

May 13, 2004

## **Senate Government Oversight Committee**

Senator J. Michael Lenihan, Chairperson, Senator Daniel P. Connors, Vice Chairperson, Senator John F. McBurney III, Secretary, Senator V. Susan Sosnowski, Senator James C. Sheehan, Senator Elizabeth H. Roberts, Senator Daniel J. Issa, Senator Daniel DaPonte, Senator Leo R. Blais.

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**SB 3049:** Separation of Powers, Section 2, starting page 5, line 25 and going to page 6, line 18.

**Impact on:** Rhode Island Commission on the Deaf and Hard of Hearing

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On behalf of the Rhode Island Commission on the Deaf and Hard of Hearing Commissioners, we are expressing our concern that the Senate Bill 3049 would eliminate the Commission's rights to elect any officers and would add more protocol layers for those who are appointed as the commission member. In addition, since RICDHH's inception in 1977 and restructured in 1992, the Commissioners have had consensus about who serves as the chairperson. The chairperson shall be either deaf or hard of hearing appropriately representing the commission as a whole.

Please read the recommendations below made by the Commission.

**RECOMMENDATION #1** (SB 3049: Page 5 and Line #34):

*The current language in the bill:*

“Be appointed by the Governor with the advice and consent of the senate.”

**The Commission recommends revision:**

“Be appointed by the Governor.”

**Rationale:** There is no need to go through the advice and consent of the senate for each member who is appointed by the Governor to serve on the commission.

**RECOMMENDATION #2** – (SB 3049: Page 6 and Line #8 and #9):

*The current language in the bill:*

“The Governor shall, with the advice and consent of the senate, designate one member of the commission to serve as chairperson.”

**The Commission recommends revision:**

“The Governor shall, with the recommendation from the commission, designate one member of the commission to serve as chairperson with the advice and consent of the senate. The chairperson shall be either deaf or hard of hearing. The commission may elect from among its members for any other officers, as it may deem appropriate.”

**Rationale:** There is no protocol for the Governor to appoint the chairperson who is familiar with the Deaf and Hard of Hearing issues and programs in Rhode Island. And the chairperson shall be either deaf or hard of hearing to represent the commission appropriately. And also, the other officers will be restored and shall serve in their capability when the chairperson is absent.

It was my pleasure to present my testimony at the hearing.

Thank you,



Steven A. Florio  
Executive Director

CC:  
Senator William A. Walaska  
Representative Arthur Handy  
RI CDHH Commissioners