

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 nine.

Volume 136, No.63

Friday, June 26, 2009

Sixty-third Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 2:28 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

June 26, 2009

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-23-2 of the Rhode Island General Laws, I have made the following appointment to the Coastal Resources Management Council:

Robert G. Driscoll of Portsmouth
(Representing a Municipality Under 25,000)

for a term expiring January 31, 2011.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

NEW BUSINESS

Senate Bill No. 1028

BY Senators Fogarty P

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS {LC2931/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senator Jabour.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Ruggiero, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1032

BY Senators Miller, Blais, Perry, Levesque C, Sosnowski

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY THE PROHIBITION OF MARIJUANA {LC2940/1}

Senator Miller requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Miller moves passage, seconded by Senators Connors and Goodwin.

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Pinga

CONSENT CALENDAR

In order for the day is taken up as follows:

1 2009-S 1031

BY Doyle

ENTITLED, SENATE RESOLUTION HONORING GERALD NEWSHAM FOR MORE THAN THIRTY-FOUR YEARS OF SERVICE TO THE STATE OF RHODE ISLAND

Upon motion of Senator Connors, seconded by Senator Algieri, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, 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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR FRIDAY, JUNE 26, 2009:

1 Nomination of Kristin E. Rodgers of Warwick VICE Associate Justice Vincent A. Ragosta as Associate Justice of the Rhode Island Superior Court.

Committee on Judiciary recommends that the Senate give its Advice and Consent

to this nomination.

Senator McCaffrey seconded by Senators Connors, McBurney, Algieri, DaPonte, Goodwin, Felag, Levesque, Lanzi, O'Neill, Maselli, Ruggerio, Jabour and Pinga moves that advice and consent of the Senate be given this appointment.

Senator McBurney discusses the appointment.

The advice and consent of the Senate is given this appointment, 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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President welcomes to the Chamber Mrs. Donna Rodgers, Presiding Justice Joseph Rodgers, Joseph Rodgers, Ted Rodgers and John Lynch.

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Associate Justice of the Rhode Island Superior Court Kristin E. Rodgers.

CALENDAR

2. 2009-S 553

BY Walaska

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
HEARING AID DEALERS AND FITTERS

Committee on Health & Human Services recommends passage.

Senator Walaska moves passage, seconded by Senators Maselli, Connors, DaPonte and Perry.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2009-S 606 SUB A as amended**BY Metts****ENTITLED, AN ACT RELATING TO TAXATION -- TAX SALES**

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

Senator Metts moves passage, seconded by Senators DiPalma, Jabour, Pichardo, McCaffrey, Connors and Levesque.

The bill marked Substitute "A" is read and passed, as amended, 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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2009-S 867 SUB A**BY Levesque C****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

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

Senator Levesque moves passage, seconded by Senator Perry.

Senator Perry seconded by Senators Levesque, offers the following written motion to amend.

FLOOR AMENDMENT

2009 -- S 867 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY

Madam President:

I hereby move to amend 2009 -- S 867 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY", as follows:

(1) On page 1, line 5, by deleting the figure "2011" and inserting in place thereof the figure "2010".

(2) On page 2, line 16, by deleting the figure "2011" and inserting in place thereof the figure "2010".

(3) On page 4, line 18, by deleting the language "January 1, 2010" and inserting in place thereof the language "September 15, 2009".

Respectfully submitted,
SENATOR PERRY

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Levesque moves passage of the act, as amended, seconded by Senator Perry.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5. 2009-S 1002 SUB A

BY Crowley

**ENTITLED, AN ACT RELATING TO PROPERTY -- MORTGAGE
FORECLOSURE AND SALE**

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

Senator Crowley moves passage, seconded by Senators Sheehan, Levesque, Miller and DiPalma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Algiere

6. 2009-H 5199 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT

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

Senator Walaska moves passage, seconded by Senators Levesque, Miller and Cote.

Senator Miller seconded by Senator Walaska, offers the following written motion to amend.

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

2009 -- H 5199 SUBSTITUTE A

AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT

Mr. Speaker:

I hereby move to amend 2009 -- H 5199 SUBSTITUTE A, entitled "AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT", as follows:

By deleting all the language after the enactment clause and inserting in place thereof the following language:

" SECTION 1. Title 27 of the General Laws entitled "INSURANCE" is hereby amended by adding thereto the following chapter:

CHAPTER 72

LIFE SETTLEMENTS ACT

27-72-1. Title. -- This chapter may be cited and shall be known as the "Life Settlements Act."

27-72-2. Definitions. -- As used in this chapter:

(1) "Advertisement" means any written, electronic or printed communication or any communication by means of recorded telephone messages or transmitted on radio, television, the Internet or similar communications media, including film strips, motion pictures and videos, published, disseminated, circulated or placed before the public, directly or indirectly, for the purpose of creating an interest in or inducing a person to purchase or sell, assign, devise, bequest or transfer the death benefit or ownership of a life insurance policy or an interest in a life insurance policy pursuant to a life settlement contract.

(2) "Broker" means a person who, on behalf of an owner and for a fee, commission or other valuable consideration, offers or attempts to negotiate life settlement contracts between an owner and provider. A broker represents only the owner and owes a fiduciary duty to the owner to act according to the owner's instructions, and in the best interest of the owner, notwithstanding the manner in which the broker is compensated. A broker does not include an attorney, certified public accountant or financial planner retained in the type of practice customarily performed in their professional capacity to represent the owner whose compensation is not paid directly or indirectly by the provider or any other person, except the owner.

(3) "Business of life settlements" means an activity involved in, but not limited to, offering to enter into, soliciting, negotiating, procuring, effectuating, monitoring, or tracking, of life settlement contracts.

(4) "Chronically ill" means:

(i) Being unable to perform at least two (2) activities of daily living (i.e., eating, toileting, transferring, bathing, dressing or continence);

(ii) Requiring substantial supervision to protect the individual from threats to health and safety due to severe cognitive impairment; or

(iii) Having a level of disability similar to that described in subdivision (i) as determined by the United States Secretary of Health and Human Services.

(5) "Commissioner" means the director of the department of business regulation or his or her designee.

(6) "Federally regulated entity" means a national bank, thrift, credit union, or any entity registered or exempt from registration under 15 U.S.C. section 80a-1 et. seq., 15 U.S.C. section 80b-1 et. seq., 15 U.S.C. section 77a et. seq., and 15 U.S.C. section 78a et. seq., or any affiliate thereof.

(7) "Financing entity" means an underwriter, placement agent, lender, purchaser of securities, purchaser of a policy or certificate from a provider, credit enhancer, or any entity that has a direct ownership in a policy or certificate that is the subject of a life settlement contract, but:

(i) Whose principal activity related to the transaction is providing funds to effect the life settlement contract or purchase of one or more policies; and

(ii) Who has an agreement in writing with one or more providers to finance the acquisition of life settlement contracts.

"Financing entity" does not include a non-accredited investor or purchaser.

(8) "Financing transaction" means a transaction in which a licensed provider obtains financing from a financing

entity including, without limitation, any secured or unsecured financing, any securitization transaction, or any securities offering which either is registered or exempt from registration under federal and state securities law.

(9) "Fraudulent life settlement act" includes:

(i) Acts or omissions committed by any person who, knowingly and with intent to defraud, for the purpose of depriving another of property or for pecuniary gain, commits, or permits its employees or its agents to engage in acts including, but not limited to:

(A) Presenting, causing to be presented or preparing with knowledge and belief that it will be presented to or by a provider, premium finance lender, broker, insurer, insurance producer or any other person, false material information, or concealing material information, as part of, in support of, or concerning a fact material to one or more of the following:

(I) An application for the issuance of a life settlement contract or insurance policy;

(II) The underwriting of a life settlement contract or insurance policy;

(III) A claim for payment or benefit pursuant to a life settlement contract or insurance policy;

(IV) Premiums paid on an insurance policy;

(V) Payments and changes in ownership or beneficiary made in accordance with the terms of a life settlement contract or insurance policy;

(VI) The reinstatement or conversion of an insurance policy;

(VII) In the solicitation, offer to enter into, or effectuation of a life settlement contract, or insurance policy;

(VIII) The issuance of written evidence of life settlement contract or insurance;

(IX) Any application for or the existence of or any payments related to a loan secured directly or indirectly by any interest in a life insurance policy; or

(X) Enter into any practice or plan which involves stranger originated life insurance (STOLI).

(B) Failing to disclose to the insurer where the request for such disclosure has been asked for by the insurer that the prospective insured has undergone a life expectancy evaluation by any person or entity other than the insurer or its authorized representatives in connection with the issuance of the policy.

(C) Employing any device, scheme, or artifice to defraud in the business of life settlements.

(D) In the solicitation, application or issuance of a life insurance policy, employing any device, scheme or artifice in violation of state insurable interest laws.

(ii) In the furtherance of a fraud or to prevent the detection of a fraud any person commits or permits its employees or its agents to: (A) Remove, conceal, alter, destroy or sequester from the commissioner the assets or records of a licensee or

other person engaged in the business of life settlements;

(B) Misrepresent or conceal the financial condition of a licensee, financing entity, insurer or other person;

(C) Transact the business of life settlements in violation of laws requiring a license, certificate of authority or other

legal authority for the transaction of the business of life settlements;

(D) File with the commissioner or the chief insurance regulatory official of another jurisdiction a document containing false information or otherwise concealing information about a material fact from the commissioner;

(E) Engage in embezzlement, theft, misappropriation or conversion of monies, funds, premiums, credits or other property of a provider, insurer, insured, owner, insurance, policy owner or any other person engaged in the business of life settlements or insurance;

(F) Knowingly and with intent to defraud, enter into, broker, or otherwise deal in a life settlement contract, the subject of which is a life insurance policy that was obtained by presenting false information concerning any fact material to the policy or by concealing, for the purpose of misleading another, information concerning any fact material to the policy, where the owner or the owner's agent intended to defraud the policy's issuer;

(G) Attempt to commit, assist, aid or abet in the commission of, or conspiracy to commit the acts or omissions specified in this subsection; or

(H) Misrepresent the state of residence of an owner to be a state or jurisdiction that does not have a law substantially similar to this chapter for the purpose of evading or avoiding the provisions of this chapter.

(10) "Insured" means the person covered under the policy being considered for sale in a life settlement contract.

(11) "Life expectancy" means the arithmetic mean of the number of months the insured under the life insurance policy to be settled can be expected to live as determined by a life expectancy company provider, broker, or financing entity considering medical records and appropriate experiential data.

(12) "Life insurance producer" means any person licensed in this state as a resident or nonresident insurance producer who has received qualification or authority for life insurance coverage or a life line of coverage pursuant to chapter 27-2.4.

(13) "Life settlement contract" means a written agreement entered into between a provider and an owner, establishing the terms under which compensation or any thing of value will be paid, which compensation or thing of value is less than the expected death benefit of the insurance policy or certificate, in return for the owner's assignment, transfer, sale, devise or bequest of the death benefit or any portion of an insurance policy or certificate of insurance for compensation; provided, however, that the minimum value for a life settlement contract shall be greater than a cash surrender value or

accelerated death benefit available at the time of an application for a life settlement contract. "Life settlement contract" also includes the transfer for compensation or value of ownership or beneficial interest in a trust or other entity that owns such policy if the trust or other entity was formed or availed of for the principal purpose of acquiring one or more life insurance contracts, which life insurance contract insures the life of a person residing in this state.

(i) "Life settlement contract" also includes a premium finance loan made for a policy on or before the date of issuance where:

(A) The loan proceeds are not used solely to pay premiums for the policy and any costs or expenses incurred by the lender or the borrower in connection with the financing; or

(B) The owner receives on the date of the premium finance loan a guarantee of the future life settlement value of the policy; or

(C) The owner agrees on the date of the premium finance loan to sell the policy or any portion of its death benefit on any date following the issuance of the policy.

(ii) "Life Settlement Contract" does not include:

(A) A policy loan by a life insurance company pursuant to the terms of the life insurance policy or accelerated death provisions contained in the life insurance policy, whether issued with the original policy or as a rider;

(B) A premium finance loan, as defined herein, or any loan made to an insured, a trust established by an insured, or an entity established by the insured by a bank, federally regulated entity, or other licensed financial institution or any transfer, foreclosure, option to transfer, sale of any interest in collateral of such loan subsequent thereto for the purpose of evading regulation under this chapter;

(C) A collateral assignment of a life insurance policy by an owner;

(D) A loan made by a lender that does not violate Rhode Island general laws chapter 19-14.6, provided such loan is not described in subdivision (i) above, and is not otherwise within the definition of life settlement contract;

(E) An agreement where all the parties:

(I) are closely related to the insured by blood or law; or

(II) have a lawful substantial economic interest in the continued life, health and bodily safety of the person insured, or are trusts established primarily for the benefit of such parties;

(F) Any designation, consent or agreement by an insured who is an employee of an employer in connection with the purchase by the employer, or trust established by the employer, of life insurance on the life of the employee;

(G) A bona fide business succession planning arrangement;

(I) Between one or more shareholders in a corporation or between a corporation and one or more of its shareholders or one or more trust established by its shareholders;

(II) Between one or more partners in a partnership or between a partnership and one or more of its partners or one or more trust established by its partners; or

(III) Between one or more members in a limited liability company or between a limited liability company and one or more of its members or one or more trust established by its members;

(H) An agreement entered into by a service recipient, or a trust established by the service recipient, and a service provider, or a trust established by the service provider, who performs significant services for the service recipient's trade or business; or

(I) Any other contract, transaction or arrangement from the definition of life settlement contract that the commissioner determines is not of the type intended to be regulated by this chapter.

(14) "Net death benefit" means the amount of the life insurance policy or certificate to be settled less any outstanding debts or liens.

(15) "Owner" means the owner of a life insurance policy or a certificate holder under a group policy, with or without a terminal illness, who enters or seeks to enter into a life settlement contract. For the purposes of this article, an owner shall not be limited to an owner of a life insurance policy or a certificate holder under a group policy that insures the life of an individual with a terminal or chronic illness or condition except where specifically addressed. The term "owner" does not include:

(i) Any provider or other licensee under this chapter;

(ii) A qualified institutional buyer as defined in Rule 144A of the Federal Securities Act of 1933, as amended;

(iii) A financing entity;

(iv) A special purpose entity; or

(v) A related provider trust.

(16) "Patient identifying information" means an insured's address, telephone number, facsimile number, electronic mail address, photograph or likeness, employer, employment status, social security number, or any other information that is likely to lead to the identification of the insured.

(17) "Policy" means an individual or group policy, group certificate, contract or arrangement of life insurance owned by a resident of this state, regardless of whether delivered or issued for delivery in this state.

(18) "Premium finance loan" is a loan made primarily for the purposes of making premium payments on a life

insurance policy, which loan is secured by an interest in such life insurance policy.

(19) "Person" means any natural person or legal entity including, but not limited to, a partnership, limited liability company, association, trust or corporation.

(20) "Provider" means a person, other than an owner, who enters into or effectuates a life settlement contract with an owner, a provider does not include:

(i) Any bank, savings bank, savings and loan association, credit union;

(ii) A licensed lending institution or creditor or secured party pursuant to a premium finance loan agreement which takes an assignment of a life insurance policy or certificate issued pursuant to a group life insurance policy as collateral for a loan;

(iii) The insurer of a life insurance policy or rider to the extent of providing accelerated death benefits or riders or cash surrender value;

(iv) Any natural person who enters into or effectuates no more than one agreement in a calendar year for the transfer of a life insurance policy or certificate issued pursuant to a group life insurance policy, for compensation or anything of value less than the expected death benefit payable under the policy;

(v) A purchaser;

(vi) Any authorized or eligible insurer that provides stop loss coverage to a provider; purchaser, financing entity, special purpose entity, or related provider trust;

(vii) A financing entity;

(viii) A special purpose entity;

(ix) A related provider trust;

(x) A broker; or

(xi) An accredited investor or qualified institutional buyer as defined; respectively, in regulation D, rule 501 or rule 144A of the Federal Securities Act of 1933, as amended, who purchases a life settlement policy from a provider.

(21) "Purchased policy" means a policy or group certificate that has been acquired by a provider pursuant to a life settlement contract.

(22) "Purchaser" means a person who pays compensation or anything of value as consideration for a beneficial interest in a trust which is vested with, or for the assignment, transfer or sale of, an ownership or other interest in a life insurance policy or a certificate issued pursuant to a group life insurance policy which has been the subject of a life settlement contract.

(23) "Related provider trust" means a titling trust or other trust established by a licensed provider or a financing entity for the sole purpose of holding the ownership or beneficial interest in purchased policies in connection with a financing transaction. In order to qualify as a related provider trust, the trust must have a written agreement with the licensed provider under which the licensed provider is responsible for ensuring compliance with all statutory and regulatory requirements and under which the trust agrees to make all records and files relating to life settlement transactions available to the commissioner as if those records and files were maintained directly by the licensed provider.

(24) "Settled policy" means a life insurance policy or certificate that has been acquired by a provider pursuant to a life settlement contract.

(25) "Special purpose entity" means a corporation, partnership, trust, limited liability company, or other legal entity formed solely to provide either directly or indirectly access to institutional capital markets:

(i) For a financing entity or provider; or

(ii) In connection with a transaction in which the securities in the special purpose entity are acquired by the owner or by a "qualified institutional buyer" as defined in Rule 144 promulgated under the Federal Securities Act of 1933, as amended; or

(iii) The securities pay a fixed rate of return commensurate with established asset-backed institutional capital markets.

(26) "Stranger-originated life insurance" or "STOLI" is a practice or plan to initiate a life insurance policy for the benefit of a third-party investor who, at the time of policy origination, has no insurable interest in the insured. STOLI practices include, but are not limited to, cases in which life insurance is purchased with resources or guarantees from or through a person, or entity, who, at the time of policy inception, could not lawfully initiate the policy himself/herself or itself, and where, at the time of inception, there is an arrangement or agreement, whether verbal or written, to directly or indirectly transfer the ownership of the policy and/or the policy benefits to a third party. Trusts, that are created to give the appearance of insurable interest, and are used to initiate policies for investors, violate insurable interest laws and the prohibition against wagering on life. STOLI arrangements do not include those practices set forth in this chapter.

(27) "Terminally ill" means having an illness or sickness that can reasonably be expected to result in death in twenty-four (24) months or less.

27-72-3. Licensing requirements. – (a) No person, wherever located, shall act as a provider or broker with an owner or multiple owners who is a resident of this state, without first having obtained a license from the commissioner. If there is more than one owner on a single policy and the owners are residents of different states, the life settlement contract

shall be governed by the law of the state in which the owner having the largest percentage ownership resides or, if the owners hold equal ownership, the state of residence of one owner agreed upon in writing by all owners.

(b) Application for a provider, or broker, license shall be made to the commissioner by the applicant on a form prescribed by the commissioner, and the application shall be accompanied by a fee reasonable in an amount established by the commissioner.

(c) A life insurance producer who has been duly licensed as a resident insurance producer with a life line of authority in this state or his or her home state for at least one year and is licensed as a nonresident producer in this state shall be deemed to meet the licensing requirements of this section and shall be permitted to operate as a broker.

(d) Not later than thirty (30) days from the first day of operating as a broker, the life insurance producer shall notify the commissioner that he or she is acting as a broker on a form prescribed by the commissioner, and shall pay any applicable fee to be determined by the commissioner. Notification shall include an acknowledgement by the life insurance producer that he or she will operate as a broker in accordance with this chapter.

(e) The insurer that issued the policy that is the subject of a life settlement contract shall not be responsible for any act or omission of a broker or provider or purchaser arising out of or in connection with the life settlement transaction, unless the insurer receives compensation for the placement of a life settlement contract from the provider or purchaser or broker in connection with the life settlement contract.

(f) A person licensed as an attorney, certified public accountant or financial planner accredited by a nationally recognized accreditation agency, who is retained to represent the owner, whose compensation is not paid directly or indirectly by the provider or purchaser, may negotiate life settlement contracts on behalf of the owner without having to obtain a license as a broker.

(g) Broker licenses may be renewed on a schedule prescribed by the commissioner and upon payment of the reasonable renewal fee as prescribed by the commissioner. Failure to pay the fee within the terms prescribed shall result in the automatic revocation of the license requiring periodic renewal.

(h) The term of a provider license shall be perpetual; provided, that the provider files the annual report and pays the fee as prescribed by the commissioner. Failure to file the annual report or pay the fees on or before the due date shall result in immediate suspension of the license.

(i) The applicant shall provide such information as the commissioner may require on forms prepared by the commissioner. The commissioner shall have authority, at any time, to require such applicant to fully disclose the identity of its stockholders (except stockholders owning fewer than ten percent (10%) of the shares of an applicant whose shares are

publicly traded), partners, officers and employees, and the commissioner may, in the exercise of the commissioner's sole discretion, refuse to issue such a license in the name of any person if not satisfied that any officer, employee, stockholder or partner thereof who may materially influence the applicant's conduct meets the standards set forth in this chapter.

(j) Upon the filing of an application and the payment of the license fee, the commissioner shall make an investigation of each applicant and may issue a license if the commissioner finds that the applicant:

(1) If a provider, has provided a detailed plan of operation;

(2) Is competent and trustworthy and intends to transact its business in good faith;

(3) Has a good business reputation and has had experience, training or education so as to be qualified in the business for which the license is applied;

(4) If the provider applicant is a legal entity, is formed or organized pursuant to the laws of this state or is a foreign legal entity authorized to transact business in this state, or provides a certificate of good standing from the state of its domicile; and

(5) Has provided to the commissioner an anti-fraud plan that meets the requirements of this chapter and includes:

(i) A description of the procedures for detecting and investigating possible fraudulent acts and procedures for resolving material inconsistencies between medical records and insurance applications;

(ii) A description of the procedures for reporting fraudulent insurance acts to the commissioner;

(iii) A description of the plan for anti-fraud education and training of its underwriters and other personnel; and

(iv) A written description or chart outlining the arrangement of the anti-fraud personnel who are responsible for the investigation and reporting of possible fraudulent insurance acts and investigating unresolved material inconsistencies between medical records and insurance applications.

(k) The commissioner shall not issue any license to any nonresident applicant, unless a written designation of an agent for service of process is filed and maintained with the commissioner or unless the applicant has filed with the commissioner the applicant's written irrevocable consent that any action against the applicant may be commenced against the applicant by service of process on the commissioner.

(l) Each licensee shall file with the commissioner on or before the first day of March of each year an annual statement containing such information as the commissioner by rule may prescribe. The department may have this annual statement renewed and analyzed by outside consultant(s) and the total cost of that review shall be borne by, billed directly to and paid by the provider filing the annual statement.

(m) A provider may not use any person to perform the functions of a broker as defined in this chapter unless the

person holds a current, valid license as a broker, and as provided in this section.

(n) A broker may not use any person to perform the functions of a provider as defined in this chapter unless such person holds a current, valid license as a provider, and as provided in this section.

(o) A provider, or broker shall provide to the commissioner new or revised information about officers, ten percent (10%) or more stockholders, partners, directors, members or designated employees within thirty (30) days of the change.

(p) An individual licensed as a broker shall complete, on a biennial basis, fifteen (15) hours of training related to life settlements and life settlement transactions, as required by the commissioner; provided, however, that a life insurance producer who is operating as a broker pursuant to this section shall not be subject to the requirements of this subsection. Any person failing to meet the requirements of this subsection shall be subject to the penalties imposed by the commissioner.

27-72-4. License suspension, revocation or refusal to renew. – (a) The commissioner may suspend, revoke or refuse to renew the license of any licensee if the commissioner finds that:

(1) There was any material misrepresentation in the application for the license;

(2) The licensee or any officer, partner, member or director has been guilty of fraudulent or dishonest practices, is subject to a final administrative action or is otherwise shown to be untrustworthy or incompetent to act as a licensee;

(3) The provider demonstrates a pattern of unreasonably withholding payments to policy owners;

(4) The licensee no longer meets the requirements for initial licensure;

(5) The licensee or any officer, partner, member or director has been convicted of a felony, or of any misdemeanor of which criminal fraud is an element; or the licensee has pleaded guilty or nolo contendere with respect to any felony or any misdemeanor of which criminal fraud or moral turpitude is an element, regardless whether a judgment of conviction has been entered by the court;

(6) The provider has entered into any life settlement contract using a form that has been approved pursuant to this chapter;

(7) The provider has failed to honor contractual obligations set out in a life settlement contract;

(8) The provider has assigned, transferred or pledged a settled policy to a person other than a provider licensed in this state, a purchaser, an accredited investor or qualified institutional buyer as defined respectively in Regulation D, Rule 501 or Rule 144A of the Federal Securities Act of 1933, as amended, financing entity, special purpose entity, or related provider trust; or

(9) The licensee or any officer, partner, member or key management personnel has violated any of the provisions of this chapter.

(b) Before the commissioner denies a license application or suspends, revokes or refuses to renew the license of any licensee under this chapter, the commissioner shall conduct a hearing in accordance with this state's laws governing administrative hearings.

27-72-5. Contract requirements. – (a) No person may use any form of life settlement contract in this state unless it has been filed with and approved, if required, by the commissioner in a manner that conforms with the filing procedures and any time restrictions or deeming provisions, if any, for life insurance forms, policies and contracts. The commissioner is authorized to contract with outside consultants to review life settlement forms and the total cost of that review shall be borne by, billed directly to, and paid by the provider filing the form(s).

(b) No insurer may, as a condition of responding to a request for verification of coverage or in connection with the transfer of a policy pursuant to a life settlement contract, require that the owner, insured, provider or broker sign any form, disclosure, consent, waiver or acknowledgment that has not been expressly approved by the commissioner for use in connection with life settlement contracts in this state.

(c) A person shall not use a life settlement contract form or provide to an owner a disclosure statement form in this state unless first filed with and approved by the commissioner. The commissioner shall disapprove a life settlement contract form or disclosure statement form if, in the commissioner's opinion, the contract or provisions contained therein fail to meet the requirements of this chapter or are unreasonable, contrary to the interests of the public, or otherwise misleading or unfair to the owner. At the commissioner's discretion, the commissioner may require the submission of advertising material. The commissioner is authorized to contract with outside consultants to review life settlement forms and/or advertising and the total cost of that review shall be borne by, billed directly to, and paid by the provider filing the form(s).

27-72-6. Reporting requirements and privacy. – (a) For any policy settled within five (5) years of policy issuance, each provider shall file with the commissioner on or before March 1 of each year an annual statement containing such information as the commissioner may prescribe by regulation. In addition to any other requirements, the annual statement shall specify the total number, aggregate face amount and life settlement proceeds of policies settled during the immediately preceding calendar year, together with a breakdown of the information by policy issue year. The annual statement shall also include the names of the insurance companies whose policies have been settled and the brokers that have settled said policies.

(1) Such information shall be limited to only those transactions where the insured is a resident of this state and shall not include individual transaction data regarding the business of life settlements or information that there is a reasonable basis to believe could be used to identify the owner or the insured.

(2) Every provider that willfully fails to file an annual statement as required in this section, or willfully fails to reply

within thirty (30) days to a written inquiry by the commissioner in connection therewith, shall, in addition to other penalties provided by this chapter, be subject, upon due notice and opportunity to be heard, to a penalty of up to two hundred fifty dollars (\$250) per day of delay, not to exceed twenty-five thousand dollars (\$25,000) in the aggregate, for each such failure.

(3) The department may have this annual report reviewed and analyzed by outside consultant(s) and the total cost of that review shall be borne by, billed directly to, and paid by the provider filing the annual statement.

(b) Except as otherwise allowed or required by law, a provider, broker, insurance company, insurance producer, information bureau, rating agency or company, or any other person with actual knowledge of an insured's identity, shall not disclose the identity of an insured or information that there is a reasonable basis to believe could be used to identify the insured or the insured's financial or medical information to any other person unless the disclosure:

(1) Is necessary to effect a life settlement contract between the owner and a provider and the owner and insured have provided prior written consent to the disclosure;

(2) Is necessary to effectuate the sale of life settlement contracts, or interests therein, as investments, provided the sale is conducted in accordance with applicable state and federal securities law and provided further that the owner and the insured have both provided prior written consent to the disclosure;

(3) Is provided in response to an investigation or examination by the commissioner or any other governmental officer or agency or pursuant to the requirements of this chapter;

(4) Is a term or condition to the transfer of a policy by one provider to another provider, in which case the receiving provider shall be required to comply with the confidentiality requirements of this chapter;

(5) Is necessary to allow the provider or its authorized representatives to make contacts for the purpose of determining health status. For the purposes of this section, the term "authorized representative" shall not include any person who has or may have any financial interest in the settlement contract other than a provider, licensed broker, financing entity, related provider trust or special purpose entity; further, a provider or broker shall require its authorized representative to agree in writing to adhere to the privacy provisions of this chapter; or

(6) Is required to purchase stop loss coverage.

(c) Non-public personal information solicited or obtained in connection with a proposed or actual life settlement contract shall be subject to the provisions applicable to financial institutions under the federal Gramm Leach Bliley Act, P.L. 106-102 (1999), and all other state and federal laws relating to confidentiality of non-public personal information.

27-72-7. Examination. – (a) The commissioner may, when the commissioner deems it reasonably necessary to protect the interests of the public, examine the business and affairs of any licensee or applicant for a license. The

commissioner may order any licensee or applicant to produce any records, books, files or other information reasonably necessary to ascertain whether such licensee or applicant is acting or has acted in violation of the law or otherwise contrary to the interests of the public. The expenses incurred in conducting any examination shall be paid by the licensee or applicant.

(b) In lieu of an examination under this chapter of any foreign or alien licensee licensed in this state, the commissioner may, at the commissioner's discretion, accept an examination report on the licensee as prepared by the commissioner for the licensee's state of domicile or port-of-entry state.

(c) Names of and individual identification data, or for all owners and insureds shall be considered private and confidential information and shall not be disclosed by the commissioner unless required by law.

(d) Records of all consummated transactions and life settlement contracts shall be maintained by the provider for three (3) years after the death of the insured and shall be available to the commissioner for inspection during reasonable business hours.

(e) Conduct of examinations.

(1) Upon determining that an examination should be conducted, the commissioner shall issue an examination warrant appointing one or more examiners to perform the examination and instructing them as to the scope of the examination. In conducting the examination, the examiner shall use methods common to the examination of any life settlement licensee and should use those guidelines and procedures set forth in an examiners' handbook adopted by a national organization.

(2) Every licensee or person from whom information is sought, its officers, directors and agents shall provide to the examiners timely, convenient and free access at all reasonable hours at its offices to all books, records, accounts, papers, documents, assets and computer or other recordings relating to the property, assets, business and affairs of the licensee being examined. The officers, directors, employees and agents of the licensee or person shall facilitate the examination and aid in the examination so far as it is in their power to do so. The refusal of a licensee, by its officers, directors, employees or agents, to submit to examination or to comply with any reasonable written request of the commissioner shall be grounds for suspension or refusal of, or nonrenewal of any license or authority held by the licensee to engage in the life settlement business or other business subject to the commissioner's jurisdiction. Any proceedings for suspension, revocation or refusal of any license or authority shall be conducted pursuant to section 42-35-1 et seq.

(3) The commissioner shall have the power to issue subpoenas, to administer oaths and to examine under oath any person as to any matter pertinent to the examination. Upon the failure or refusal of a person to obey a subpoena, the commissioner may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order

compelling the witness to appear and testify or produce documentary evidence.

(4) When making an examination under this chapter, the commissioner may retain attorneys, appraisers, independent actuaries, independent certified public accountants or other professionals and specialists as examiners, the reasonable cost of which shall be borne by the licensee that is the subject of the examination.

(5) Nothing contained in this chapter shall be construed to limit the commissioner's authority to terminate or suspend an examination in order to pursue other legal or regulatory action pursuant to the insurance laws of this state. Findings of fact and conclusions made pursuant to any examination shall be prima facie evidence in any legal or regulatory action.

(6) Nothing contained in this chapter shall be construed to limit the commissioner's authority to use and, if appropriate, to make public any final or preliminary examination report, any examiner or licensee work papers or other documents, or any other information discovered or developed during the course of any examination in the furtherance of any legal or regulatory action which the commissioner may, in his or her sole discretion, deem appropriate.

(f) Examination reports.

(1) Examination reports shall be comprised of only facts appearing upon the books, from the testimony of its officers or agents or other persons examined concerning its affairs, and such conclusions and recommendations as the examiners find reasonably warranted from the facts.

(2) No later than sixty (60) days following completion of the examination, the examiner in charge shall file with the commissioner a verified written report of examination under oath. Upon receipt of the verified report, the commissioner shall transmit the report to the licensee examined, together with a notice that shall afford the licensee examined a reasonable opportunity of not more than thirty (30) days to make a written submission or rebuttal with respect to any matters contained in the examination report and which shall become part of the report or to request a hearing on any matter in dispute.

(3) In the event the commissioner determines that regulatory action is appropriate as a result of an examination, the commissioner may initiate any proceedings or actions provided by law.

(g) Confidentiality of examination information.

(1) Names and individual identification data for all owners, purchasers, and insureds shall be considered private and confidential information and shall not be disclosed by the commissioner, unless the disclosure is to another regulator or is required by law.

(2) Except as otherwise provided in this chapter, all examination reports, working papers, recorded information, documents and copies thereof produced by, obtained by or disclosed to the commissioner or any other person in the course of an examination made under this chapter, or in the course of analysis or investigation by the commissioner of the financial

condition or market conduct of a licensee shall be confidential by law and privileged, shall not be subject to open records, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. The commissioner is authorized to use the documents, materials or other information in the furtherance of any regulatory or legal action brought as part of the commissioner's official duties. The licensee being examined may have access to all documents used to make the report.

(h) Conflict of interest.

(1) An examiner may not be appointed by the commissioner if the examiner, either directly or indirectly, has a conflict of interest or is affiliated with the management of or owns a pecuniary interest in any person subject to examination under this chapter. This section shall not be construed to automatically preclude an examiner from being:

(i) An owner;

(ii) An insured in a life settlement contract or insurance policy; or

(iii) A beneficiary in an insurance policy that is proposed for a life settlement contract.

(2) Notwithstanding the requirements of this clause, the commissioner may retain from time to time, on an individual basis, qualified actuaries, certified public accountants, or other similar individuals who are independently practicing their professions, even though these persons may from time to time be similarly employed or retained by persons subject to examination under this chapter.

(i) Immunity from liability.

(1) No cause of action shall arise nor shall any liability be imposed against the commissioner, the commissioner's authorized representatives or any examiner appointed by the commissioner for any statements made or conduct performed in good faith while carrying out the provisions of this chapter.

(2) No cause of action shall arise, nor shall any liability be imposed against any person for the act of communicating or delivering information or data to the commissioner or the commissioner's authorized representative or examiner pursuant to an examination made under this chapter, if the act of communication or delivery was performed in good faith and without fraudulent intent or the intent to deceive. This paragraph does not abrogate or modify in any way any common law or statutory privilege or immunity heretofore enjoyed by any person identified in subdivision (1).

(3) A person identified in subdivision (1) or (2) shall be entitled to an award of attorney's fees and costs if he or she is the prevailing party in a civil cause of action for libel, slander or any other relevant tort arising out of activities in carrying out the provisions of this chapter and the party bringing the action was not substantially justified in doing so. For purposes of this section a proceeding is "substantially justified" if it had a reasonable basis in law or fact at the time that it was initiated.

(j) Investigative authority of the commissioner.

(1) The commissioner may investigate suspected fraudulent life settlement acts and persons engaged in the business of life settlements.

(k) Cost of examinations.

(1) The total cost of examinations performed pursuant to this chapter shall be borne by the provider(s) or broker(s) examined companies in accordance with the provision of paragraph 27-13.1-7. The commissioner is authorized to retain contract examiners and consultants to perform the examinations. The commissioner shall review and affirmatively endorse detailed billings from the qualified contract examiner before summary billings are sent to the insurer.

27-72-8. Advertising. – (a) A broker, or provider licensed pursuant to this chapter may conduct or participate in advertisements within this state. Such advertisements shall comply with all Rhode Island advertising and marketing laws or rules and regulations promulgated by the commissioner that are applicable to life insurers or to brokers, and providers licensed pursuant to this chapter.

(b) Advertisements shall be accurate, truthful and not misleading in fact or by implication.

(c) No person or trust shall:

(1) Directly or indirectly, market, advertise, solicit or otherwise promote the purchase of a policy for the sole purpose of or with an emphasis on settling the policy; or

(2) Use the words “free”, “no cost” or words of similar import in the marketing, advertising, soliciting or otherwise promoting of the purchase of a policy.

(d) The commissioner is authorized to contract with outside consultants to review advertisements and the total cost of that review shall be borne by, billed directly to, and paid by the provider utilizing or proposing to utilize the advertisement.

27-72-9. Disclosures to owners. – (a) The provider or broker shall provide in writing, in a separate document that is signed by the owner, the following information to the owner no later than the date of application for a life settlement contract:

(1) The fact that possible alternatives to life settlement contracts exist, including, but not limited to, accelerated benefits offered by the issuer of the life insurance policy;

(2) The fact that some or all of the proceeds of a life settlement contract may be taxable and that assistance should be sought from a professional tax advisor;

(3) The fact that the proceeds from a life settlement contract could be subject to the claims of creditors;

(4) The fact that receipt of proceeds from a life settlement contract may adversely affect the recipients' eligibility for public assistance or other government benefits or entitlements and that advice should be obtained from the appropriate

agencies:

(5) The fact that the owner has a right to terminate a life settlement contract within fifteen (15) days of the date it is executed by all parties and the owner has received the disclosures contained herein. Rescission, if exercised by the owner, is effective only if both notice of the rescission is given, and the owner repays all proceeds and any premiums, loans, and loan interest paid on account of the provider within the rescission period. If the insured dies during the rescission period, the contract shall be deemed to have been rescinded subject to repayment by the owner or the owner's estate of all proceeds and any premiums, loans, and loan interest to the provider;

(6) The fact that proceeds will be sent to the owner within three (3) business days after the provider has received the insurer or group administrator's acknowledgement that ownership of the policy or interest in the certificate has been transferred and the beneficiary has been designated in accordance with the terms of the life settlement contract;

(7) The fact that entering into a life settlement contract may cause other rights or benefits, including conversion rights and waiver of premium benefits that may exist under the policy or certificate of a group policy to be forfeited by the owner and that assistance should be sought from a professional financial advisor;

(8) The date by which the funds will be available to the owner and the transmitter of the funds;

(9) The fact that the commissioner shall require delivery of a buyer's guide or a similar consumer advisory package in the form prescribed by the commissioner to owners during the solicitation process;

(10) The disclosure document shall contain the following language: "all medical, financial or personal information solicited or obtained by a provider or broker about an insured, including the insured's identity or the identity of family members, a spouse or a significant other, may be disclosed as necessary to effect the life settlement contract between the owner and provider. If you are asked to provide this information, you will be asked to consent to the disclosure. The information may be provided to someone who buys the policy or provides funds for the purchase. You may be asked to renew your permission to share information every two (2) years";

(11) The fact that the commissioner shall require providers and brokers to print separate signed fraud warnings on their applications and on their life settlement contracts is as follows:

"Any person who knowingly presents false information in an application for insurance or life settlement contract is guilty of a crime and may be subject to fines and confinement in prison."

(12) The fact that the insured may be contacted by either the provider or its authorized representative for the purpose of determining the insured's health status or to verify the insured's address. This contact is limited to once every three (3) months if the insured has a life expectancy of more than one year, and no more than once per month if the insured has a life

expectancy of one year or less:

(13) The affiliation, if any, between the provider and the issuer of the insurance policy to be settled;

(14) That a broker represents exclusively the owner, and not the insurer or the provider or any other person, and owes a fiduciary duty to the owner, including a duty to act according to the owner's instructions and in the best interest of the owner;

(15) The document shall include the name, address and telephone number of the provider;

(16) The name, business address, and telephone number of the independent third-party escrow agent, and the fact that the owner may inspect or receive copies of the relevant escrow or trust agreements or documents;

(17) The fact that a change of ownership could in the future limit the insured's ability to purchase future insurance on the insured's life because there is a limit to how much coverage insurers will issue on one life;

(b) The written disclosures shall be conspicuously displayed in any life settlement contract furnished to the owner by a provider including any affiliations or contractual arrangements between the provider and the broker.

(c) A broker shall provide the owner and the provider with at least the following disclosures no later than the date the life settlement contract is signed by all parties. The disclosures shall be conspicuously displayed in the life settlement contract or in a separate document signed by the owner and provide the following information:

(1) The name, business address and telephone number of the broker;

(2) A full, complete and accurate description of all the offers, counter-offers, acceptances and rejections relating to the proposed life settlement contract;

(3) A written disclosure of any affiliations or contractual arrangements between the broker and any person making an offer in connection with the proposed life settlement contracts;

(4) The name of each broker who receives compensation and the amount of compensation received by that broker, which compensation includes anything of value paid or given to the broker in connection with the life settlement contract;

(5) A complete reconciliation of the gross offer or bid by the provider to the net amount of proceeds or value to be received by the owner. For the purpose of this section, gross offer or bid shall mean the total amount or value offered by the provider for the purchase of one or more life insurance policies, inclusive of commissions and fees; and

(6) The failure to provide the disclosures or rights described in this section shall be deemed an unfair trade practice pursuant to section 27-72-17.

27-72-10. Disclosure to insurer. – (a) Without limiting the ability of an insurer from assessing the insurability of a policy applicant and determining whether or not to issue the policy, and in addition to other questions an insurance carrier

may lawfully pose to a life insurance applicant, insurance carriers may inquire in the application for insurance whether the proposed owner intends to pay premiums with the assistance of financing from a lender that will use the policy as collateral to support the financing.

(1) If, as described in this chapter, the loan provides funds which can be used for a purpose other than paying for the premiums, costs, and expenses associated with obtaining and maintaining the life insurance policy and loan, the application shall be rejected as a violation of the prohibited practices in section 27-72-13.

(2) If the financing does not violate section 27-72-13, the insurance carrier:

(i) May make disclosures, including but not limited to such as the following, to the applicant and the insured, either on the application or an amendment to the application to be completed no later than the delivery of the policy:

“If you have entered into a loan arrangement where the policy is used as collateral, and the policy does change ownership at some point in the future in satisfaction of the loan, the following may be true:

(A) A change of ownership could lead to a stranger owning an interest in the insured’s life:

(B) A change of ownership could in the future limit your ability to purchase future insurance on the insured’s life because there is a limit to how much coverage insurers will issue on one life:

(C) Should there be a change of ownership and you wish to obtain more insurance coverage on the insured’s life in the future, the insured’s higher issue age, a change in health status, and/or other factors may reduce the ability to obtain coverage and/or may result in significantly higher premiums;

(D) You should consult a professional advisor, since a change in ownership in satisfaction of the loan may result in tax consequences to the owner, depending on the structure of the loan;” and

(b) May require certifications, such as the following, from the applicant and/or the insured:

(1) "I have not entered into any agreement or arrangement providing for the future sale of this life insurance policy";

(2) "My loan arrangement for this policy provides funds sufficient to pay for some or all of the premiums, costs, and expenses associated with obtaining and maintaining my life insurance policy, but I have not entered into any agreement by which I am to receive consideration in exchange for procuring this policy"; and

(3) "The borrower has an insurable interest in the insured.”

27-72-11. General rules. – (a) A provider entering into a life settlement contract with any owner of a policy, wherein the insured is terminally or chronically ill, shall first obtain:

(1) If the owner is the insured, a written statement from a licensed attending physician that the owner is of sound mind and under no constraint or undue influence to enter into a settlement contract; and

(2) A document in which the insured consents to the release of his/her medical records to a provider, settlement broker, or insurance producer and, if the policy was issued less than two (2) years from the date of application for a settlement contract, to the insurance company that issued the policy. (b) The insurer shall respond to a request for verification of coverage submitted by a provider, settlement broker, or life insurance producer not later than thirty (30) calendar days from the date the request is received. The request for verification of coverage must be made on a form approved by the commissioner. The insurer shall complete and issue the verification of coverage or indicate in which respects it is unable to respond. In its response, the insurer shall indicate whether, based on the medical evidence and documents provided, the insurer intends to pursue an investigation at this time regarding the validity of the insurance contract.

(c) Before or at the time of execution of the settlement contract, the provider shall obtain a witnessed document in which the owner consents to the settlement contract, represents that the owner has a full and complete understanding of the settlement contract, that the owner has a full and complete understanding of the benefits of the policy, acknowledges that the owner is entering into the settlement contract freely and voluntarily, and, for persons with a terminal or chronic illness or condition, acknowledges that the insured has a terminal or chronic illness and that the terminal or chronic illness or condition was diagnosed after the policy was issued.

(d) The insurer shall not unreasonably delay effecting change of ownership or beneficiary with any life settlement contract lawfully entered into in this state or with a resident of this state.

(e) If a settlement broker or life insurance producer performs any of these activities required of the provider, the provider is deemed to have fulfilled the requirements of this chapter.

(f) If a broker performs those verification of coverage activities required of the provider, the provider is deemed to have fulfilled the requirements of section 27-72-9.

(g) Within twenty (20) days after an owner executes the life settlement contract, the provider shall give written notice to the insurer that issued that insurance policy that the policy has become subject to a life settlement contract. The notice shall be accompanied by the documents required by subdivision 27-72-10(a)(2).

(h) All medical information solicited or obtained by any licensee shall be subject to the applicable provision of state law relating to confidentiality of medical information, if not otherwise provided in this chapter.

(i) All life settlement contracts entered into in this state shall provide that the owner may rescind the contract on or before fifteen (15) days after the date it is executed by all parties thereto. Rescission, if exercised by the owner, is effective only if both notice of the rescission is given, and the owner repays all proceeds and any premiums, loans, and loan interest paid on account of the provider within the rescission period. If the insured dies during the rescission period, the contract shall

be deemed to have been rescinded subject to repayment by the owner or the owner's estate of all proceeds and any premiums, loans, and loan interest to the provider.

(j) Within three (3) business days after receipt from the owner of documents to effect the transfer of the insurance policy, the provider shall pay the proceeds of the settlement to an escrow or trust account managed by a trustee or escrow agent in a state or federally chartered financial institution pending acknowledgement of the transfer by the issuer of the policy. The trustee or escrow agent shall be required to transfer the proceeds due to the owner within three (3) business days of acknowledgement of the transfer from the insurer.

(k) Failure to tender the life settlement contract proceeds to the owner by the date disclosed to the owner renders the contract voidable by the owner for lack of consideration until the time the proceeds are tendered to and accepted by the owner. A failure to give written notice of the right of rescission hereunder shall toll the right of rescission until thirty (30) days after the written notice of the right of rescission has been given.

(l) Any fee paid by a provider, party, individual, or an owner to a broker in exchange for services provided to the owner pertaining to a life settlement contract shall be computed as a percentage of the offer obtained, not the face value of the policy. Nothing in this section shall be construed as prohibiting a broker from reducing such broker's fee below this percentage if the broker so chooses.

(m) The broker shall disclose to the owner anything of value paid or given to a broker, which relates to a life settlement contract.

(n) No person at any time prior to, or at the time of, the application for, or issuance of, a policy, or during a two (2) year period commencing with the date of issuance of the policy, shall enter into a life settlement regardless of the date the compensation is to be provided and regardless of the date the assignment, transfer, sale, devise, bequest or surrender of the policy is to occur. This prohibition shall not apply if the owner certifies to the provider that:

(1) The policy was issued upon the owner's exercise of conversion rights arising out of a group or individual policy, provided the total of the time covered under the conversion policy plus the time covered under the prior policy is at least twenty-four (24) months. The time covered under a group policy must be calculated without regard to a change in insurance carriers, provided the coverage has been continuous and under the same group sponsorship; or

(2) The owner submits independent evidence to the provider that one or more of the following conditions have been met within the two (2) year period:

(i) The owner or insured is terminally or chronically ill;

(ii) The owner or insured disposes of his/her ownership interests in a closely held corporation, pursuant to the terms

of a buyout or other similar agreement in effect at the time the insurance policy was initially issued:

(iii) The owner's spouse dies;

(iv) The owner divorces his or her spouse;

(v) The owner retires from full-time employment;

(vi) The owner becomes physically or mentally disabled and a physician determines that the disability prevents the owner from maintaining full-time employment; or

(vii) A final order, judgment or decree is entered by a court of competent jurisdiction, on the application of a creditor of the owner, adjudicating the owner bankrupt or insolvent, or approving a petition seeking reorganization of the owner or appointing a receiver, trustee or liquidator to all or a substantial part of the owner's assets;

(3) Copies of the independent evidence required by subdivision 27-72-11(n)(2) shall be submitted to the insurer when the provider submits a request to the insurer for verification of coverage. The copies shall be accompanied by a letter of attestation from the provider that the copies are true and correct copies of the documents received by the provider. Nothing in this section shall prohibit an insurer from exercising its right to contest the validity of any policy;

(4) If the provider submits to the insurer a copy of independent evidence provided for in subdivision 27-72-11(n)(2) when the provider submits a request to the insurer to effect the transfer of the policy to the provider, the copy is deemed to establish that the settlement contract satisfies the requirements of this section.

27-72-12. Authority to promulgate regulations -- Conflict of laws. – (a) The Commissioner may:

(1) Promulgate regulations implementing this chapter and regulating the activities and relationships of providers, brokers, insurers and their agents, subject to statutory limitations on administrative rule making.

(2) Provide by regulation that the commissioner is authorized and may in his or her discretion recover the reasonable cost of legal services incurred by the department in enforcement actions under this chapter either from the licensee against whom the action is taken or by way of an assessment of all providers licensed pursuant to subsection 27-72-3(a). The assessment formula shall be set by regulation based upon information provided in the prior years annual statement filed pursuant to subsection 27-72-3(l).

(b) Conflict of laws.

(1) If there is more than one owner on a single policy, and the owners are residents of different states, the life settlement contract shall be governed by the law of the state in which the owner having the largest percentage ownership resides or, if the owners hold equal ownership, the state of residence of one owner agreed upon in writing by all of the owners. The law of the state of the insured shall govern in the event that equal owners fail to agree in writing upon a state of

residence for jurisdictional purposes.

(2) A provider from this state who enters into a life settlement contract with an owner who is a resident of another state that has enacted statutes or adopted regulations governing life settlement contracts, shall be governed in the effectuation of that life settlement contract by the statutes and regulations of the owner's state of residence. If the state in which the owner is a resident has not enacted statutes or regulations governing life settlement contracts, the provider shall give the owner notice that neither state regulates the transaction upon which he or she is entering. For transactions in those states, however, the provider is to maintain all records required as if the transactions were executed in the state of residence. The forms used in those states need not be approved by the department.

(3) If there is a conflict in the laws that apply to an owner and a purchaser in any individual transaction, the laws of the state that apply to the owner shall take precedence and the provider shall comply with those laws.

27-72-13. Prohibited practices. – (a) it is unlawful for any person to:

(1) Enter into a life settlement contract if such person knows or reasonably should have known that the life insurance policy was obtained by means of a false, deceptive or misleading application for such policy;

(2) Engage in any transaction, practice or course of business if such person knows or reasonably should have known that the intent was to avoid the notice requirements of this chapter;

(3) Engage in any fraudulent act or practice in connection with any transaction relating to any settlement involving an owner who is a resident of this state;

(4) Issue, solicit, market or otherwise promote the purchase of an insurance policy for the purpose of or with an emphasis on settling the policy; (5) Enter into a premium finance agreement with any person or agency, or any person affiliated with such person or agency, pursuant to which such person shall receive any proceeds, fees or other consideration, directly or indirectly, from the policy or owner of the policy or any other person with respect to the premium finance agreement or any settlement contract or other transaction related to such policy that are in addition to the amounts required to pay the principal, interest and service charges related to policy premiums pursuant to the premium finance agreement or subsequent sale of such agreement; provided, further, that any payments, charges, fees or other amounts in addition to the amounts required to pay the principal, interest and service charges related to policy premiums paid under the premium finance agreement shall be remitted to the original owner of the policy or to his or her estate if he or she is not living at the time of the determination of the overpayment;

(6) With respect to any settlement contract or insurance policy and a broker, knowingly solicit an offer from, effectuate a life settlement contract with or make a sale to any provider, financing entity or related provider trust that is

controlling, controlled by, or under common control with such broker unless such relationship has been disclosed to the owner;

(7) With respect to any life settlement contract or insurance policy and a provider, knowingly enter into a life settlement contract with an owner, if, in connection with such life settlement contract, anything of value will be paid to a broker that is controlling, controlled by, or under common control with such provider or the financing entity or related provider trust that is involved in such settlement contract unless such relationship has been disclosed to the owner;

(8) With respect to a provider, enter into a life settlement contract unless the life settlement promotional, advertising and marketing materials, as may be prescribed by regulation, have been filed with the commissioner. In no event shall any marketing materials expressly reference that the insurance is “free” for any period of time. The inclusion of any reference in the marketing materials that would cause an owner to reasonably believe that the insurance is free for any period of time shall be considered a violation of this chapter; or

(9) With respect to any life insurance producer, insurance company, broker, or provider make any statement or representation to the applicant or policyholder in connection with the sale or financing of a life insurance policy to the effect that the insurance is free or without cost to the policyholder for any period of time unless provided in the policy.

(b) A violation of this section shall be deemed a fraudulent life settlement act. **27-72-14. Fraud prevention and control.** – (a) Fraudulent life settlement acts, interference and participation of convicted felons prohibited.

(1) A person shall not commit a fraudulent life settlement act.

(2) A person shall not knowingly and intentionally interfere with the enforcement of the provisions of this chapter or investigations of suspected or actual violations of this chapter.

(3) A person in the business of life settlements shall not knowingly or intentionally permit any person convicted of a felony involving dishonesty or breach of trust to participate in the business of life settlements.

(b) Fraud warning required.

(1) Life settlement contracts and applications for life settlement contracts, regardless of the form of transmission, shall contain the following statement or a substantially similar statement:

“Any person who knowingly presents false information in an application for insurance or life settlement contract is guilty of a crime and may be subject to fines and confinement in prison.”

(2) The lack of a statement as required in subdivision (1) of this subsection does not constitute a defense in any prosecution for a fraudulent life settlement act.

(c) Mandatory reporting of fraudulent life settlement acts.

(1) Any person engaged in the business of life settlements having knowledge or a reasonable belief that a fraudulent life settlement acts is being, will be or has been committed shall provide to the commissioner the information required by, and in a manner prescribed by, the commissioner.

(2) Any other person having knowledge or a reasonable belief that a fraudulent life settlement act is being, will be or has been committed may provide to the commissioner the information required by, and in a manner prescribed by, the commissioner.

(d) Immunity from liability.

(1) No civil liability shall be imposed on and no cause of action shall arise from a person's furnishing information concerning suspected, anticipated or completed fraudulent life settlement acts or suspected or completed fraudulent insurance acts, if the information is provided to or received from:

(i) The commissioner or the commissioner's employees, agents or representatives;

(ii) Federal, state or local law enforcement or regulatory officials or their employees, agents or representatives;

(iii) A person involved in the prevention and detection of fraudulent life settlement acts or that person's agents, employees or representatives;

(iv) Any regulatory body or their employees, agents or representatives, overseeing life insurance, life settlements, securities or investment fraud;

(v) The life insurer that issued the life insurance policy covering the life of the insured; or

(vi) The licensee and any agents, employees or representatives.

(2) Subdivision (1) of this subsection shall not apply to statements made with actual malice. In an action brought against a person for filing a report or furnishing other information concerning a fraudulent life settlement act or a fraudulent insurance act, the party bringing the action shall plead specifically any allegation that subdivision (1) does not apply because the person filing the report or furnishing the information did so with actual malice.

(3) A person identified in subdivision (1) shall be entitled to an award of attorney's fees and costs if he or she is the prevailing party in a civil cause of action for libel, slander or any other relevant tort arising out of activities in carrying out the provisions of this chapter and the party bringing the action was not substantially justified in doing so. For purposes of this section a proceeding is "substantially justified" if it had a reasonable basis in law or fact at the time that it was initiated.

(4) This section does not abrogate or modify common law or statutory privileges or immunities enjoyed by a person described in subdivision (1).

(e) Confidentiality.

(1) The documents and evidence provided pursuant to subsection (d) of this section or obtained by the commissioner in an investigation of suspected or actual fraudulent life settlement acts shall be privileged and confidential and shall not be a public record and shall not be subject to discovery or subpoena in a civil or criminal action.

(2) Subdivision (1) of this subsection does not prohibit release by the commissioner of documents and evidence obtained in an investigation of suspected or actual fraudulent life settlement acts:

(i) In administrative or judicial proceedings to enforce laws administered by the commissioner;

(ii) To federal, state or local law enforcement or regulatory agencies, to an organization established for the purpose of detecting and preventing fraudulent life settlement acts or to the NAIC; or

(iii) At the discretion of the commissioner, to a person in the business of life settlements that is aggrieved by a fraudulent life settlement act.

(3) Release of documents and evidence under subdivision (2) of this subsection does not abrogate or modify the privilege granted in subdivision (1).

(f) Other law enforcement or regulatory authority. This chapter shall not:

(1) Preempt the authority or relieve the duty of other law enforcement or regulatory agencies to investigate, examine and prosecute suspected violations of law;

(2) Preempt, supersede, or limit any provision of any state securities law or any rule, order, or notice issued thereunder;

(3) Prevent or prohibit a person from voluntarily disclosing information concerning life settlement fraud to a law enforcement or regulatory agency other than the insurance department; or

(4) Limit the powers granted elsewhere by the laws of this state to the commissioner or an insurance fraud unit to investigate and examine possible violations of law and to take appropriate action against wrongdoers.

(g) Life settlement antifraud initiatives.

(1) Providers and brokers shall have in place antifraud initiatives reasonably calculated to detect, prosecute and prevent fraudulent life settlement acts. At the discretion of the commissioner, the commissioner may order, or a licensee may request and the commissioner may grant, such modifications of the following required initiatives as necessary to ensure an effective antifraud program. The modifications may be more or less restrictive than the required initiatives so long as the modifications may reasonably be expected to accomplish the purpose of this section. Antifraud initiatives shall include:

(i) Fraud investigators, who may be provider or broker employees or independent contractors; and

(ii) An antifraud plan, which shall be submitted to the commissioner. The antifraud plan shall include, but not be

limited to:

(A) A description of the procedures for detecting and investigating possible fraudulent life settlement acts and procedures for resolving material inconsistencies between medical records and insurance applications;

(B) A description of the procedures for reporting possible fraudulent life settlement acts to the commissioner;

(C) A description of the plan for antifraud education and training of underwriters and other personnel; and

(D) A description or chart outlining the organizational arrangement of the antifraud personnel who are responsible for the investigation and reporting of possible fraudulent life settlement acts and investigating unresolved material inconsistencies between medical records and insurance applications.

(2) Antifraud plans submitted to the commissioner shall be privileged and confidential and shall not be a public record and shall not be subject to discovery or subpoena in a civil or criminal action.

27-72-15. Injunctions -- Civil remedies -- Cease and desist. – (a) In addition to the penalties and other enforcement provisions of this chapter, if any person violates this chapter or any rule implementing this chapter, the commissioner may seek an injunction in a court of competent jurisdiction in this state and may apply for temporary and permanent orders that the commissioner determines necessary to restrain the person from further committing the violation.

(b) Any person damaged by the acts of another person in violation of this chapter or any rule or regulation implementing this chapter, may bring a civil action for damages against the person committing the violation in a court of competent jurisdiction.

(c) The commissioner may issue a cease and desist order upon a person who violates any provision of this part, any rule or order adopted by the commissioner, or any written agreement entered into with the commissioner, in accordance with the chapter governing administrative procedures, section 42-35-1 et seq.

(d) When the commissioner finds that such an action presents an immediate danger to the public and requires an immediate final order, he may issue an emergency cease and desist order reciting with particularity the facts underlying such findings. The emergency cease and desist order is effective immediately upon service of a copy of the order on the respondent and remains effective for ninety (90) days. If the department begins non-emergency cease and desist proceedings under subsection (a), the emergency cease and desist order remains effective, absent an order by a court of competent jurisdiction pursuant to section 42-35-1 et seq. In the event of a willful violation of this chapter, the superior court may award statutory damages in addition to actual damages in an additional amount up to three (3) times the actual damage award. The provisions of this chapter may not be waived by agreement. No choice of law provision may be utilized to prevent the application of this chapter to any settlement in which a party to the settlement is a resident of this state.

27-72-16. Penalties. – (a) It is a violation of this chapter for any person, provider, broker, or any other party related to the business of life settlements, to commit a fraudulent life settlement act.

(b) For criminal liability purposes, a person that commits a fraudulent life settlement act is guilty of committing insurance fraud and shall be subject to additional penalties under section 27-54-1 et seq.

(c) The commissioner shall be empowered to levy a civil penalty not exceeding one thousand dollars (\$1,000) and the amount of the claim for each violation upon any person, including those persons and their employees licensed pursuant to this chapter, who is found to have committed a fraudulent life settlement act or violated any other provision of this chapter.

(d) The license of a person licensed under this chapter that commits a fraudulent life settlement act shall be revoked.

27-72-17. Unfair trade practices. -- A violation of this chapter shall be considered an unfair trade practice pursuant to state law and subject to the penalties provided by state law.

27-72-18. Effective Date. – (a) A provider lawfully transacting business in this state prior to the effective date of this act may continue to do so pending approval or disapproval of that person's application for a license as long as the application is filed with the commissioner not later than thirty (30) days after publication by the commissioner of an application form and instructions for licensure of providers. If the publication of the application form and instructions is prior to the effective date of this act, then the filing of the application shall not be later than thirty (30) days after the effective date of this act. During the time that such an application is pending with the commissioner, the applicant may use any form of life settlement contract that has been filed with the commissioner pending approval thereof, provided that such form is otherwise in compliance with the provisions of this chapter. Any person transacting business in this state under this provision shall be obligated to comply with all other requirements of this chapter.

(b) A person who has lawfully negotiated life settlement contracts between any owner residing in this state and one or more providers for at least one year immediately prior to the effective date of this act may continue to do so pending approval or disapproval of that person's application for a license as long as the application is filed with the commissioner not later than thirty (30) days after publication by the commissioner of an application form and instructions for licensure of brokers. If the publication of the application form and instructions is prior to the effective date of this chapter, then the filing of the application shall not be later than thirty (30) days after the effective date of this act. Any person transacting business in this state under this provision shall be obligated to comply with all other requirements of this chapter.

SECTION 2. This act shall take effect on July 1, 2010."

Respectfully submitted,
SENATOR MILLER

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Walaska moves passage of the act, as amended, seconded by Senators Miller and Walaska.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7. 2009-H 5345

BY McCauley

**ENTITLED, AN ACT RELATING TO SPORTS RACING AND ATHLETICS --
MIXED MARTIAL ARTS**

Committee on Constitutional & Regulatory Issues recommends passage in concurrence.

Upon suggestion of Senator Goodwin, and without objection, ordered to be placed at the bottom of the Calendar.

ANNOUNCEMENTS

Senator Lynch announces that the Committee on Constitutional and Regulatory Issues will meet today, at 4:00 o'clock P.M. in Room 310 of the State House.

Senator Metts announces that the Committee on Education will meet today, at 4:00 o'clock P.M. in Room Senate Lounge of the State House.

Senator Felag announces that the Committee on Environment and Agriculture will meet today, at 4:00 o'clock P.M. in Room 211 of the State House.

Senator Felag announces that the Committee on Finance will meet today, at 3:00 o'clock P.M. in Room 211 of the State House.

Senator Sheehan announces that the Committee on Health and Human Services will meet today, at 4:00 o'clock P.M. in Room 212 of the State House.

Senator DeVall announces that the Committee on Housing and Municipal Government will meet today, at 3:00 o'clock P.M. in Room 310 of the State House.

Senator Levesque announces that the Committee on Judiciary will meet today, at 3:00 o'clock P.M. in Room 313 of the State House.

RECESS

Upon motion of Senator Connors, seconded by Senator Algieri, the Senate stands at recess at 2:54 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Friday, June 26, 2009, at 5:53 o'clock P.M.

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

Senator Tassoni from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

Nomination of Barrie K. Balemian (appointment) (Representing Heavy Construction) of North Kingstown VICE J. Robert Wahlberg (deceased) to the State Buildings Codes Standards Committee, for a term expiring May 1, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Thomas Kravitz (reappointment) (Local Planner) of Burrillville to the Rhode Island Housing Resources Commission, for a term expiring January 31, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of John K. Grosvenor (reappointment) of Newport to the Historical Preservation and Heritage Commission, for a term expiring June 1, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Robert H. Goff, Jr. (reappointment) of Providence to the Historical Preservation and Heritage Commission, for a term expiring June 1, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Mark R. Noble (appointment) of Wakefield VICE Anthony J. Marouchoc (resigned) to the Rhode Island Housing and Mortgage Finance Corporation, for a term expiring July 1, 2010.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Bernard Patenaude (reappointment) (Representing RI Association of Firefighters) of Cranston to the Fire Education and Training Coordinating Board, for a term expiring January 31, 2011.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Bonnie Sekeres (reappointment) (Senior Housig Advocate Seat) of Barrington to the Rhode Island Housing Resources Commission, for a term expiring January 31, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of John Silva (reappointment) (Representing RI Association of Firefighters) of Providence to the Fire Education and Training Coordinating Board, for a term expiring January 31, 2011.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Carrie E. Zaslow (appointment) (Community Development Intermediary) of Providence VICE Barbara Fields Karlin to the Rhode Island Housing Resources Commission, for a term expiring January 31, 2011.

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 measure:

Nomination of Alberto Aponte Cardona (reappointment) of West Greenwich to the Commission for Human Rights, for a term expiring July 1, 2014.

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 measure:

Nomination of Robin M. Coia (appointment) (Representing Labor) of Cranston VICE Robert Paniccia to the Rhode Island Human Resource Investment Council, for a term expiring January 1, 2011.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON FINANCE

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

Senate Bill No. 123

BY Senators Bates, Blais, Miller, Walaska, Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION - INVESTMENT TAX CREDIT

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 13

BY Senators Bates, Levesque C, Felag

ENTITLED, AN ACT AMENDING AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDING TO AN AMOUNT NOT EXCEEDING \$10,000,000

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 76

BY Senators Blais, Miller, Maher

ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX (would allow an individual to subtract from federal adjusted gross income up to \$10,000 if he/she, while living, donates one of his/her organs to another human being for human organ transplantation. This act would take effect upon passage.)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 921

BY Senators Gallo, DeVall, Fogarty P, DiPalma, Sosnowski

ENTITLED, AN ACT RELATING TO EDUCATION-- THE EDUCATION ADEQUACY ACT (would establish a permanent education foundation aid formula for calculating state aid to public education.) {LC2549/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 521 (by request)

BY Senator Bates

ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAX - LIABILITY AND COMPUTATION {LC1447/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 237

BY Senators Algieri, Maher

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DIVISION OF MOTOR VEHICLES (would require the administrator of the division of motor vehicles to maintain an office in Westerly and that it be open for at least three (3) days per week.)

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 120

BY Senators Miller, Tassoni, Connors, Levesque C, Lynch

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (would allow students of Rhode Island's public colleges and universities with current valid school identification cards to purchase to RIPTA transportation services at half price.)

Read and ordered to be placed on the Calendar.

Also:

Nomination of Robert W. Kay (reappointment) of Lincoln to the State Properties Committee, for a term expiring March 1, 2012.

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5983 SUB A as amended (Governor)

BY Watson, Loughlin, Savage, Ehrhardt, Newberry

ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010 {LC2189/1/A}

Read and ordered to be placed on the Calendar.

COMMITTEE ON EDUCATION

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

Senate Bill No. 727

BY Senators Pichardo, Jabour, Metts, DiPalma

ENTITLED, AN ACT RELATING TO EDUCATION - COLLEGE AND CAREER SUCCESS FOR ALL STUDENTS ACT (would require the establishment of clear training guidelines for teachers who will teach advanced placement classes in Rhode Island public schools) {LC1567/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 998

BY Senators Pichardo, Paiva-Weed

ENTITLED, AN ACT RELATING TO THE COMMUNITY COLLEGE OF RHODE ISLAND FOUNDATION {LC2797/1}

Read and ordered to be placed on the Calendar.

Also:

Nomination of Thomas J. Rockett, Ph.D (reappointment) of East Greenwich to the Board of Governors for Higher Education, for a term expiring January 31, 2012.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

Senator Goodwin from the Committee on Constitutional and Regulatory Issues, reports back, with recommendation of passage of the following measure:

Senate Resolution No. 701

BY Senators Metts, Pichardo, Jabour, Perry, Miller

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE STATE)

Read and ordered to be placed on the Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

Senate Bill No. 668 SUB A

BY Senators Ruggerio, Sosnowski, Connors, Miller, Picard

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT (would revise the mercury reduction and education act in order to require thermostat manufacturers to submit plans for the collection and disposal of mercury thermostats) {LC1858/1/A}

Read and ordered to be placed on the Calendar.

COMMITTEE ON LABOR

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

Senate Bill No. 1025

BY Senators Maselli, Connors, Ruggerio, Tassoni, Jabour

ENTITLED, AN ACT UNDERGROUND ECONOMY COMMISSION {LC2910/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 1035**

BY Senator Maselli

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL JOINT COMMISSION TO STUDY THE UNDERGROUND ECONOMY AND EMPLOYEE MISCLASSIFICATION {LC2927/1}

Senator Maselli requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Maselli moves passage, seconded by Senators Bates, Ruggerio and Fogarty.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 1034

BY Senator Connors

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY R.I.G.L. ° 23-17.14, THE HOSPITAL CONVERSION ACT {LC2941/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senator Algieri.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 1029

BY Senator Fogarty P

ENTITLED, AN ACT RELATING TO THE OAKLAND - MAPLEVILLE NUMBER 4 FIRE DISTRICT {LC2932/1}

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by Senators Connors and Algieri.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CONSENT CALENDAR

In order for the day is taken up as follows:

- 1 Nomination of Alberto Aponte Cardona (reappointment) of West Greenwich to the Commission for Human Rights, for a term expiring July 1, 2014..**
- 2 Nomination of Barrie K. Balemian (appointment) (Representing Heavy Construction) of North Kingstown VICE J. Robert Wahlberg (deceased) to the State Buildings Codes Standards Committee, for a term expiring May 1, 2012..**
- 3 Nomination of Thomas Kravitz (reappointment) (Local Planner) of Burrillville to the Rhode Island Housing Resources Commission, for a term expiring January 31, 2012..**
- 4 Nomination of John K. Grosvenor (reappointment) of Newport to the Historical Preservation and Heritage Commission, for a term expiring June 1, 2012..**
- 5 Nomination of Robert H. Goff, Jr. (reappointment) of Providence to the Historical Preservation and Heritage Commission, for a term expiring June 1, 2012..**
- 6 Nomination of Mark R. Noble (appointment) of Wakefield VICE Anthony J. Marouchoc (resigned) to the Rhode Island Housing and Mortgage Finance Corporation, for a term expiring July 1, 2010..**
- 7 Nomination of Bernard Patenaude (reappointment) (Representing RI Association of Firefighters) of Cranston to the Fire Education and Training Coordinating Board, for a term expiring January 31, 2011..**
- 8 Nomination of Bonnie Sekeres (reappointment) (Senior Housig Advocate Seat) of Barrington to the Rhode Island Housing Resources Commission, for a term expiring January 31, 2012..**

- 9 Nomination of John Silva (reappointment) (Representing RI Association of Firefighters) of Providence to the Fire Education and Training Coordinating Board, for a term expiring January 31, 2011..**
- 10 Nomination of Carrie E. Zaslow (appointment) (Community Development Intermediary) of Providence VICE Barbara Fields Karlin to the Rhode Island Housing Resources Commission, for a term expiring January 31, 2011..**
- 11 Nomination of Robin M. Coia (appointment) (Representing Labor) of Cranston VICE Robert Paniccia to the Rhode Island Human Resource Investment Council, for a term expiring January 1, 2011..**
- 12 Nomination of Robert W. Kay (reappointment) of Lincoln to the State Properties Committee, for a term expiring March 1, 2012..**
- 13 Nomination of Thomas J. Rockett, Ph.D (reappointment) of East Greenwich to the Board of Governors for Higher Education, for a term expiring January 31, 2012. .**

Upon motion of Senator Connors, seconded by Senator Algieri, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, 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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

1. 2009-S 13 SUB A

BY Bates

ENTITLED, AN ACT AMENDING AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDING TO AN AMOUNT NOT EXCEEDING \$10,000,000

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

Senator Bates moves passage, seconded by Senators Blais and Levesque.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

2. 2009-S 76

BY Blais

ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX

Committee on Finance recommends passage.

Senator Blais moves passage, seconded by Senators Algieri, Fogarty, O'Neill, Jabour, Crowley and Ruggerio.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2009-S 120 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

Senator Miller moves passage, seconded by Senators Connors, Levesque and Pichardo.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2009-S 123 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO TAXATION - INVESTMENT TAX CREDIT

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

Senator Bates moves passage, seconded by Senators Blais and DiPalma.

Senators Lenihan, Blais and Sheehan 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 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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5. 2009-S 237**BY Algieri****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
DIVISION OF MOTOR VEHICLES**

Committee on Finance recommends passage.

Senator Algieri moves passage, seconded by Senators Maher and Sosnowski.

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 Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6. 2009-S 521 SUB A**BY Bates****ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAX
LIABILITY AND COMPUTATION**

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

Upon suggestion of Senator Bates and without objection, ordered to be placed at the bottom of the Calendar.

7. 2009-S 668 SUB A

BY Ruggerio

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY
REDUCTION AND EDUCATION ACT**

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

Senator Ruggerio moves passage, seconded by Senators Sosnowski and Miller.

Senator Ruggerio seconded by Senators Sosnowski and Miller, offers the following written motion to amend.

FLOOR AMENDMENT

2009 -- S 668 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT

Madam President:

I hereby move to amend 2009 -- S 668 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT", as follows:

1. On Page 5, between lines 33 and 34 by adding the following language:

"(g) Any contractor who demolishes a building shall remove any mercury-containing thermostats from the building prior to demolition and shall deliver the mercury- containing thermostats to an appropriate, wholesaler, retailer or collection location for recycling."

2. On Page 8, line 2, after the designation "(iii)" by the deleting the following language: "and (iv)".

3. On Page 8, line 6, after the language "(iii)" by deleting the language "and (iv)".

4. On Page 8, line 29, after the language "receipt of a" by deleting the language "complete application" and inserting in place thereof the following language: "collection plan".

5. On Page 9, line 12, after the language "municipalities" by deleting the language "and" and inserting in place thereof ",".

6. On Page 9, line 12, after the language "thermostat retailers" by inserting the following language: "and any other locations".

7. On Page 9, line 18, after the language "department shall" by inserting the following language: "promulgate regulations pursuant to section 23-24.9-20 that: (i)". 8. On Page 9, line 19, after the word "thermostats" by deleting the word "generated" and inserting in place thereof the following language: "becoming waste".

9. On Page 9, line 19, by deleting the word "interest" and inserting in place thereof the word: "interested".

10. On Page 9, line 20, by deleting the word "representative" and inserting in place thereof the word "representatives".

11. On Page 9, line 21, after the word "municipalities" by inserting the following language: ", and (ii) establish performance requirements that specify collection rates expressed as a percentage of out-of-service mercury thermostats becoming waste annually as determined in (i) above".

12. On Page 9, lines 22 through 23, by deleting the following language: "at least twenty-five percent (25%) of the".

13. On Page 9, line 23, after the language "in the state" by inserting the following language: "at the rate determined by the department in (ii) above."

14. On Page 9, lines 23 through 28 by deleting all the language starting with the word "Beginning" through the end of the sentence on line 28 that ends with "in the state".

15. On Page 9, line 28, after the language "in the collection" by deleting the word "an" and inserting in place thereof the word: "and".

16. On Page 10, line 18, after the language "provide exemptions" by deleting the word "form" and inserting in its place the word: "from".

17. On Page 10, line 27, by deleting the language "made by the department".

18. On Page 10, line 28, after the word "continue" by deleting the word "than" and inserting in its place thereof the word "then".

19. On Page 10, line 29, after the word "section" by deleting the words "on later" and inserting in place thereof the following language: "no later than".

Respectfully submitted,
SENATOR RUGGERIO

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan,

Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Picard

Senator Ruggerio moves passage of the act, as amended, seconded by Senator Sosnowski.

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

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Cote, Picard

8. 2009-S 701

BY Metts

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE STATE)

Committee on Constitutional & Regulatory Issues recommends passage.

Senator Metts moves passage, seconded by Senators Goodwin, Pichardo, Jabour and Levesque.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Bates, Blais, Sheehan

9. 2009-S 727

BY Pichardo

ENTITLED, AN ACT RELATING TO EDUCATION - COLLEGE AND CAREER SUCCESS FOR ALL STUDENTS ACT

Committee on Education recommends passage.

Senator Pichardo moves passage, seconded by Senators DiPalma, DeVall and Gallo.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

10. 2009-S 921

BY Gallo

ENTITLED, AN ACT RELATING TO EDUCATION-- THE EDUCATION ADEQUACY ACT

Committee on Finance recommends passage.

Senator Gallo moves passage, seconded by Senators Fogarty, DeVall, Sheehan, Maselli, Pichardo, Metts, Picard, Ciccone and Connors.

Senators Blais, Gallo, Maher, Felag, Metts, Lenihan, Levesque, Sosnowski and Connors discuss the act.

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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Barry O'Connor, Jr, Nick Figueroa, Sandy Riojas, Joseph Buchanon and Ramon Martinez..

CALENDAR

11. 2009-S 998

BY Pichardo

ENTITLED, AN ACT RELATING TO THE COMMUNITY COLLEGE OF RHODE ISLAND FOUNDATION

Committee on Education recommends passage.

Senator Pichardo moves passage, seconded by Senators Gallo, DeVall and Metts.

The act is read and passed, by unanimous consent, 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, Bates, Blais, Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12. 2009-S 1025

BY Maselli

ENTITLED, AN ACT UNDERGROUND ECONOMY COMMISSION

Committee on Labor recommends passage.

Senator Maselli moves passage, seconded by Senators Algieri, Fogarty, Miller, Ruggerio and Connors.

Senators Jabour, Lenihan, Maselli and Connors discuss the act.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

13. 2009-H 5983 SUB A as amended

BY Watson

ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

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

Senator DaPonte moves passage, seconded by Senators Bates, DiPalma, Sosnowski, Jabour, Felag, Connors, Maselli, Perry, Levesque and Lynch.

Senators Metts, Crowley, Sheehan, Levesque, Miller, Pichardo and Connors 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 35 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Maher, Pinga

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6334

BY Costantino, Carter, Ehrhardt

ENTITLED, AN ACT AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR FISCAL YEAR ENDING JUNE 30, 2010 {LC2943/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Ruggerio, Felag, Connors and Sheehan.

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, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

6. 2009-S 521 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAX LIABILITY AND COMPUTATION

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

Senator Bates moves passage, seconded by Senators Maher, Sosnowski, DaPonte and DiPalma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Ciccone

NEW BUSINESS

Senate Resolution No. 1037

BY Senator Blais

ENTITLED, SENATE RESOLUTION CONGRATULATING ERIK C. STAMP ON ATTAINING THE RANK OF EAGLE SCOUT {LC2938/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senators Algieri, Maher, O'Neill and Connors.

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

Also:

Senate Resolution No. 1038

BY Senator Blais

ENTITLED, SENATE RESOLUTION RECOGNIZING AND COMMENDING JARED R. JACAVONE ON ACHIEVING SCOUTING'S MOST DISTINGUISHED HONOR, THE RANK OF EAGLE SCOUT {LC2939/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senators Algieri and Maher.

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

RECESS

Upon motion of Senator Doyle, seconded by Senator Algieri, the Senate stands at recess at 7:37 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Tuesday, June 30, 2009, at 4:30 o'clock P.M.

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:

Nomination of James Celenza (reappointment) of Providence to the State Medical Examiners Commission, for a term expiring June 30, 2012..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Todd S. Manni (reappointment) of Smithfield to the State Medical Examiners Commission, for a term expiring June 30, 2012..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Michael A. Schuster (reappointment) of Narragansett to the State Medical Examiners Commission, for a term expiring June 30, 2012..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Susan Tasca (reappointment) of Cranston to the State Medical Examiners Commission, for a term expiring June 30, 2012..

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:

Nomination of William J. Clegg of Warwick VICE Monica Horan to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2011..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of James T. Murphy, Esquire (appointment) (Rhode Island Bar Association Seat) of North Kingstown VICE Robert H. Breslin to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2010.

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Matthew T. Oliverio, Esquire (appointment) (Rhode Island Bar Association Seat) of East Greenwich VICE James Lepore to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2011.

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Patricia K. Rocha, Esquire (appointment) (Rhode Island Bar Association Seat) of Canton, MA VICE Jerry McIntyre to the Commission on Judicial Tenure and Discipline, for a term expiring April 1, 2012..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Richard DuBois, MBA (appointment) of North Smithfield VICE Judith Bailey (resigned) to the State Board of Elections, for a term expiring June 1, 2018..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of William E. West (appointment) of Portsmouth VICE Thomas V. Iannitti (resigned) to the State Board of Elections, for a term expiring June 1, 2013..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Clay J. Choquette (reappointment) of Gloucester to the State Crime Laboratory Commission for a term expiring January 1, 2011..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Nancy R. Haley (reappointment) of West Kingston to the State

Crime Laboratory Commission for a term expiring January 1, 2011..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Chief George L. Kelley, III (reappointment) (Representing the Rhode Island Police Chiefs Association) of Pawtucket to the State Crime Laboratory Commission for a term expiring January 1, 2011.

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 569

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS {LC1861/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 380

BY Senators Doyle, Connors, Tassoni, McBurney

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION (require any person having a duty to register as a sex offender, who has temporarily resided in this state for a period of 14 days, to register by appearing in person within 24 hours at the law enforcement agency in the city/town which they reside)

Read and ordered to be placed on the Calendar

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

Nomination of David J. Wallace of Exeter to the Agricultural Lands Preservation Commission, for a term expiring January 1, 2014..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Christopher H. Hannafin, D.V.M. (reappointment) (Representing the Rhode Island Veterinary Medical Association) to the Rabies Control Board, for a term expiring September 1, 2011..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Allan Klepper (appointment) of Barrington VICE Richard Mignanelli (resigned) to the Water Resources Board, for a term expiring March 1, 2010..

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of Robert G. Driscoll (appointment) of Portsmouth to the Coastal Resource Management Council, for a term expiring January 31, 2011.

Read and ordered to be placed on the Consent Calendar

Also:

Nomination of James M. Pagliarini (appointment) of Johnston to the Agricultural Lands Preservation Commission for a term expiring January 1, 2014..

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS

Senate Bill No. 1033

BY Senators Miller, Maselli, Ruggiero, Tassoni

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS {LC2937/1}

Read and referred to the Committee on Environment and Agriculture.

Also:

Senate Bill No. 1036

BY Senators Gallo, Levesque C, DeVall

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM {LC2936/1}

Read and referred to the Committee on Health and Human Services

Also:

Senate Resolution No. 1039

BY Senators Sheehan, Lenihan

ENTITLED, JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT

BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND BAKERFORD PROPERTIES, LLC {LC2921/1}

Read and referred to the Committee on Finance

Also:

Senate Resolution No. 1040

BY Senator Levesque C

ENTITLED, JOINT RESOLUTION RELATING TO THE RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT AND APPROVING THE LEASE AGREEMENT BETWEEN THE STATE OF RHODE ISLAND ACTING THROUGH THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES AND PUI O, INC. {LC2920/1}

Read and referred to the Committee on Finance

Also:

Senate Bill No. 1041

BY Senator Maselli

ENTITLED, AN ACT RELATING TO EDUCATION {LC2951/1}

Read and referred to the Committee on Finance

COMMITTEE ON CORPORATIONS

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

Senate Bill No. 465 SUB A (Business Regulation)

BY Senator Blais

ENTITLED, AN ACT RELATING TO INSURANCE {LC1413/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 667 SUB A (Business Regulation)

BY Senator Blais

ENTITLED, AN ACT RELATING TO INSURANCE (omnibus bill which clarifies and amends certain sections of insurance law) {LC1325/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 463 SUB A (Business Regulation)

BY Senator Blais

ENTITLED, AN ACT RELATING TO INSURANCE (would add policy standards for group life ins. contracts issued in RI. The bill is based upon the Nat. Ass. of Ins. Comm. Group Life Insurance Model Act. These or substantially similar standards have been adopted in 48 states.) {LC1324/1/A}

Read and ordered to be placed on the Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 107 SUB A

BY Senators Jabour, Perry, Cote, Picard, Pinga

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - LOCATION OF GAS REGULATORS AND GAS METERS (would establish procedures for the location or relocation of gas regulators & gas meters on residential property by a public utility, & would make additional provisions regarding historic buildings.) {LC325/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5127 SUB A

BY Pacheco, Guthrie, Sullivan, Ruggiero, Newberry

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE AND MANUFACTURED HOMES {LC285/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5323

BY Kilmartin

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - APPOINTMENT, QUALIFICATION AND TENURE OF OFFICERS

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5329

BY Menard, Winfield, Naughton, Schadone

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS-DIVORCE AND SEPARATION

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5490

BY Lally, Jackson

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - COLLECTION AND MANAGEMENT OF DECEDENTS' ESTATES (would allow any executor or administrator of an estate to donate a conservation easement on real estate to obtain the benefit of a federal state tax exclusion)

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5683 SUB A as amended

BY Lally

ENTITLED, AN ACT RELATING TO AUTHORIZATION FOR SANITARY SEWER LINE FROM BONNET SHORES BEACH CLUB CONDOMINIUM TO TOWN OF NARRAGANSETT WASTEWATER TREATMENT SYSTEM (would allow the Bonnet Shores Beach Club Condo Association to construct, use, operate, maintain & repair a sanitary sewer line located at 175 Bonnet Point Road in Narragansett) {LC1869/2/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5782 SUB A

BY Jackson, Martin, Rice A, Sullivan, Edwards

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX {LC2073/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5786 SUB A (Transportation)

BY Watson

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CHILD RESTRAINTS {LC1550/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5893 SUB A

BY Corvese, Silva

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AUTOMOBILE BODY REPAIR SHOPS {LC1679/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5936 (Corrections)

BY Almeida

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION (would permit the department of corrections to release an inmate on the prior business day of their prison release date or completion of sentence if such date falls on a weekend or on a holiday) {LC1617/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6096

BY Almeida, DaSilva, Carnevale, Shallcross Smith, Guthrie

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE (would create the interoperable communications committee (ICC) which would deal with statewide communications interoperability) {LC2367/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6194

BY Azzinaro, Walsh, Kennedy

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$30,000,000 BONDS BY THE TOWN OF WESTERLY TO FINANCE THE RENOVATION, REHABILITATION, REPAIR, IMPROVEMENT, FURNISHING AND EQUIPPING OF THE WESTERLY HIGH SCHOOL (would serve as the enabling act required by Rhode Island general laws section 16-7-44 in order for the interest on bonds issued in support of school housing projects to be eligible for state housing aid reimbursement) {LC2598/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6225 SUB A

BY Kilmartin, Wasylyk, Lally, Kennedy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES (when a hospital provides a surgical procedure by a non employee physician, it must provide that patient with the same care, education and resources provided to patients of employee physicians) {LC2682/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6255

BY Caprio D

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2781/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6256

BY Pollard, Pacheco, Winfield

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER {LC2771/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6266

BY Jackson, Martin, Rice A

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- DISTRICT MANAGEMENT AUTHORITIES {LC2761/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6276

BY Mattiello

ENTITLED, AN ACT RELATING TO EDUCATION {LC2766/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6279

BY Martin, Ruggiero, Jackson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2791/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6291

BY Martin, Rice A

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS -- NEWPORT PROBATE COURT {LC2790/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6303

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE {LC2875/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Resolution No. 6335

BY Costantino

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS {LC2879/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5135

BY Walsh, Ajello, Almeida, Williams, Handy

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE CIVIL RIGHTS ACT OF 1990 (would set a three (3) year statute of limitations on any alleged violation of this chapter.)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5197

BY Carter, Gallison, Walsh

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTORS (would exempt funeral directors/embalmers from continuing education requirements if they are sixty-five (65) years of age and have forty (40) years of experience.)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5567

BY Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION {LC1946/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6294

BY Silva, Vaudreuil

ENTITLED, AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO PROVIDE FOR THE RENOVATION, REHABILITATION, REPLACEMENT, IMPROVEMENT, AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS AND SCHOOL FACILITIES IN THE CITY OF CENTRAL FALLS AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$5,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR {LC2846/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5112 SUB C

BY Costantino, Naughton, Slater, Giannini, Almeida

ENTITLED, AN ACT RELATING TO CENTERS FOR MEDICARE AND MEDICAID SERVICES WAIVER AND EXPENDITURE AUTHORITY (would authorize the implementation of the Rhode Island Global Consumer Choice Compact Demonstration subject to various restrictions that would require prior general assembly approval) {LC633/1/C}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 286 SUB B as amended

BY Senators Ciccone, Picard, Tassoni, Felag, Jabour

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - VIDEO LOTTERY TERMINAL {LC997/2/B}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6009

BY Naughton, McNamara, Lally, Ferri, Murphy

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - NAMING THE NEW KENT COUNTY COURTHOUSE (would name the new Kent County Courthouse "The Governor Philip W. Noel Judicial Complex.") {LC2284/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5273 SUB A

BY Kennedy, Lally, Azzinaro, Caprio D, Rice M

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES {LC844/2/A}

Read and ordered to the Committee on Health and Human Services

Also:

House Bill No. 5074 SUB A as amended

BY Gemma, Flaherty, Ferri, Trillo

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES AND OTHER VEHICLES -- PASSING, USE OF LANES, AND RULES OF THE ROAD {LC98/3/A}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 6058 SUB A

BY Lally, Caprio D, Malik

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING {LC2345/1/A}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 6245

BY Walsh, Fox, Gallison, Malik, Ferri

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION (would increase the number of the members of the economic development corporation & would also create a permanent joint oversight committee on economic development) {LC2745/1}

Read and ordered to the Committee on Finance

Also:

House Resolution No. 6053 SUB A

BY Kilmartin

ENTITLED, JOINT RESOLUTION RELATING TO HEALTH AND SAFETY -- ENERGY {LC382/5/A}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 6051 SUB A

BY Gallison, Carter, Almeida, Fellela, MacBeth

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would allow the issuance of vanity plates to veterans and disabled veterans.) {LC2338/1/A}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 6286 SUB A

BY Caprio D, Lally, Rice M, Walsh, Carter

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES -- THE TOWERS LICENSE PLATES {LC2804/1/A}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 6188 SUB A

BY Brien, Lally, Mattiello, Gablinske, Baldelli-Hunt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT (would establish within the economic development corporation an expanded program to assist Rhode Island companies to secure new business with federal, state and local governments) {LC2591/1/A}

Read and ordered to the Committee on Corporations

Also:

House Resolution No. 6299

BY Kilmartin

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT OF PORT FACILITIES IN THE STATE OF RHODE ISLAND {LC2842/1}

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5613 SUB A

BY McNamara, Gallison, Malik

ENTITLED, AN ACT RELATING TO INSURANCE -- TEACHERS' HEALTH INSURANCE {LC1289/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Resolution No. 5696 (General Treasurer)

BY Handy, Ferri, Gallison, Ehrhardt, Shallcross Smith
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF UNIVERSAL VOLUNTARY RETIREMENT ACCOUNTS {LC1715/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5661 SUB A

BY Giannini, DaSilva, Corvese, Petrarca, Gablinske
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE (would mandate a fine of no less than forty thousand dollars (\$40,000) and imprisonment for up to life for anyone found guilty of sex trafficking of a minor) {LC1936/2/A}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 6313

BY McCauley, Menard, Pacheco
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- SMOKE AND CARBON MONOXIDE DETECTORS (would provide that smoke detectors and carbon monoxide detector certificates be valid for a period of not less than one hundred twenty (120) days.) {LC2749/1}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 5496

BY Rice A
ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - PASSIVE VOLUNTARY ADOPTION MUTUAL CONSENT REGISTRY {LC1414/1}

Read and ordered to the Committee on Health and Human Services

Also:

House Bill No. 5914 SUB A

BY Costantino, Dennigan, Carter, Jacquard, Melo
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (would require that the names and compensation of those providing professional services to public corporations be made public) {LC2101/1/A}

Read and ordered to the Committee on Finance

Also:

House Bill No. 5155 SUB A

BY Costantino, Slater, Almeida, Giannini, Melo

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM (would amend restrictions regarding eligibility for post retirement employment to include participants in an alternate retirement plan provided to certain employees by the board of governors for higher education and/or the office of higher education {LC704/1/A}

Read and ordered to the Committee on Finance

Also:

House Bill No. 6206

BY San Bento, Malik, Coderre E, Jacquard

ENTITLED, AN ACT RELATING TO TAXATION - SETOFF OF REFUND OF PERSONAL INCOME TAX (would amend certain provisions relative to the setoff procedure for refunds of personal income tax and what constitutes a "debtor" and "obligations owed" for purposes of this chapter.) {LC2585/1}

Read and ordered to the Committee on Finance

Also:

House Bill No. 5218 SUB A

BY Gallison, Gablinske, Malik, Rice A, Pollard

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - OUTDOOR WOOD-FIRED HYDRONIC HEATERS (would regulate the sale and installation of outdoor wood-fired hydronic heaters.) {LC758/3/A}

Read and ordered to the Committee on Environment and Agriculture

Also:

House Bill No. 5908

BY Fellela, Giannini, Ucci

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - HAZARDOUS WASTE CLEANUP - IMMUNITY EXCEPTIONS (would remove the exemption from immunities provision in section 23-19.8-2 from oil spill prevention and control activities) {LC1526/1}

Read and ordered to the Committee on Environment and Agriculture

Also:

House Bill No. 6210 SUB A

BY Martin, DaSilva, Kilmartin, Carnevale, Shallcross Smith

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- INTERNET SERVICE PROVIDERS -- DUTY TO DISCLOSE INFORMATION {LC2647/1/A}

Read and ordered to the Committee on Corporations

Also:

House Bill No. 5372 SUB A

BY Pollard, Edwards, Guthrie, Azzinaro, Marcello

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY {LC1023/1/A}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 5892 SUB A

BY Corvese, Silva

ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICE ACT {LC1680/1/A}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 5585

BY Carter, Lima

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS (would add the requirement that any person operating hoisting or excavation equipment which can lift more than five hundred pounds (500 lbs.) must have a license to do so as provided in this chapter) {LC1871/1}

Read and ordered to the Committee on Labor

Also:

House Bill No. 5383 SUB A as amended

BY Ehrhardt, Corvese, Williams, Newberry, Savage

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY -- BENEFITS (amend the availability for work requirement) {LC1026/1/A}

Read and ordered to the Committee on Labor

Also:

House Bill No. 5174

BY Flaherty, Winfield

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR ACTIONS (would permit parents of a deceased child who are divorced, separated, living apart or never married to file a motion requesting the judge to apportion fairly any amount awarded in a wrongful death action.

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5115 SUB A

BY Lima, Giannini, Coderre E, Ajello, Almeida

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES (would establish the Rhode Island foreclosed property upkeep act and would require certain used metals dealers to request and retain proof of ownership from persons selling such metals.) {LC349/1/A}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 6305

BY O'Neill JP, Melo, Sullivan, Petrarca

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL BUS SAFETY ENFORCEMENT {LC2855/1}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5360 SUB A as amended

BY Gallison, Guthrie, Menard, Jacquard, Carter

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PROGRAMS FOR FIRE DEPARTMENTS (would transfer the responsibility for enforcement of safety and health programs for the fire departments from the director of labor and training to the department of attorney general.) {LC1116/2/A}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 6304

BY Sullivan, Watson, Guthrie

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - BIG RIVER RESERVOIR MORATORIUM {LC2836/1}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 6325 as amended

BY Williamson

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- WEST WARWICK HOME RULE CHARTER {LC2890/1}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 6213

BY Shallcross Smith, Carnevale, Mattiello, Almeida

ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- MENTAL HEALTH FACILITIES (would revise the definition of facility under RI health law to establish uniformity in the licensing and regulation of facilities by the RI dept. of mental health, retardation & hospitals.) {LC2600/1}

Read and ordered to the Committee on Health and Human Services

Also:

House Bill No. 5636

BY Dennigan, Melo, Costantino, Mattiello

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE EXPENDITURES FOR NON-STATE EMPLOYEE SERVICES (require the dir. of the depart. of administration to ensure the required quarterly reports from state departments regarding non-state employee services have the necessary information prior to submission to the chairs of the house/senate finance committee {LC1574/1}

Read and ordered to the Committee on Finance

Also:

House Bill No. 5082 SUB A as amended

BY Carter, Gemma, Jacquard, Gallison, Almeida

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF VETERANS' AFFAIRS {LC209/1/A}

Read and ordered to the Committee on Finance

Also:

House Bill No. 5056 SUB A as amended

BY Gemma, Fox, Kilmartin, Schadone

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF ADMINISTRATION {LC4/1/A}

Read and ordered to the Committee on Finance

Also:

House Bill No. 6278 SUB A

BY Gablinske, Corvese, Brien, Malik

ENTITLED, AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS {LC2799/1/A}

Read and ordered to the Committee on Education

Also:

House Bill No. 5356

BY Dennigan, Ferri, Ruggiero

ENTITLED, AN ACT RELATING TO LIBRARIES (would place the office of library and information services under the direction of a chief library officer rather than a chief information officer.)

Read and ordered to the Committee on Education

Also:

House Bill No. 5900 SUB A as amended

BY Diaz, Williams, Almeida, Carnevale, Fox

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - SMALL LOAN LENDERS {LC1022/1/A}

Read and ordered to the Committee on Corporations

Also:

House Bill No. 5566 SUB A

BY Lally

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- COMMUNITY OBLIGATIONS AND BANKING OFFENSES (expand the practice of law to the evaluation of legal rights of real estate buyers/sellers/lenders/borrowers, and would not prevent a domestic, attorney-owned title insurance co. officer/agent from engaging in real estate closings) {LC1684/1/A}

Read and ordered to the Committee on Corporations

Also:

House Bill No. 6073 SUB A as amended

BY Gemma, Schadone, Diaz, Ferri, Baldelli-Hunt

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF MOTOR VEHICLES - BREAST CANCER SUPPORT LICENSE PLATES {LC2369/1/A}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 6261 SUB A as amended

BY Lima, Ucci, Pacheco, MacBeth, Fox

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES {LC2762/1/A}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Resolution No. 5967 as amended

BY Pacheco, Fox, Naughton, McNamara

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE TASK FORCE ON SUMMER LEARNING PROGRAMS" {LC2162/1}

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 6328

BY Slater, Diaz

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$22,338,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO PROVIDE FUNDING FOR "WARM, SAFE AND DRY" PROJECTS IN PROVIDENCE PUBLIC SCHOOLS {LC2883/1}

Read and ordered to the Committee on Finance

Also:

House Bill No. 5528

BY Jackson, Rice A, Martin

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES -- NEWPORT

Read and ordered to the Committee on Finance

COMMITTEE ON JUDICIARY

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

Also:

House Bill No. 5006 SUB A

BY Mattiello

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - FRAUD AND FALSE DEALING (would create the misdemeanor criminal offense of "defrauding the administration of a drug or alcohol test.") {LC183/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5053 SUB A

BY Corvese, Schadone, San Bento, Wasylyk

ENTITLED, AN ACT TO AUTHORIZE THE TOWN OF NORTH PROVIDENCE TO TAKE LAND BY EMINENT DOMAIN {LC23/2/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5184

BY Williamson, Watson

ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS (would change the title of the "executive secretary" of the parole board to "administrator")

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5370

BY Coderre E, Naughton, Serpa, Williams, Giannini

ENTITLED, AN ACT RELATING TO ELECTIONS -- ADDRESS CONFIDENTIALITY OF DOMESTIC VIOLENCE VICTIMS (would expand the list of those persons/voters who may protect the confidentiality of their addresses from the recipients of domestic violence restraining orders to include members of their household.)

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5488

BY Lally, Jackson

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- TRUSTEE POWERS (would expand the powers of a trustee to allow them to donate a conservation easement on any real property in order to obtain the benefit of the state tax exclusion)

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5949 SUB A

BY Lally

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PERSONS WITH DISABILITIES (would amend the state's civil rights laws so as to incorporate definitions and other changes made by the federal ADA Amendments Act) {LC2085/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6082 SUB A as amended

BY Menard, MacBeth

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES {LC2372/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6232

BY Walsh

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Marcia Reback to join Maureen G. Martin and Kevin W. Ryan in marriage within the Town of Narragansett, Rhode Island on or about August 1, 2009) {LC2695/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6244

BY Gallison

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Richard Wolberg to join Julie Wolfson and Jamison Moeser in marriage within the Town of Bristol, Rhode Island on or about October 11, 2009) {LC2751/}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 5005

BY Pacheco

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS (would authorize persons 16 and 17 years of age who preregister to vote to automatically be registered upon reaching age 18.)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5253

BY Ajello, McNamara, Corvese, Handy, Serpa
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE POLICE
(would require the state police, in consultation with other appropriate agencies, to send out emergency alerts if a person with a diagnosis of dementia is reported missing)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 5445

BY Driver

ENTITLED, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING {LC1412/1}

Read and ordered to be placed on the Calendar

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

Senator Goodwin from the Committee on Constitutional and Regulatory Issues, reports back, with recommendation of passage of the following measures:

House Bill No. 6088

BY Lima, Wasylyk, Williams

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would prohibit any liquor licensee from knowingly allowing the use of its premises as part of an organized pub crawl) {LC2371/1}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5769 (Business Regulation)

BY Loughlin

ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETES - BOXING
{LC1520/1}

Read and ordered to be placed on the Consent Calendar

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

Senator Tassoni from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measure:

House Bill No. 6015

BY Pacheco **ENTITLED**, AN ACT RELATING TO THE OAKLAND - MAPLEVILLE NUMBER 4
FIRE DISTRICT {LC2118/1}

Read and ordered to be placed on the Consent Calendar.

ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Connors, the Senate adjourns at 4:33 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR FRANK A. DEVALL, JR.

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.