

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 sixth day of January in the year of Our Lord two thousand and fifteen.

Volume 142, No.31

Tuesday, March 31, 2015

Thirty-first 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 4:15 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 Algiere, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 1: Senator Ruggerio.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirtieth Legislative Day of the 2015 proceedings is read in part.

Upon suggestion of Senator Felag 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**

March 31, 2015

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

Dear Madam President:

Please be advised and let the record reflect that I will be absent from the Chamber on Tuesday, March 31 and Wednesday, April 1, 2015.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Warmest personal regards, I remain,

Sincerely,

Dominick J. Ruggerio
Senate Majority Leader

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON JUDICIARY**

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

Senate Bill No. 567

(Attorney General)

BY Lombardi, Archambault, Conley, Algieri, Nesselbush

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - COMPUTER CRIME

(Prohibits the unauthorized and intentional access of another's computer with the intent to view confidential information. Violators would be guilty of a felony and subject to imprisonment for up to 5 years and a fine of not more than \$5,000.)

{LC1056/1}

Read and ordered to be placed on the Calendar for Tuesday, April 7, 2015.

Also:

Senate Bill No. 630

(Attorney General)

BY Lynch, Lombardi, Nesselbush, Jabour**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- ELECTRONIC IMAGING DEVICES (Prohibits a person from electronically disseminating visual images of another engaged in sexually explicit conduct or the intimate parts of another, without that person's consent and where the person had a reasonable expectation of privacy.)

{LC1026/1}

Read and ordered to be placed on the Calendar for Tuesday, April 7, 2015.

Also:

Senate Bill No. 718

(State Police)

BY Goodwin**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- COMPREHENSIVE FIRE SAFETY ACT (Brings various sections of the general laws relative to fire safety up-to-date to conform to the National Fire Prevention Act standards.)

{LC1794/1}

Read and ordered to be placed on the Calendar for Tuesday, April 7, 2015.

NEW BUSINESS**Senate Resolution No. 777****BY** DaPonte**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE LA SALLE ACADEMY BOYS HOCKEY TEAM ON WINNING THE 2014-2015 RHODE ISLAND INTERSCHOLASTIC LEAGUE STATE CHAMPIONSHIP

{LC2332/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Walaska, Doyle, Morgan, Miller, Nesselbush, Metts, Ottiano, O'Neill, DiPalma and Sheehan.

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

GUESTS

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President, welcomes to the Chamber the Rhode Island State Champions LaSalle Academy Boys Hockey Team Tyler J. Walsh, Noah J. Long, Sean M. Gill, Jackson A. Orton, Matthew B. Ernster, Benjamin R. Aldrich, Thomas M. Pawlitschek, Connor M. Severino, Ethan G. Robson, Alexander J. Newton, Nick V. Altieri, Christian D. Sorensen, Drew C. Edwards, Ryan J. Tracy, William C. DeBlois, Ryan J. Kelly, Logan D. Liljeberg, Evan H. McGreen, Nicholas J. DiMuccio, Matthew

Manown, Tyler L. Glick, Joseph T. Manown, Ryan G. Schwender, Michael J. Sullivan, Jr, Taylor M. Peltier, Alex B. Chace, Tyler Shemick, Head Coach Mr. Michael Gaffney, Assistant Coaches Mr. Stephen Gaffney, Mr. Joseph McCabe, Mr. James Mello, Mr. Michael O'Neill, Moderator Br. Frederick Mueller, F.S.C., Principal Mr. Donald Kavanagh and Athletic Director Mr. Ted Quigley CAA.

NEW BUSINESS

Senate Resolution No. 775**BY** Fogarty

ENTITLED, SENATE RESOLUTION EXPRESSING SYMPATHY ON THE PASSING OF
HELEN FAIRBROTHER MORONEY
{LC2309/1}

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by Senators Gallo, Lynch, Felag, McCaffrey, Sosnowski, Crowley, Nesselbush, Lombardi, Archambault and Coyne.

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

Also:

Senate Resolution No. 776**BY** Pichardo

ENTITLED, SENATE RESOLUTION HONORING CÉSAR ESTRADA CHÁVEZ (1927-1993)
{LC2344/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Sosnowski, Miller, Nesselbush, Sheehan, Crowley, Archambault, Walaska, Fogarty, Metts and Algiere.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2015-H 5041**BY** Serpa

ENTITLED, AN ACT RELATING TO THE TOWN OF COVENTRY

Upon motion of Senator Ruggerio, seconded by Senator Algiere, 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, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR TUESDAY, MARCH 31, 2015:

1. 2015-S 388

BY Morgan

ENTITLED, AN ACT RELATING TO ELECTIONS -- POLL OPENING TIMES

Committee on Judiciary recommends passage.

Senator Morgan moves passage, seconded by Senators McCaffrey, Walaska and Algieri.

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

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

2. 2015-S 637

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS -- PRIMARY ELECTIONS

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Lynch, Lombardi, Archambault, Jabour and Crowley.

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

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

3. 2015-S 638**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO ELECTIONS -- ELECTION OFFENSES

Committee on Judiciary recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the desk.

TRANSMITTAL

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

(See Appendix for List)

ANNOUNCEMENTS

Senator Metts announces that the Committee on Education will meet tomorrow, at the rise of the Senate, in Room 313 of the State House.

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

Senator Conley announces that the Committee on Environment and Agriculture 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, at the rise of the Senate, in Room 310 of the State House.

Senator Crowley announces that the Committee on Housing and Municipal Government will meet tomorrow, at the rise of the Senate, in Room 211 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 Nesselbush announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

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

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

Senator Goodwin would like to congratulate Senator Joshua Miller on receiving the Community Provider Network of Rhode Island Award for Work on Behalf of Developmentally Disabled.

Senator Goodwin would like to congratulate Senator Crowley on receiving the Jack Reed Advocacy for the Homeless Award.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Algiere and upon suggestion of Senator Fogarty the Senate adjourns at 5:03 o'clock P.M. in memory of Helen Fairbrother Moroney.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR WALTER S. FELAG**

As the spring season begins, we pray that we all be unbound from that which weighs heaviest on our hearts, and that a new season of restoration and revelation begins. We ask for Your guidance in restoring the face of the earth. May we learn to live in harmony, safety and peace. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 01, 2015:

1. 2015-H 5126

BY Price

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF RICHMOND

Committee on Housing & Municipal Government recommends passage in concurrence.

2. 2015-H 5129

BY Costa

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF NORTH KINGSTOWN

Committee on Housing & Municipal Government recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 01, 2015:**

1. **Reappointment of Jeffery A. Williams of Cranston Rhode Island Board of Education for a term expiring January 31, 2018.**

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

2. **2015-S 237**
BY DiPalma
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN

Committee on Housing & Municipal Government recommends passage.

3. **2015-S 497**
BY Fogarty
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF GLOCESTER

Committee on Housing & Municipal Government recommends passage.

4. **2015-S 561**
BY Gee
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH

Committee on Housing & Municipal Government recommends passage.

5. **2015-S 655**
BY Archambault
ENTITLED, AN ACT VALIDATING AND RATIFYING THE 2014 AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF SMITHFIELD

Committee on Housing & Municipal Government recommends passage.

Appendix
CALENDAR

IN ORDER FOR TUESDAY, APRIL 07, 2015:

- 1. 2015-S 567**
BY Lombardi
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - COMPUTER CRIME

Committee on Judiciary recommends passage.
- 2. 2015-S 630**
BY Lynch
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- ELECTRONIC IMAGING DEVICES

Committee on Judiciary recommends passage.
- 3. 2015-S 718**
BY Goodwin
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- COMPREHENSIVE FIRE SAFETY ACT

Committee on Judiciary recommends passage.

Appendix

BILLS TRANSMITTED TO THE GOVERNOR

House Bill No. 5041

BY Serpa, Chippendale, Roberts, Morgan, Nardolillo

ENTITLED, AN ACT RELATING TO THE TOWN OF COVENTRY (Ratifies amendments to Coventry Home Rule Charter adopted and approved at the November 4, 2014 general election.)
{LC269/1}