - MIXED MARTIAL ARTS (would broaden the powers of the division of racing and athletics to revoke or suspend licenses granted under this chapter)

{LC1156/1}