

## State of Rhode Island and Providence Plantations

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# Journal of the Senate

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**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 nine.**

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Volume 136, No.29

Thursday, March 26, 2009

Twenty-ninth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 4:07 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

**PRESENT** – 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lenihan, Levesque, Lynch, Maher, McBurney, McCaffrey, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 3: Senators Lanzi, Maselli, Metts

### INVOCATION

The Honorable President, by unanimous consent, His Eminence Metropolitan Methodios, to deliver the invocation.

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### GUESTS

Upon suggestion of Senator Perry and by unanimous consent, the Honorable President, welcomes to the Chamber First Lady Suzanne Carcieri, Craig Stenning, MHRH Director, Charles Williams, MHRH Chief of Staff, Glenna Fletcher, Leadership to Keep Children Alcohol Free, former first lady of Kentucky, Admiral Michael Milner, Boston Regional Office of the U.S. Dept. of Health & Human Services, Capt. Marc Getka, Boston Regional Office of the U.S. Dept. of Health & Human Services, Stephen Wing, SAMHSA (Substance Abuse and Mental Health Services Administration),

Patricia Powell, NIAAA (National Institute of Alcohol Abuse and Alcoholism, David Abdo, Boston Regional Office of the U.S. Dept. of Health & Human Services, Lt. Tomas Bonome, Office of the Surgeon General

Upon suggestion of Senator Raptakis and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Costantinos Orphanides, Cousul General of Greece of the Hellenic Republic, Commander Panayiotis Papandreou, Hellenic Navy, Newport Naval College, Elizabeth Papisli, President of the Hellenoc Societies of New England, Gail Manickas, GID Committee and father Economos grandson Rorri George Percel.

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Peter Asen, Ocean State Action Health Care Organizing Project, Ashleigh Mondoux, Rite Care Works of Woonsocket.

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber Harold M. Demopolous of Providence.

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President, welcomes to the Chamber Pauline Vastis Assumption Greek Orthodox Church Language School Teacher, Reverend Dr. Phillip Zymaris Assumption Greek Orthodox Church Pawtucket, Father Gregory Hulakis, Pawtucket and Stacy Susset Parish Council President Assumption Greek Orthodox Church Pawtucket.

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber Father Andrew George Annunciation Greek Orthodox Church Cranston, Koula Rougas, Principal and Head Teacher of the Annunciation Language School, Theophanis Markos Parish Council President Annunciation Greek Orthodox Church and Costas Perdiakis.

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President, welcomes to the Chamber Reverend Dr. George E. Economou, St. Spyridon Greek Orthodox Church Newport, Zoe Adamedes, Parish Council President St. Spryridon Greek Orthodox Church Newport, Loula Eliopoulos and Evangelos Giannopoulos Greek Language Teachers St. Spyridon Greek Orthodox Church Newport.

The Surgeon General, Rear Admiral Steven K. Galson, delivers remarks to the Senate.

### COMMUNICATION

The Honorable President presents the following communications:

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

March 26, 2009

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

Dear Madam President:

Please be advised that I will be absent from the Senate session today March 26, 2009.

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

Thank you for your assistance.

Sincerely,

Harold M. Metts  
Senator District 6

Read and ordered to be placed on file.

Also:

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

March 26, 2009

Honorable M. Teresa Paiva Weed  
318 State House  
Providence, RI, 02903

Dear President Paiva Weed:

Please be advised due to illness I will not be able to attend Senate Session today, Thursday March 26, 2009.

Sincerely,

Christopher Maselli  
Senator District -25

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES  
COMMITTEE ON EDUCATION**

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

**Senate Bill No. 20**

**BY** Senators Picard, Cote

**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS ( would give authority to the school board for Woonsocket to establish a dress code for elementary, middle and high school students.)

Read and ordered to be placed on the Calendar.

**NEW BUSINESS****Senate Resolution No. 838****BY** Senators DaPonte, Connors**ENTITLED**, JOINT RESOLUTION CONGRATULATING FATHER VICTOR M. VIEIRA ON BEING NAMED REVEREND MONSIGNOR BY POPE BENEDICT XVI

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Connors Algieri.

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

**FROM THE HOUSE OF REPRESENTATIVES**

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

**House Resolution No. 6018****BY** Melo**ENTITLED**, JOINT RESOLUTION CONGRATULATING FATHER VICTOR M. VIEIRA ON BEING NAMED REVEREND MONSIGNOR BY POPE BENEDICT XVI

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Connors Algieri.

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

**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.

**ANNOUNCEMENTS**

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

Senator Felag announces that the Committee on Environment and Agriculture will meet on Monday, March 30, 2009, at 3:00 o'clock P.M., in the Senate Lounge of the State House.

Senator Levesque announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 of the State House.

#### ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Algieri, and upon suggestion of Senator Blais, the Senate adjourns at 4:50 o'clock P.M. in memory Alan Peter Gelfuso of Cranston, died Friday evening at Massachusetts General Hospital from complications following a heart transplant. He was the loving husband of Constance (Tansill) Gelfuso, to whom he was married for forty-one years. Mr. Gelfuso was a lifelong Republican and served as a senior advisor for several governors, including Governor Donald Carcieri. He also served as deputy counsel and on the Executive Committee to the Rhode Island Republican Party. Mr. Gelfuso was an elected member of the State of Rhode Island Constitutional Convention in 1975. In addition, he was a candidate for the Rhode Island House of Representatives in 1968 and the Rhode Island State Senate in 1976. He was the campaign manager for James L. Taft's successful campaign for mayor of Cranston. He served as chairman of the 4th Ward Republican Committee and Secretary of the Cranston Republican City Committee. Besides his wife, Mr. Gelfuso leaves a son, Andrew Frederick Gelfuso, his wife, Heather, and a daughter, Allison Gelfuso Butler, and her husband, Jonathan. He was also a doting grandfather to Dylan Andrew Butler and Sophia Grace Gelfuso. Mr. Gelfuso was the brother of Rita (Gelfuso) Guadagnoli of Cranston and the late A. William Gelfuso of East Greenwich.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix****CALENDAR****IN ORDER FOR TUESDAY, MARCH 31, 2009:****1. 2009-S 753 SUB A****BY Blais****ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- FISCAL YEAR**

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

**2. 2009-S 782****BY Levesque C****ENTITLED, AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX -  
BRISTOL**

Committee on Housing & Municipal Government recommends passage.

**3. 2009-S 792 SUB A as amended****BY Maselli****ENTITLED, AN ACT ADOPTING THE RULES OF THE SENATE**

Committee on Rules recommends indefinite postponement of the original bill and passage of Substitute A as amended.

**IN ORDER FOR WEDNESDAY, APRIL 1, 2009:****1. 2009-S 20****BY Picard****ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES  
AND SUPERINTENDENTS**

Committee on Education recommends passage.