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ARTICLE 3 AS AMENDED

RELATING TO GOVERNMENT REFORM AND REORGANIZATION

SECTION 1. Section 3-7-14.2 of the General Laws in Chapter 3-7 entitled "Retail Licenses" is hereby amended to read as follows:

3-7-14.2. Class P licenses -- Caterers.

(a) A caterer licensed by the department of health and the division of taxation shall be eligible to apply for a Class P license from the department of business regulation. The department of business regulation is authorized to issue all caterers' licenses. The license will be valid throughout this state as a state license and no further license will be required or tax imposed by any city or town upon this alcoholic beverage privilege. Each caterer to which the license is issued shall pay to the department of business regulation an annual fee of five hundred dollars (\$500) for the license, ~~and one dollar (\$1.00) for each duplicate of the license,~~ which fees are paid into the state treasury. The department is authorized to promulgate rules and regulations for the implementation of this license. In promulgating said rules, the department shall include, but is not limited to, the following standards:

- (1) Proper identification will be required for individuals who look thirty (30) years old or younger and who are ordering alcoholic beverages;
 - (2) Only valid ID's as defined by these titles are acceptable;
 - (3) An individual may not be served more than two (2) drinks at a time;
 - (4) Licensee's, their agents, or employees will not serve visibly intoxicated individuals;
 - (5) Licensee's may only serve alcoholic beverages for no more than a five (5) hour period per event;
 - (6) Only a licensee, or its employees, may serve alcoholic beverages at the event;
 - (7) The licensee will deliver and remove alcoholic beverages to the event; and
 - (8) No shots or triple alcoholic drinks will be served.
- (b) Any bartender employed by the licensee shall be certified by a nationally recognized alcohol beverage server training program.

(c) The licensee shall purchase at retail all alcoholic beverages from a licensed Class A alcohol retail establishment located in the state, provided, however, any licensee who also holds a Class T license, issued pursuant to the provisions of § 3-7-7, shall be allowed to purchase

1 alcoholic beverages at wholesale. Any person violating this section shall be fined five hundred
2 dollars (\$500) for this violation and shall be subject to license revocation. The provisions of this
3 section shall be enforced in accordance with this title.

4 (d) Violation of subsection (a) of this section is punishable upon conviction by a fine of
5 not more than five hundred dollars (\$500). Fines imposed under this section shall be paid to the
6 department of business regulation.

7 SECTION 2. Sections 5-2-1, 5-2-2, 5-2-3 and 5-2-9 of the General Laws in Chapter 5-2
8 entitled "Bowling Alleys, Billiard Tables, and Shooting Galleries" are hereby amended to read as
9 follows:

10 **5-2-1. ~~City and town regulation and taxation of bowling alleys and billiard tables~~ City**
11 **and town regulation and taxation of bowling alleys and establishments with three (3) or more**
12 **billiard tables.**

13 The town and city councils of the several towns and cities may tax, regulate, and, if they
14 find it expedient, prohibit and suppress, bowling alleys and [establishments with three \(3\) or more](#)
15 billiard tables in their respective cities and towns, conforming to law.

16 **5-2-2. Refusal of bowling alley, box ball alley, or billiard table keeper to comply with**
17 **order of the city or town council.**

18 The keeper of any bowling alley, box ball alley, or [establishment with three \(3\) or more](#)
19 billiard ~~table~~ [tables](#) who refuses or neglects to comply with an order or decree relating to it, which
20 any city or town council is authorized to make, shall be fined fifty dollars (\$50.00).

21 **5-2-3. Keeper of bowling alley, box ball alley, or billiard table defined.**

22 The owner or occupant of the premises on which any bowling alley, box ball alley, or [three](#)
23 [\(3\) or more](#) billiard ~~table is~~ [tables are](#) situated is deemed the keeper of that bowling alley, box ball
24 alley, or [\(3\) or more](#) billiard ~~table~~ [tables](#), within the meaning of the provisions of this chapter.

25 **5-2-9. Sunday operation of bowling alleys and billiard tables.**

26 (a) Town or city councils or licensing authorities in any city or town may permit licensees
27 operating bowling alleys, or persons paying a tax for the operation of a bowling alley, to operate
28 rooms or places where bowling, [or](#) playing of billiards, or pocket billiards [at establishments with](#)
29 [three \(3\) or more billiard tables](#) for a fee or charge may be engaged in by patrons of those rooms or
30 places on the first day of the week, subject to any restrictions and regulations that the city or town
31 council or licensing authority designates; provided, that the operation of bowling alleys or rooms
32 or places where bowling, playing of billiards, or pocket billiards [at establishments with three \(3\) or](#)
33 [more billiard tables](#) for a fee or charge is permitted on the first day of the week only between the
34 hours of one o'clock (1:00) p.m. and twelve o'clock (12:00) midnight; and provided, that no bowling

1 alley or rooms or places where bowling, playing of billiards, or pocket billiards for a fee or charge
2 is operated on the first day of the week within two hundred feet (200') of a place of public worship
3 used for public worship.

4 (b) The operation of any bowling alley, room, or place between any hour on the last day of
5 the week and one o'clock (1:00) a.m. on the first day of the week is not a violation of this section.

6 SECTION 3. Chapter 5-2 of the General Laws entitled "Bowling Alleys, Billiard Tables,
7 and Shooting Galleries" is hereby amended by adding thereto the following section:

8 **5-2-3.1. Billiard table defined.**

9 As used in this chapter, the term "billiard table" means and shall include billiard tables,
10 pool tables, and pocket billiard tables.

11 SECTION 4. Chapter 5-12 of the General Laws entitled "Hide and Leather Inspection" is
12 hereby repealed.

13 ~~**5-12-1. Town and city inspectors.**~~

14 ~~There may be annually elected by the town councils of the several towns and by the city~~
15 ~~councils of Providence and Newport an officer to be denominated "inspector of hides and leather,"~~
16 ~~who shall be sworn to the faithful discharge of his or her duties.~~

17 ~~**5-12-2. Inspection and stamping of hides and leather.**~~

18 ~~City and town inspectors of hides and leather shall examine and inspect all hides and leather~~
19 ~~that they may be called upon to inspect, within their towns or cities, and stamp upon the inspected~~
20 ~~hides or leather their quality, as rated in the hides and leather trade, together with the name of the~~
21 ~~inspector and date of inspection.~~

22 ~~**5-12-3. Inspection fees.**~~

23 ~~The fee of the inspector shall be at the rate of one dollar (\$1.00) per hour for each hour~~
24 ~~actually employed, paid by the person employing him or her; provided, that not more than five (5)~~
25 ~~hours shall be paid for by one employer for the same day.~~

26 ~~**5-12-4. Misconduct by inspectors.**~~

27 ~~Every inspector appointed under the provisions of this chapter who willfully stamps any~~
28 ~~hides or leather as of a grade above or below that at which it is properly ratable, shall forfeit and~~
29 ~~pay a penalty of one hundred dollars (\$100) and is liable to an action at law for damages to any~~
30 ~~person injured from the action.~~

31 SECTION 5. Section 5-71-8 of the General Laws in Chapter 5-71 entitled "Licensure of
32 Interpreters for the Deaf" is hereby amended to read as follows:

33 **5-71-8. Qualifications of applicants for licenses.**

34 (a) To be eligible for licensure by the board as an interpreter for the deaf or transliterator,

1 the applicant must submit written evidence on forms furnished by the department, ~~verified by oath,~~
2 that the applicant meets all of the following requirements:

3 (1) Is of good moral character;

4 (2) Meets the screened requirements as defined in regulations promulgated by the
5 department or meets the certification requirements set forth by RID or its successor agency
6 approved by the department in consultation with the board;

7 (3) Pays the department a license fee as set forth in § 23-1-54;

8 (4) Adheres to the National Association of the Deaf (NAD) and the Registry of Interpreters
9 for the Deaf, Inc. (RID) code of professional conduct; and

10 (5) Provides verification of a background check with the bureau of criminal investigation
11 in the office of attorney general at the time of the initial application for license.

12 (b) To be eligible for licensure by the board as an educational interpreter for the deaf, the
13 applicant must meet all of the requirements as described in subsection (a) and must further present
14 proof of successful completion of the educational interpreter performance assessment (EIPA),
15 written and performance tests, or a similar test as approved by the board, at a performance level
16 established by the board.

17 (c) An individual whose license, certification, permit, or equivalent form of permission
18 issued within another state has been revoked, suspended, or currently placed on probation shall not
19 be eligible for consideration for licensure unless they have first disclosed to the department about
20 such disciplinary actions.

21 SECTION 6. Sections 9-5-10.1, 9-5-10.5 and 9-5-10.6 of the General Laws in Chapter 9-
22 5 entitled "Writs, Summons and Process" are hereby amended to read as follows:

23 **9-5-10.1. Certification of constables.**

24 (a) (1) A person at least twenty-one (21) years of age who complies with the statute and
25 the requirements set forth in any regulations promulgated by the department of business regulation
26 may file an application with the department requesting that the applicant be certified as a constable.
27 Once issued by the department, the certification shall be effective for a period of two (2) years or
28 until the approval is withdrawn by the department. A certified constable shall be entitled to serve
29 or execute writs and process in such capacity for any court of the state, anywhere in the state,
30 subject to any terms and limitations as set forth by the court, ~~and in such number as determined by~~
31 ~~the chief judge of the district court.~~

32 (2) A person to be certified as a constable shall provide documentation and evidence
33 satisfactory to the department of business regulations that the person possesses the specified
34 minimum qualifications to include:

1 (i) Sixty (60) hours of earned credit from an accredited college, university, or institution;
2 or
3 (ii) Four (4) years of honorable military service; or
4 (iii) Twenty (20) years of honorable service with a local, state, or federal law enforcement
5 agency; and
6 (iv) United State citizenship; and
7 (v) Possession of a valid motor vehicle operator's license; and
8 (vi) Successful completion of unlawful drug use screening; and
9 (vii) Successful completion of psychological testing approved by the department of
10 business regulation.

11 (b) Certification process.

12 (1) Application.

13 (i) Any person seeking certification pursuant to this section shall complete an application
14 and submit it to the department of business regulation in the form designated by the department for
15 such applications.

16 (ii) The application shall include information determined by the department to be relevant
17 to licensure and shall include a national criminal background check.

18 (2) Referral to certified constables' board. Once the applicant has provided a completed
19 application, the department shall refer the applicant to the certified constables' board by providing
20 a copy of the application to the board ~~and to the chief judge of the district court.~~

21 (3) Training.

22 (i) Following review of the application, the board shall determine whether the applicant
23 should be recommended for training ~~by the board~~ to be conducted by a volunteer training constable.
24 If the board determines that training is appropriate, the applicant shall be assigned to a training
25 constable who shall be a constable in good standing for a minimum of ten (10) years and who is
26 approved by the ~~chief judge of the district court to train prospective constables~~ department.

27 (ii) Training shall consist of a minimum of ninety (90) hours to be completed no sooner
28 than ninety (90) days from the date of the referral by the board. The department may waive the
29 training requirement of this section for an applicant who has graduated from a certified police or
30 law enforcement academy and who has a minimum of twenty (20) years of honorable service as a
31 police or law enforcement officer.

32 (iii) Within thirty (30) days from the conclusion of training, a written report shall be
33 submitted by the training constable to the board with a copy to the department that reflects the dates
34 and times of training and comments on the aptitude of the trainee.

1 (iv) If the board concludes that training is not appropriate or if the report of the training
2 constable concludes that the applicant does not have the aptitude to perform the duties of a
3 constable, the board shall so inform the department which shall deny the application on that basis.

4 (4) Oral and written tests.

5 (i) Upon the successful completion of the training period and recommendation from the
6 training constable, within ninety (90) days, the applicant shall complete an oral examination on the
7 legal and practical aspects of certified constables' duties that shall be created and administered by
8 the board.

9 (ii) Upon the successful completion of the oral examination, within sixty (60) days the
10 applicant must complete a written test created by the board and approved by the ~~chief judge of the~~
11 ~~district court~~ department that measures the applicant's knowledge of state law and court procedure.

12 (iii) If the board concludes that the applicant has not successfully passed either the oral or
13 written test, the board shall so inform the department which shall deny the application on that basis.

14 (5) Final review. The department shall review the application, training record, test scores,
15 and such other information or documentation as required and shall determine whether the applicant
16 shall be approved for certification and the person authorized to serve process in the state.

17 (c) Any person certified as a constable on the effective date of this act shall continue to be
18 certified without complying with the certification requirements prescribed by this act.

19 **9-5-10.5. Suspension, revocation or review of certification of certified constables.**

20 (a) Upon the receipt of a written complaint, request of the board, request of a judge of any
21 court, or upon its own initiative, the department shall ascertain the facts and, if warranted, hold a
22 hearing for the reprimand, suspension, or revocation of a certification. The director, or his or her
23 designee, has the power to refuse a certification for cause or to suspend or revoke a certification or
24 place an applicant on probation for any of the following reasons:

25 (1) The certification was obtained by false representation or by fraudulent act or conduct;

26 (2) Failure to report to the department any of the following within thirty (30) days of the
27 occurrence:

28 (i) Any criminal prosecution taken in any jurisdiction. The constable shall provide the
29 initial complaint filed and any other relevant legal documents;

30 (ii) Any change of name, address or other contact information;

31 (iii) Any administrative action taken against the constable in any jurisdiction by any
32 government agency within or outside of this state. The report shall include a copy of all relevant
33 legal documents.

34 (3) Failure to respond to the department within ten (10) days to any written inquiry from

1 the department;

2 (4) Where a certified constable, in performing or attempting to perform any of the acts
3 mentioned in this section, is found to have committed any of the following:

4 (i) Inappropriate conduct that fails to promote public confidence, including failure to
5 maintain impartiality, equity, and fairness in the conduct of his or her duties;

6 (ii) Neglect, misfeasance, or malfeasance of his or her duties;

7 (iii) Failure to adhere to court policies, rules, procedures, or regulations;

8 (iv) Failure to maintain the highest standards of personal integrity, honesty, and
9 truthfulness, including misrepresentation, bad faith, dishonesty, incompetence, or an arrest or
10 conviction of a crime.

11 (5) A copy of the determination of the director of department of business regulation, or his
12 or her designee, shall be forwarded to the chief judge of the district court within ten (10) business
13 days.

14 (b) Nothing herein shall be construed to prohibit the chief of any court from suspending
15 the certification of a constable to serve process within his or her respective court pending the
16 outcome of an investigation consistent with the provisions of chapter 35 of title 42.

17 (c) The department is authorized to levy an administrative penalty not exceeding one
18 thousand dollars (\$1,000) for each violation for failure to comply with the provisions of this chapter
19 or with any rule or regulation promulgated by the department.

20 **9-5-10.6. Certified constables' board.**

21 (a) There shall be created a certified constables' board that shall review each applicant and
22 recommend him or her for training, conduct the oral examination of each applicant, and that shall
23 serve as a resource to ~~the chief judge and~~ the department in the consideration of the practical aspects
24 of constable practice. The board shall consist of five (5) members appointed by the governor: two
25 (2) who shall be constables in good standing who have served for at least ten (10) years, one of
26 whom shall be ~~appointed~~ recommended by the Rhode Island Constables, Inc. and one ~~appointed~~
27 recommended by the Rhode Island Constables Association; and three (3) attorneys who shall be
28 licensed to practice law by the supreme court in good standing ~~who shall be appointed by the chief~~
29 ~~judge of the district court~~. Members of the constables' board shall serve for terms of five (5) years
30 until a successor is appointed and qualified.

31 (b) A representative of the board may attend hearings in order to furnish advice to the
32 department. The board may also consult with the department of business regulation from time to
33 time on matters relating to constable certification.

34 SECTION 7. Chapter 28.10 of the General Laws entitled "Opioid Stewardship Act" is

1 hereby amended by adding thereto the following section:

2 **21-28.10-14. Transfer of powers and duties.**

3 [The employee responsible for performing fiscal functions associated with the management](#)
4 [of the opioid stewardship fund within the department of health shall be transferred to the executive](#)
5 [office.](#)

6 SECTION 8. Sections 21-28.10-1, 21-28.10-2, 21-28.10-3, 21-28.10-4, 21-28.10-5, 21-
7 28.10-6, 21-28.10-7, 21-28.10-8, 21-28.10-9, 21-28.10-10, 21-28.10-11 and 21-28.10-13 of the
8 General Laws in Chapter 28.10 entitled "Opioid Stewardship Act" are hereby amended to read as
9 follows:

10 **21-28.10-1. Definitions.**

11 Unless the context otherwise requires, the following terms shall be construed in this chapter
12 to have the following meanings:

13 ~~(1) "Department" means the Rhode Island department of health.~~

14 ~~(2) "Director" means the director of the Rhode Island department of health.~~

15 (3)(1) "Distribute" means distribute as defined in § 21-28-1.02.

16 ~~(4)~~(2) "Distributor" means distributor as defined in § 21-28-1.02.

17 ~~(5)~~(3) "Executive Office" means the executive office of health and human services.

18 ~~(5)~~(4) "Manufacture" means manufacture as defined in § 21-28-1.02.

19 ~~(6)~~(5) "Manufacturer" means manufacturer as defined in § 21-28-1.02.

20 ~~(7)~~(6) "Market share" means the total opioid stewardship fund amount measured as a
21 percentage of each manufacturer's, distributor's and wholesaler's gross, in-state opioid sales in
22 dollars from the previous calendar year as reported to the U.S. Drug Enforcement Administration
23 (DEA) on its Automation of Reports and Consolidated Orders System (ARCOS) report.

24 [\(7\) "Secretary" means the secretary of the executive office of health and human services.](#)

25 (8) "Wholesaler" means wholesaler as defined in § 21-28-1.02.

26 **21-28.10-2. Opioid registration fee imposed on manufacturers, distributors, and**
27 **wholesalers.**

28 All manufacturers, distributors, and wholesalers licensed or registered under this title or
29 chapter 19.1 of title 5 (hereinafter referred to as "licensees"), that manufacture or distribute opioids
30 shall be required to pay an opioid registration fee. On an annual basis, the ~~director~~ [secretary](#) shall
31 certify the amount of all revenues collected from opioid registration fees and any penalties imposed,
32 to the general treasurer. The amount of revenues so certified shall be deposited annually into the
33 opioid stewardship fund restricted receipt account established pursuant to § 21-28.10-10.

34 **21-28.10-3. Determination of market share and registration fee.**

1 (1) The total opioid stewardship fund amount shall be five million dollars (\$5,000,000)
2 annually, subject to downward adjustments pursuant to § 21-28.10-7.

3 (2) Each manufacturer's, distributor's, and wholesaler's annual opioid registration fee shall
4 be based on that licensee's in-state market share.

5 (3) The following sales will not be included when determining a manufacturer's,
6 distributor's, or wholesaler's market share:

7 (i) The gross, in-state opioid sales attributed to the sale of buprenorphine or methadone;

8 (ii) The gross, in-state opioid sales sold or distributed directly to opioid treatment
9 programs, data-waivered practitioners, or hospice providers licensed pursuant to chapter 17 of title
10 23;

11 (iii) Any sales from those opioids manufactured in Rhode Island, but whose final point of
12 delivery or sale is outside of Rhode Island;

13 (iv) Any sales of anesthesia or epidurals as defined in regulation by the department; and

14 (v) Any in-state intracompany transfers of opioids between any division, affiliate,
15 subsidiary, parent, or other entity under complete and common ownership and control.

16 (4) The ~~department~~ executive office shall provide to the licensee, in writing, on or before
17 October 15, ~~2019~~ annually, the licensee's market share for the ~~2018~~ previous calendar year.
18 ~~Thereafter, t~~The ~~department~~ executive office shall notify the licensee, in writing, on or before
19 October 15 of each year, of its market share for the prior calendar year based on the opioids sold
20 or distributed for the prior calendar year.

21 **21-28.10-4. Reports and records.**

22 (a) Each manufacturer, distributor, and wholesaler licensed to manufacture or distribute
23 opioids in the state of Rhode Island shall provide to the ~~director~~ secretary a report detailing all
24 opioids sold or distributed by that manufacturer or distributor in the state of Rhode Island. Such
25 report shall include:

26 (1) The manufacturer's, distributor's, or wholesaler's name, address, phone number, DEA
27 registration number, and controlled substance license number issued by the department;

28 (2) The name, address, and DEA registration number of the entity to whom the opioid was
29 sold or distributed;

30 (3) The date of the sale or distribution of the opioids;

31 (4) The gross receipt total, in dollars, of all opioids sold or distributed;

32 (5) The name and National Drug Code of the opioids sold or distributed;

33 (6) The number of containers and the strength and metric quantity of controlled substance
34 in each container of the opioids sold or distributed; and

1 (7) Any other elements as deemed necessary or advisable by the ~~director~~ [secretary](#).

2 (b) Initial and future reports. This information shall be reported annually to the ~~department~~
3 [executive office](#) via ARCOS or in such other form as defined or approved by the ~~director~~ [secretary](#);
4 provided, however, that the initial report provided pursuant to subsection (a) shall consist of all
5 opioids sold or distributed in the state of Rhode Island for the 2018 calendar year, and shall be
6 submitted by September 1, 2019. Subsequent annual reports shall be submitted by April 15 of each
7 year based on the actual opioid sales and distributions of the prior calendar year.

8 **21-28.10-5. Payment of market share.**

9 The licensee shall make payments annually to the ~~department~~ [executive office](#) with the first
10 payment of its market share due on December 31, 2019; provided, that the amount due on December
11 31, 2019, shall be for the full amount of the payment for the 2018 calendar year, with subsequent
12 payments to be due and owing on the last day of every year thereafter.

13 **21-28.10-6. Rebate of market share.**

14 In any year for which the ~~director~~ [secretary](#) determines that a licensee failed to report
15 information required by this chapter, those licensees complying with this chapter shall receive a
16 reduced assessment of their market share in the following year equal to the amount in excess of any
17 overpayment in the prior payment period.

18 **21-28.10-7. Licensee opportunity to appeal.**

19 (a) A licensee shall be afforded an opportunity to submit information to the ~~department~~
20 [secretary](#) documenting or evidencing that the market share provided to the licensee (or amounts
21 paid thereunder), pursuant to § 21-28.10-3(4), is in error or otherwise not warranted. The
22 ~~department~~ [executive office](#) may consider and examine such additional information that it
23 determines to be reasonably related to resolving the calculation of a licensee's market share, which
24 may require the licensee to provide additional materials to the ~~department~~ [executive office](#). If the
25 ~~department~~ [executive office](#) determines thereafter that all or a portion of such market share, as
26 determined by the ~~director~~ [secretary](#) pursuant to § 21-28.10-3(4), is not warranted, the ~~department~~
27 [executive office](#) may:

- 28 (1) Adjust the market share;
29 (2) Adjust the assessment of the market share in the following year equal to the amount in
30 excess of any overpayment in the prior payment period; or
31 (3) Refund amounts paid in error.

32 (b) Any person aggrieved by a decision of the ~~department~~ [executive office](#) relating to the
33 calculation of market share may appeal that decision to the superior court, which shall have power
34 to review such decision, and the process by which such decision was made, as prescribed in chapter

1 35 of title 42.

2 (c) A licensee shall also have the ability to appeal its assessed opioid registration fee if the
3 assessed fee amount exceeds the amount of profit the licensee obtains through sales in the state of
4 products described in § 21-28.10-3. The ~~department~~ [executive office](#) may, exercising discretion as
5 it deems appropriate, waive or decrease fees as assessed pursuant to § 21-28.10-3 if a licensee can
6 demonstrate that the correctly assessed payment will pose undue hardship to the licensee's
7 continued activities in state. The ~~department~~ [executive office](#) shall be allowed to request, and the
8 licensee shall furnish to the department, any information or supporting documentation validating
9 the licensee's request for waiver or reduction under this subsection. Fees waived under this section
10 shall not be reapportioned to other licensees which have payments due under this chapter.

11 **21-28.10-8. Departmental annual reporting Annual reporting.**

12 By January of each calendar year, the [department of health](#), the department of behavioral
13 healthcare, developmental disabilities and hospitals (~~BHDDH~~), the executive office ~~of health and~~
14 ~~human services (EOHHS)~~, the department of children, youth and families (~~DCYF~~), the Rhode
15 Island department of education (~~RIDE~~), the Rhode Island office of veterans services, the
16 department of corrections (~~DOC~~), the department of labor and training (~~DLT~~), and any other
17 department or agency receiving opioid stewardship funds shall report annually to the governor, the
18 speaker of the house, and the senate president which programs in their respective departments were
19 funded using monies from the opioid stewardship fund and the total amount of funds spent on each
20 program.

21 **21-28.10-9. Penalties.**

22 (a) The ~~department~~ [executive office](#) may assess a civil penalty in an amount not to exceed
23 one thousand dollars (\$1,000) per day against any licensee that fails to comply with this chapter.

24 (b) (1) In addition to any other civil penalty provided by law, where a licensee has failed
25 to pay its market share in accordance with § 21-28.10-5, the ~~department~~ [executive office](#) may also
26 assess a penalty of no less than ten percent (10%) and no greater than three hundred percent (300%)
27 of the market share due from such licensee.

28 (2) In addition to any other criminal penalty provided by law, where a licensee has failed
29 to pay its market share in accordance with § 21-28.10-5, the ~~department~~ [executive office](#) may also
30 assess a penalty of no less than ten percent (10%) and no greater than fifty percent (50%) of the
31 market share due from such licensee.

32 **21-28.10-10. Creation of opioid stewardship fund.**

33 (a) There is hereby established, in the custody of the ~~department~~, [executive office](#), a
34 restricted-receipt account to be known as the "opioid stewardship fund."

1 (b) Monies in the opioid stewardship fund shall be kept separate and shall not be
2 commingled with any other monies in the custody of the ~~department~~ [executive office](#).

3 (c) The opioid stewardship fund shall consist of monies appropriated for the purpose of
4 such account; monies transferred to such account pursuant to law; contributions consisting of
5 promises or grants of any money or property of any kind or value, or any other thing of value,
6 including grants or other financial assistance from any agency of government; and monies required
7 by the provisions of this chapter or any other law to be paid into or credited to this account.

8 (d) Monies of the opioid stewardship fund shall be available to provide opioid treatment,
9 recovery, prevention, education services, and other related programs, subject to appropriation by
10 the general assembly.

11 (e) The budget officer is hereby authorized to create restricted receipt accounts entitled
12 "opioid stewardship fund allocation" in any department or agency of state government wherein
13 monies from the opioid stewardship fund are appropriated by the general assembly for the
14 programmatic purposes set forth in subsection (d) of this section.

15 **21-28.10-11. Allocation.**

16 The monies, when allocated, shall be paid out of the opioid stewardship fund and subject
17 to the approval of the ~~director~~ [secretary](#) and the approvals of the [directors](#) of the [departments](#) of
18 [health and](#) behavioral healthcare, developmental disabilities and hospitals (~~BHDDH~~), pursuant to
19 the provisions of this chapter.

20 **21-28.10-13. Rules and regulations.**

21 The ~~director~~ [secretary](#) may prescribe rules and regulations, not inconsistent with law, to
22 carry into effect the provisions of this chapter 28.10 of title 21, which rules and regulations, when
23 reasonably designed to carry out the intent and purpose of this chapter, are prima facie evidence of
24 its proper interpretation. Such rules and regulations may be amended, suspended, or revoked, from
25 time to time and in whole or in part, by the ~~director~~ [secretary](#). The ~~director~~ [secretary](#) may prescribe,
26 and may furnish, any forms necessary or advisable for the administration of this chapter.

27 SECTION 9. Sections 23-26-7.1, 23-26-11, 23-26-12, 23-26-13, 23-26-15, 23-26-25, 23-
28 26-26, 23-26-27, 23-26-30 and 23-26-31 of the General Laws in Chapter 23-26 entitled "Bedding
29 and Upholstered Furniture" are hereby amended to read as follows:

30 **23-26-7.1. Sterilization, disinfection and disinfestation of bedding and materials.**

31 (a) No person shall sell, offer for sale or include in a sale any item of secondhand bedding
32 or any item of bedding of any type manufactured in whole or in part from secondhand material,
33 including their component parts or wiping rags, unless such material has been sterilized, disinfected
34 and cleaned, by a method approved by the department of business regulation; provided, further,

1 that any product used for sterilization or disinfection of secondhand bedding must be registered as
2 consumer and health benefit products and labeled for use on bedding and upholstered furniture by
3 the EPA in accordance with § 23-25-6 of this title. The department of business regulation shall
4 promulgate rules and regulations consistent with the provisions of this chapter.

5 (b) No person shall use in the manufacture, repair and renovation of bedding of any type
6 any material which has been used by a person with an infectious or contagious disease, or which is
7 filthy, oily or harbors loathsome insects or pathogenic bacteria.

8 (c) No person shall sell, or offer for sale or include in a sale any material or bedding which
9 under the provisions of this chapter or regulations requires treatment unless there is securely
10 attached in accordance with regulations, a yellow tag not less than twelve square inches in size,
11 made of substantial cloth or a material of equal quality. Upon the tag there shall be plainly printed,
12 in black ink, in the English language, a statement showing:

13 (1) That the item or material has been treated by a method approved by the department of
14 business regulation, and the method of treatment applied.

15 (2) The lot number and the tag number of the item treated.

16 (3) The ~~license~~ [registration](#) number of the person applying treatment.

17 (4) The name and address of the person for whom treated.

18 (d) The tag required by this section shall be in addition to any other tag required pursuant
19 to the provisions of this chapter. Holders of ~~licenses~~ [registrations](#) to apply sterilization, disinfection
20 or disinfestation treatment shall be required to keep an accurate record of all materials which have
21 been subjected to treatment, including the source of material, date of treatment, and the name and
22 address of the receiver of each. Such records shall be available for inspection at any time by
23 authorized representatives of the department.

24 (e) Violations of this section shall be punishable by a fine not to exceed five hundred dollars
25 (\$500).

26 **23-26-11. ~~Counterfeit stamps and permits~~ Counterfeit stamps and registrations.**

27 No person shall have in his or her possession or shall make, use, or sell any counterfeit or
28 colorable imitation of the inspection stamp or ~~permit~~ [registration](#) required by this chapter. Each
29 counterfeited or imitated stamp or ~~permit~~ [registration](#) made, used, sold, offered for sale, delivered,
30 or consigned for sale contrary to the provisions of this chapter shall constitute a separate offense.

31 **23-26-12. ~~Sterilization permits~~ Sterilization registrations.**

32 Any sterilization process, before being used in connection with this chapter, must receive
33 the approval of the director. Every person, firm, or corporation desiring to operate the sterilization
34 process shall first obtain a numbered ~~permit~~ [registration](#) from the director and shall not operate the

1 process unless the ~~permit~~ [registration](#) is kept conspicuously posted in the establishment. Fee for
2 original ~~permit~~ [registration](#) shall be eighty-four dollars (\$84.00). Application for the ~~permit~~
3 [registration](#) shall be accompanied by specifications in duplicate, in such form as the director shall
4 require. Each ~~permit~~ [registration](#) shall expire one year from date of issue. Fee for annual renewal
5 of a sterilizing ~~permit~~ [registration](#) shall be one-half (1/2) the original fee.

6 **23-26-13. Contents of tag on bedding articles for sale.**

7 Every article of bedding made for sale, sold, or offered for sale shall have attached thereto
8 a tag which shall state the name of the material used, that the material used is new, or second-hand
9 and, when required to be sterilized, that the material has been sterilized, and the number of the
10 sterilizing ~~permit~~ [registration](#). The tag shall also contain the name and address of the maker or the
11 vendor and the registry number of the maker. All tags attached to new articles shall be legibly
12 stamped or marked by the retail vendor with the date of delivery to the customer.

13 **23-26-15. Contents of tag on shipments of filling material.**

14 Any shipment or delivery, however contained, of material used for filling articles of
15 bedding shall have firmly and conspicuously attached thereto a tag which shall state the name of
16 the maker, preparer or vendor, and the address of the maker, preparer, or vendor, the name of the
17 contents and whether the contents are new or second-hand, and, if sterilized, the number of the
18 sterilizing ~~permit~~ [registration](#).

19 **~~23-26-25. Rules, regulations, and findings -- Suspension or revocation of permits~~**

20 **Rules, regulations, and findings -- Suspension or revocation of registrations.**

21 (a) The director is hereby authorized and empowered to make general rules and regulations
22 and specific rulings, demands, and findings for the enforcement of this chapter, in addition hereto
23 and not inconsistent herewith. The director may suspend or revoke any ~~permit-or~~ registration for
24 violation of any provision of this chapter, or any rule, regulation, ruling, or demand made pursuant
25 to the authority granted by this chapter. (b) The director of the department of health shall investigate
26 and enforce the provisions of § 23-26-3.1, and promulgate rules and regulations deemed necessary
27 to enforce it.

28 **23-26-26. Appeal of director's decisions.**

29 Any person aggrieved by the action of the director in denying an application for a ~~permit~~
30 ~~or-for~~ registration, or in revoking or suspending any ~~permit-or~~ registration, or by any order or
31 decision of the director, shall have the right to appeal to the supreme court and the procedure in
32 case of the appeal shall be the same as that provided in § 42-35-15.

33 **23-26-27. Penalty for violations.**

34 Any person who:

1 (1) Makes, remakes, renovates, sterilizes, prepares, sells, or offers for sale, exchange, or
2 lease any article of bedding as defined by § 23-26-1, not properly tagged as required by this chapter;
3 or

4 (2) Uses in the making, remaking, renovating, or preparing of the article of bedding or in
5 preparing cotton or other material therefor that has been used as a mattress, pillow, or bedding in
6 any public or private hospital, or that has been used by or about any person having an infectious or
7 contagious disease, and that after such use has not been sterilized and approved for use, by the
8 director of business regulation; or

9 (3) Counterfeits or imitates any stamp or ~~permit~~ [registration](#) issued under this chapter shall
10 be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500) or
11 by imprisonment for not more than six (6) months or both.

12 (4) Any person or entity who or that violates the provisions of § 23-26-3.1 shall be civilly
13 fined not to exceed five thousand dollars (\$5,000) for the first violation and up to ten thousand
14 dollars (\$10,000) for each subsequent violation.

15 **23-26-30. ~~License required -- Application -- Issuance and term of license~~ Registration**
16 **required -- Application -- Issuance and term of registration.**

17 No person shall be engaged: (1) as a manufacturer of articles of bedding for sale at
18 wholesale; (2) as a manufacturer of articles of bedding for sale at retail; (3) as a supply dealer; (4)
19 as a repairer-renovator; or (5) as a retailer of second-hand articles of bedding, unless he or she has
20 obtained the appropriate numbered ~~license~~ [registration](#) therefor from the director, who is hereby
21 empowered to issue the ~~license~~ [registration](#). Application for the ~~license~~ [registration](#) shall be made
22 on forms provided by the director and shall contain such information as the director may deem
23 material and necessary. Based on the information furnished in the application and on any
24 investigation deemed necessary by the director, the applicant's classification shall be determined.
25 Each ~~license~~ [registration](#) issued by the director pursuant to this section shall be conspicuously
26 posted in the establishment of the person to whom issued. The director may withhold the issuance
27 of a ~~license~~ [registration](#) to any person who shall make any false statement in the application for a
28 ~~license~~ [registration](#) under this chapter. The director shall promulgate rules and regulations
29 mandating the term of ~~license~~ [registration](#) for each category of ~~license~~ [registration](#) issued pursuant
30 to this chapter; however, no ~~license~~ [registration](#) shall remain in force for a period in excess of three
31 (3) years. The fee for the initial issuance or renewal of a ~~license~~ [registration](#) shall be determined by
32 multiplying the per annum fee by the number of years in the term of the ~~license~~ [registration](#). The
33 entire fee ~~must~~ [shall](#) be paid in full for the total number of years of ~~license~~ [registration](#) prior to the
34 issuance of the ~~license~~ [registration](#).

1 **23-26-31. Fees.**

2 (a) The per annum fees imposed for ~~licenses~~ registrations issued pursuant to § 23-26-30
3 shall be as follows:

4 (1) Every applicant classified as a manufacturer of articles of bedding for sale at wholesale
5 or retail or as a supply dealer shall pay, prior to the issuance of a general ~~license~~ registration, a per
6 annum fee of two hundred ten dollars (\$210) and the ~~licensee~~ registrant may be engaged in any or
7 all of the following:

8 (i) Manufacture of articles of bedding for sale at wholesale;

9 (ii) Manufacture of articles of bedding for sale at retail;

10 (iii) Supply dealer;

11 (iv) Repairer-renovator.

12 (2) Every applicant classified as a repairer-renovator or retailer of second-hand articles of
13 bedding shall pay, prior to the issuance of a limited ~~license~~ registration, a per annum fee of sixty
14 dollars (\$60.00), and the ~~licensee~~ registrant may be engaged in any or all of the following:

15 (i) Repairer-renovator;

16 (ii) Retailer of second-hand articles of bedding; provided, however, that if a ~~licensee~~
17 registrant is reclassified from one category to another which calls for a higher ~~license~~ registration
18 fee, he or she shall pay a pro rata share of the higher ~~license~~ registration fee for the unexpired period
19 and shall be issued a new ~~license~~ registration to expire on the expiration date of the original ~~license~~
20 registration.

21 (b) If, through error, a ~~licensee~~ registrant has been improperly classified as of the date of
22 issue of his or her current ~~license~~ registration, the proper fee for the entire period shall be payable.
23 Any overpayment shall be refunded to the ~~licensee~~ registrant. No refunds shall be allowed to any
24 ~~licensee~~ registrant who has discontinued business, or whose ~~license~~ registration has been revoked
25 or suspended or who has been reclassified to a category calling for a greater or lesser
26 ~~license~~registration fee, except as provided herein. The fee shall be paid to the director of business
27 regulation. For reissuing a revoked or expired ~~license~~ registration the fee shall be the same as for
28 an original ~~license~~ registration.

29 (c) All payments for registration fees, sterilization process, ~~permits~~, fines and penalties,
30 and other money received under this chapter shall constitute inspection fees for the purpose of
31 enforcing this chapter.

32 SECTION 10. Section 23-90-5 of the General Laws in Chapter 23-90 entitled "Responsible
33 Recycling, Reuse and Disposal of Mattresses" is hereby amended to read as follows:

34 **23-90-5. Mattress stewardship plan.**

1 (a) On or before July 1, 2015, the mattress stewardship council shall submit a mattress
2 stewardship plan for the establishment of a mattress stewardship program to the corporation
3 director for approval.

4 (b) The plan submitted pursuant to subsection (a) of this section shall, to the extent it is
5 technologically feasible and economically practical:

6 (1) Identify each producer's participation in the program;

7 (2) Describe the fee structure for the program and propose a uniform stewardship fee that
8 is sufficient to cover the costs of operating and administering the program;

9 (3) Establish performance goals for the first two (2) years of the program;

10 (4) Identify proposed recycling facilities to be used by the program, such facilities shall not
11 require a solid waste management facilities license;

12 (5) Detail how the program will promote the recycling of discarded mattresses;

13 (6) Include a description of the public education program;

14 (7) Describe fee-disclosure language that retailers will be required to prominently display
15 that will inform consumers of the amount and purpose of the fee; and

16 (8) Identify the methods and procedures to facilitate implementation of the mattress
17 stewardship program in coordination with the corporation director and municipalities.

18 (c) Not later than ninety (90) days after submission of the plan pursuant to this section, the
19 corporation shall make a determination whether to:

20 (1) Approve the plan as submitted; or

21 (2) Deny the plan.

22 (d) The corporation director shall approve the plan for the establishment of the mattress
23 stewardship program, provided such plan reasonably meets the requirements of this section. Prior
24 to making such determination, the corporation director shall post the plan for at least thirty (30)
25 days, in accordance with the "Administrative Procedures Act" as set forth in chapter 35 of title 42
26 on the corporation's website and solicit public comments on the plan to be posted on the website.

27 (e) In the event that the corporation director denies the plan, the corporation director shall
28 provide a notice of determination to the council, within sixty (60) days, detailing the reasons for
29 the disapproval. The council shall revise and resubmit the plan to the corporation director not later
30 than forty-five (45) days after receipt of notice of the corporation director's denial notice. Not later
31 than forty-five (45) days after receipt of the revised plan, the corporation director shall review and
32 approve or deny the revised plan. The council may resubmit a revised plan to the corporation
33 director for approval on not more than two (2) occasions. If the council fails to submit a plan that
34 is acceptable to the corporation director, because it does not meet the criteria pursuant to

1 subdivisions (b)(1-8), the corporation director shall have the ability to modify the submitted plan
2 and approve it. Not later than one hundred twenty (120) days after the approval of a plan pursuant
3 to this section, the council shall implement the mattress stewardship program.

4 (f) It is the responsibility of the council to:

5 (1) Notify the corporation director whenever there is a proposed substantial change to the
6 program. If the corporation director takes no action on a proposed substantial change within ninety
7 (90) days after notification of the proposed change, the proposed change shall be deemed approved.

8 For the purposes of this subdivision, "substantial change" shall include, but not be limited to:

9 (i) A change in the processing facilities to be used for discarded mattresses collected
10 pursuant to the program; or

11 (ii) A material change to the system for collecting mattresses.

12 (2) Not later than October 1, 2017, the council shall submit to the corporation director for
13 review, updated performance goals that are based on the experience of the program during the first
14 two (2) years of the program.

15 (g) The council shall notify the corporation director of any other changes to the program
16 on an ongoing basis, whenever they occur, without resubmission of the plan to the corporation
17 director for approval. Such changes shall include, but not be limited to, a change in the composition,
18 officers, or contact information of the council.

19 (h) On or before July 1, 2015, and every two (2) years thereafter, the council shall propose
20 a uniform fee for all mattresses sold in this state. The council may propose a change to the uniform
21 fee more frequently than once every two (2) years if the council determines such change is needed
22 to avoid funding shortfalls or excesses. Any proposed fee shall be reviewed by an independent
23 auditor to ensure that such assessment does not exceed the costs of the mattress stewardship
24 program described in subsection (b) of this section and to maintain financial reserves sufficient to
25 operate the program over a multi-year period in a fiscally prudent and responsible manner. Not
26 later than sixty (60) days after the council proposes a mattress stewardship fee, the auditor shall
27 render an opinion to the corporation director as to whether the proposed mattress stewardship fee
28 is reasonable to achieve the goals set forth in this section. If the auditor concludes that the mattress
29 stewardship fee is reasonable, then the proposed fee shall go into effect not less than ninety (90)
30 days after the auditor notifies the corporation director that the fee is reasonable. If the auditor
31 concludes that the mattress stewardship fee is not reasonable, the auditor shall provide the council
32 with written notice explaining the auditor's opinion. [Specific documents or information provided](#)
33 [to the auditor by the council, along with any associated internal documents or information held by](#)
34 [the council, shall be made available to the corporation for its review upon request but shall not be](#)

1 [made public if the documents and information contain trade secrets or commercial or financial](#)
2 [information of a privileged or confidential nature, pursuant to chapter 2 of title 38 \("access to public](#)
3 [records"\)](#). Not later than fourteen (14) days after the council's receipt of the auditor's opinion, the
4 council may either propose a new mattress stewardship fee, or provide written comments on the
5 auditor's opinion. If the auditor concludes that the fee is not reasonable, the corporation director
6 shall decide, based on the auditor's opinion and any comments provided by the council, whether to
7 approve the proposed mattress stewardship fee. Such auditor shall be selected by the council. The
8 cost of any work performed by such auditor pursuant to the provisions of this subsection and
9 subsection (i) of this section shall be funded by the council.

10 (i)(1) On and after the implementation of the mattress stewardship program, each retailer
11 shall add the amount of the fee established pursuant to subsection (b) of this section and described
12 in subsection (h) of this section to the purchase price of all mattresses sold in this state. The fee
13 shall be remitted by the retailer to the council. The council may, subject to the corporation director's
14 approval, establish an alternative, practicable means of collecting or remitting such fee.

15 (2) On and after the implementation date of the mattress stewardship program, no producer,
16 distributor or retailer shall sell or offer for sale a mattress to any person in the state if the producer
17 is not a member of the council.

18 (3) No retailer or distributor shall be found to be in violation of the provisions of this
19 section, if, on the date the mattress was ordered from the producer or its agent, the producer of said
20 mattress was listed on the corporation's website in accordance with the provisions of this chapter.

21 (j) Not later than October 1, 2016, and annually thereafter, the council shall submit an
22 annual report to the corporation director. The corporation director shall post such annual report on
23 the corporation's website. Such report shall include, but not be limited to:

24 (1) The weight of mattresses collected pursuant to the program from:

25 (i) Municipal and/or transfer stations;

26 (ii) Retailers; and

27 (iii) All other covered entities;

28 (2) The weight of mattresses diverted for recycling;

29 (3) Identification of the mattress recycling facilities to which mattresses were delivered for
30 recycling;

31 (4) The weight of discarded mattresses recycled, as indicated by the weight of each of the
32 commodities sold to secondary markets;

33 (5) The weight of mattresses, or parts thereof, sent for disposal at each of the following:

34 (i) Rhode Island resource recovery corporation; and

- 1 (ii) Any other facilities;
- 2 (6) Samples of public education materials and methods used to support the program;
- 3 (7) A description of efforts undertaken and evaluation of the methods used to disseminate
- 4 such materials;
- 5 (8) Updated performance goals and an evaluation of the effectiveness of the methods and
- 6 processes used to achieve performance goals of the program; and
- 7 (9) Recommendations for any changes to the program.

8 (k) Two (2) years after the implementation of the program and upon the request of the

9 corporation director, but not more frequently than once a year, the council shall cause an audit of

10 the program to be conducted by the auditor described in subsection (h) of this section. Such audit

11 shall review the accuracy of the council's data concerning the program and provide any other

12 information requested by the corporation director. Such audit shall be paid for by the council. The

13 council shall maintain all records relating to the program for not less than three (3) years.

14 (l) No covered entity that participates in the program shall charge for receipt of mattresses

15 generated in the state. Covered entities may charge a fee for providing the service of collecting

16 mattresses and may restrict the acceptance of mattresses by number, source or physical condition.

17 (m) Covered entities that, upon the date of this act's passage, have an existing program for

18 recycling discarded mattresses may continue to operate such program without coordination of the

19 council, so long as the entities are able to demonstrate, in writing, to the corporation director that

20 the facilities to which discarded mattresses are delivered are engaged in the business of recycling

21 said mattresses and the corporation director approves the written affirmation that the facility

22 engages in mattress recycling of mattresses received by the covered entity. A copy of the written

23 affirmation and the corporation's approval shall be provided to the council by the corporation

24 director in a timely manner.

25 ~~(e) Pursuant to § 23-90-11, the corporation shall report biennially to the general assembly~~

26 ~~on the operation of the statewide system for collection, transportation and recycling of mattresses.~~

27 SECTION 11. Section 31-2-6 of the General Laws in Chapter 31-2 entitled "Division of

28 Motor Vehicles" is hereby amended to read as follows:

29 **31-2-6. Offices.**

30 The administrator shall maintain offices in those places in the state that he or she may deem

31 necessary to properly carry out the powers and duties vested in the division of motor vehicles. The

32 administrator shall ~~maintain branch offices~~ provide direct, in-person services in the towns of

33 Warren and Westerly and keep the services in Warren ~~office open~~ available for business at least

34 three (3) days per week and keep the services in Westerly ~~office open~~ available at least one day per

1 week.

2 SECTION 12. Section 36-4-16.4 of the General Laws in Chapter 36-4 entitled "Merit
3 System" is hereby amended to read as follows:

4 **36-4-16.4. Salaries of directors.**

5 (a) In the month of March of each year, the department of administration shall conduct a
6 public hearing to determine salaries to be paid to directors of all state executive departments for the
7 following year, at which hearing all persons shall have the opportunity to provide testimony, orally
8 and in writing. In determining these salaries, the department of administration will take into
9 consideration the duties and responsibilities of the aforementioned officers, as well as such related
10 factors as salaries paid executive positions in other states and levels of government, and in
11 comparable positions anywhere that require similar skills, experience, or training. Consideration
12 shall also be given to the amounts of salary adjustments made for other state employees during the
13 period that pay for directors was set last.

14 (b) Each salary determined by the department of administration will be in a flat amount,
15 exclusive of such other monetary provisions as longevity, educational incentive awards, or other
16 fringe additives accorded other state employees under provisions of law, and for which directors
17 are eligible and entitled.

18 (c) In no event will the department of administration lower the salaries of existing directors
19 during their term of office.

20 (d) Upon determination by the department of administration, the proposed salaries of
21 directors will be referred to the general assembly by the last day in April of that year to go into
22 effect thirty (30) days hence, unless rejected by formal action of the house and the senate acting
23 concurrently within that time.

24 (e) Notwithstanding the provisions of this section, for ~~2015~~ 2022 only, the time period for
25 the department of administration to conduct the public hearing shall be extended to ~~July~~ September
26 and the proposed salaries shall be referred to the general assembly by ~~August 30~~ October 30. The
27 salaries may take effect before next year, but all other provisions of this section shall apply.

28 ~~(f) Notwithstanding the provisions of this section or any law to the contrary, for 2017 only,~~
29 ~~the salaries of the director of the department of transportation, the secretary of health and human~~
30 ~~services, and the director of administration shall be determined by the governor.~~

31 ~~(g)~~(f) Notwithstanding the provisions of this section or any law to the contrary, for ~~2021~~
32 2022 only, the salary of the director of the department of children, youth and families shall be
33 determined by the governor.

34 SECTION 13. Section 41-5.2-2 of the General Laws in Chapter 41-5.2 entitled "Mixed

1 Martial Arts" is hereby amended to read as follows:

2 (a) Except as provided in subsection (b) of this section, no ~~no~~ mixed-martial-arts match or
3 exhibition for a prize or a purse, or at which an admission fee is charged, either directly or
4 indirectly, in the form of dues or otherwise, shall take place or be conducted in this state unless
5 licensed by the division of gaming and athletics licensing in accordance with this chapter.

6 (b) The provisions of this section shall not apply to any mixed-martial-arts match or
7 exhibition in which the contestants are amateurs and that is conducted under the supervision and
8 control of:

9 (1) Any educational institution recognized by the council on postsecondary education and
10 the council on elementary and secondary education of this state; or

11 (2) Any religious or charitable organization or society engaged in the training of youth and
12 recognized as such by the division of gaming and athletics licensing in this state.

13 (c) For the purposes of this section, an "amateur" means a person who engages in mixed-
14 martial-arts matches or exhibitions for which no cash prizes are awarded to the participants, and
15 for which the prize competed for, if any, shall not exceed in value the sum of twenty-five dollars
16 (\$25.00).

17 SECTION 14. Chapter 41-5.2 of the General Laws entitled "Mixed Martial Arts" is hereby
18 amended by adding thereto the following section:

19 **41-5.2-30. Fees of officials.**

20 The fees of the referee and other licensed officials, as established by this chapter, shall be
21 fixed by the division of gaming and athletics licensing, and shall be paid by the licensed
22 organization prior to the exhibition.

23 SECTION 15. Section 42-11-2.9 of the General Laws in Chapter 42-11 entitled
24 "Department of Administration" is hereby amended to read as follows:

25 **42-11-2.9. Division of capital asset management and maintenance established.**

26 (a) Establishment. Within the department of administration there shall be established the
27 division of capital asset management and maintenance ("DCAMM"). Any prior references to the
28 division of facilities management and/or capital projects, if any, shall now mean DCAMM. Within
29 the DCAMM there shall be a director of DCAMM who shall be in the classified service and shall
30 be appointed by the director of administration. The director of DCAMM shall have the following
31 responsibilities:

32 (1) Oversee, coordinate, and manage the operating budget, personnel, and functions of
33 DCAMM in carrying out the duties described below;

34 (2) Review agency capital-budget requests to ensure that the request is consistent with

1 strategic and master facility plans for the state of Rhode Island;

2 (3) Promulgate and adopt regulations necessary to carry out the purposes of this section.

3 (b) Purpose. The purpose of the DCAMM shall be to manage and maintain state property
4 and state-owned facilities in a manner that meets the highest standards of health, safety, security,
5 accessibility, energy efficiency, and comfort for citizens and state employees and ensures
6 appropriate and timely investments are made for state property and facility maintenance.

7 (c) Duties and responsibilities of DCAMM. DCAMM shall have the following duties and
8 responsibilities:

9 (1) To oversee all new construction and rehabilitation projects on state property, not
10 including property otherwise assigned outside of the executive department by Rhode Island general
11 laws or under the control and supervision of the judicial branch;

12 (2) To assist the department of administration in fulfilling any and all capital-asset and
13 maintenance-related statutory duties assigned to the department under chapter 8 of title 37 (public
14 buildings) or any other provision of law, including, but not limited to, the following statutory duties
15 provided in § 42-11-2:

16 (i) To maintain, equip, and keep in repair the state house, state office buildings, and other
17 premises, owned or rented by the state, for the use of any department or agency, excepting those
18 buildings, the control of which is vested by law in some other agency;

19 (ii) To provide for the periodic inspection, appraisal, or inventory of all state buildings and
20 property, real and personal;

21 (iii) To require reports from state agencies on the buildings and property in their custody;

22 (iv) To issue regulations to govern the protection and custody of the property of the state;

23 (v) To assign office and storage space, and to rent and lease land and buildings, for the use
24 of the several state departments and agencies in the manner provided by law;

25 (vi) To control and supervise the acquisition, operation, maintenance, repair, and
26 replacement of state-owned motor vehicles by state agencies;

27 (3) To generally manage, oversee, protect, and care for the state's properties and facilities,
28 not otherwise assigned by Rhode Island general laws, including, but not limited to, the following
29 duties:

30 (i) Space management, procurement, usage, and/or leasing of private or public space;

31 (ii) Care, maintenance, cleaning, and contracting for such services as necessary for state
32 property;

33 (iii) Capital equipment replacement;

34 (iv) Security of state property and facilities unless otherwise provided by law;

1 (v) Ensuring Americans with Disabilities Act (ADA) compliance;

2 (vi) Responding to facilities emergencies;

3 (vii) Managing traffic flow on state property;

4 (viii) Grounds keeping/landscaping/snow-removal services;

5 (ix) Maintenance and protection of artwork and historic artifacts;

6 (x) On or before August 31 of 2022 and each April 1 thereafter to submit to the division of
7 municipal finance a comprehensive list of all real property owned by the state as of the preceding
8 December 31 to facilitate the purposes of § 45-13-5.1. The comprehensive list and all other
9 information provided shall be in a format prescribed by the division of municipal finance. The
10 division of municipal finance shall subsequently provide to DCAMM a certified list of all
11 properties eligible under § 45-13-5.1 for identification in the statewide database established under
12 § 42-11-2.9(d). Any changes to the comprehensive list of all real property owned by the state after
13 the list has been supplied to the division of municipal finance shall require notification to the
14 division of municipal finance within thirty (30) days.

15 (4) To manage and oversee state fleet operations.

16 (d) All state agencies shall participate in a statewide database and/or information system
17 for capital assets, that shall be established and maintained by DCAMM.

18 (1) Beginning January 1, 2023, all state agencies, departments, boards, commissions,
19 corporations, authorities, quasi-state agencies, councils, or other political subdivisions that utilize
20 real property shall provide DCAMM any information, documentary and otherwise, that may be
21 necessary or desirable to facilitate the purposes of § 42-11-2.9(c)(3)(x) by March 1 annually, or §
22 42-11-2.9(d) as required by DCAMM. The administrative head of each submitting entity shall attest
23 to the accuracy and completeness of the information in writing.

24 (e) Offices and boards assigned to DCAMM. DCAMM shall oversee the following boards,
25 offices, and functions:

26 (1) Office of planning, design, and construction (PDC);

27 (2) Office of facilities management and maintenance (OFMM);

28 (3) [Deleted by P.L. 2018, ch. 47, art. 3, § 7].

29 (4) [Deleted by P.L. 2018, ch. 47, art. 3, § 7].

30 (5) Office of risk management (§ 37-11-1 et seq.);

31 (6) [Deleted by P.L. 2018, ch. 47, art. 3, § 7].

32 (7) Office of state fleet operations (§ 42-11-2.4(d)).

33 (f) The boards, offices, and functions assigned to DCAMM shall:

34 (1) Exercise their respective powers and duties in accordance with their statutory authority

1 and the general policy established by the director of DCAMM or in accordance with the powers
2 and authorities conferred upon the director of DCAMM by this section;

3 (2) Provide such assistance or resources as may be requested or required by the director of
4 DCAMM or the director of administration;

5 (3) Provide such records and information as may be requested or required by the director
6 of DCAMM or the director of administration; and

7 (4) Except as provided herein, no provision of this chapter or application thereof shall be
8 construed to limit or otherwise restrict the offices stated above from fulfilling any statutory
9 requirement or complying with any valid rule or regulation.

10 SECTION 16. Section 42-142-8 of the General Laws in Chapter 42-142 entitled
11 "Department of Revenue" is hereby amended to read as follows:

12 **42-142-8. Collection unit.**

13 (a) The director of the department of revenue is authorized to establish within the
14 department of revenue a collection unit for the purpose of assisting state agencies in the collection
15 of debts owed to the state. The director of the department of revenue may enter into an agreement
16 with any state agency(ies) to collect any delinquent debt owed to the state.

17 (b) The director of the department of revenue shall initially implement a pilot program to
18 assist the agency(ies) with the collection of delinquent debts owed to the state.

19 (c) The agency(ies) participating in the pilot program shall refer to the collection unit
20 within the department of revenue, debts owed by delinquent debtors where the nature and amount
21 of the debt owed has been determined and reconciled by the agency and the debt is: (i) The subject
22 of a written settlement agreement and/or written waiver agreement and the delinquent debtor has
23 failed to timely make payments under the agreement and/or waiver and is therefore in violation of
24 the terms of the agreement and/or waiver; (ii) The subject of a final administrative order or decision
25 and the debtor has not timely appealed the order or decision; (iii) The subject of final order,
26 judgment, or decision of a court of competent jurisdiction and the debtor has not timely appealed
27 the order, judgment, or decision. The collection unit shall not accept a referral of any delinquent
28 debt unless it satisfies subsection (c)(i), (ii) or (iii) of this section.

29 (d) Any agency(ies) entering into an agreement with the department of revenue to allow
30 the collection unit of the department to collect a delinquent debt owed to the state shall indemnify
31 the department of revenue against injuries, actions, liabilities, or proceedings arising from the
32 collection, or attempted collection, by the collection unit of the debt owed to the state.

33 (e) Before referring a delinquent debt to the collection unit, the agency(ies) must notify the
34 debtor of its intention to submit the debt to the collection unit for collection and of the debtor's right

1 to appeal that decision not less than thirty (30) days before the debt is submitted to the collection
2 unit.

3 (f) At such time as the agency(ies) refers a delinquent debt to the collection unit, the agency
4 shall: (i) Represent in writing to the collection unit that it has complied with all applicable state and
5 federal laws and regulations relating to the collection of the debt, including, but not limited to, the
6 requirement to provide the debtor with the notice of referral to the collection unit under subsection
7 (e) of this section; and (ii) Provide the collection unit personnel with all relevant supporting
8 documentation including, but not limited to, notices, invoices, ledgers, correspondence,
9 agreements, waivers, decisions, orders, and judgments necessary for the collection unit to attempt
10 to collect the delinquent debt.

11 (g) The referring agency(ies) shall assist the collection unit by providing any and all
12 information, expertise, and resources deemed necessary by the collection unit to collect the
13 delinquent debts referred to the collection unit.

14 (h) Upon receipt of a referral of a delinquent debt from an agency(ies), the amount of the
15 delinquent debt shall accrue interest at the annual rate of interest established by law for the referring
16 agency or at an annual rate of 13%, whichever percentage rate is greater.

17 (i) Upon receipt of a referral of a delinquent debt from the agency(ies), the collection unit
18 shall provide the delinquent debtor with a "Notice of Referral" advising the debtor that:

19 (1) The delinquent debt has been referred to the collection unit for collection; and

20 (2) The collection unit will initiate, in its names, any action that is available under state law
21 for the collection of the delinquent debt, including, but not limited to, referring the debt to a third
22 party to initiate said action.

23 (j) Upon receipt of a referral of a delinquent debt from an agency(ies), the director of the
24 department of revenue shall have the authority to institute, in its name, any action(s) that are
25 available under state law for collection of the delinquent debt and interest, penalties, and/or fees
26 thereon and to, with or without suit, settle the delinquent debt.

27 (k) In exercising its authority under this section, the collection unit shall comply with all
28 state and federal laws and regulations related to the collection of debts.

29 (l) Upon the receipt of payment from a delinquent debtor, whether a full or partial payment,
30 the collection unit shall disburse/deposit the proceeds of the payment in the following order:

31 (1) To the appropriate federal account to reimburse the federal government funds owed to
32 them by the state from funds recovered; and

33 (2) The balance of the amount collected to the referring agency.

34 (m) Notwithstanding the above, the establishment of a collection unit within the department

1 of revenue shall be contingent upon an annual appropriation by the general assembly of amounts
2 necessary and sufficient to cover the costs and expenses to establish, maintain, and operate the
3 collection unit including, but not limited to, computer hardware and software, maintenance of the
4 computer system to manage the system, and personnel to perform work within the collection unit.

5 (n) In addition to the implementation of any pilot program, the collection unit shall comply
6 with the provisions of this section in the collection of all delinquent debts under this section.

7 (o) The department of revenue is authorized to promulgate rules and regulations as it deems
8 appropriate with respect to the collection unit.

9 (p) By September 1, 2020, and each year thereafter, the department of revenue shall
10 specifically assess the performance, effectiveness, and revenue impact of the collections associated
11 with this section, including, but not limited to, the total amounts referred and collected by each
12 referring agency during the previous state fiscal year to the governor, the speaker of the house of
13 representatives, the president of the senate, the chairpersons of the house and senate finance
14 committees, and the house and senate fiscal advisors. The report shall include the net revenue
15 impact to the state of the collection unit.

16 (q) No operations of a collection unit pursuant to this chapter shall be authorized after June
17 30, ~~2023~~ 2033.

18 SECTION 17. Title 42 of the General Laws entitled "State Affairs and Government" is
19 hereby amended by adding thereto the following chapter:

20 CHAPTER 162

21 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROGRAM

22 **42-162-1. Legislative findings.**

23 The general assembly finds and declares that:

24 (1) The 2021 act on climate establishes mandatory, economy-wide greenhouse gas
25 emissions reduction targets; and

26 (2) To meet these goals, Rhode Island must accelerate its adoption of more sustainable
27 transportation solutions, including electric vehicles; and

28 (3) The widespread adoption of electric vehicles will necessitate investment in and
29 deployment of electric vehicle charging infrastructure; and

30 (4) Electric vehicle charging infrastructure must be made accessible to all Rhode Island
31 citizens and businesses, and deployed in an equitable manner; and

32 (5) The installation of electric vehicle charging infrastructure and other clean energy
33 investments will support statewide economic development and job growth in the clean energy
34 sector.

1 **42-162-2. Definitions.**

2 As used in this chapter, the following terms, unless the context requires a different
3 interpretation, shall have the following meanings:

4 (1) "Department" means the department of transportation.

5 (2) "Electric vehicle charging infrastructure" means equipment that supplies electricity to
6 charge electric vehicles, including charging stations and balance of plant.

7 (3) "Electric vehicle charging infrastructure funds" means but is not limited to, federal
8 funds allocated for electric vehicle charging infrastructure from the federal infrastructure
9 investment and jobs act and any funds allocated as state match to federal funds.

10 (4) "Federal funds" means monies allocated for electric vehicle charging infrastructure
11 from the infrastructure investment and jobs act.

12 (5) "Office" means the office of energy resources.

13 **42-162-3. Implementation of the electric vehicle charging infrastructure investment**
14 **program.**

15 (a) There is hereby established an electric vehicle charging infrastructure investment
16 program. The department and office shall, in consultation with the department of environmental
17 management, establish the electric vehicle charging infrastructure investment program to be
18 administered by the office in consultation with the department.

19 (b) The department and office, in consultation with the department of environmental
20 management, shall propose draft program and investment criteria on the electric vehicle charging
21 infrastructure investment program and accept public comment for thirty (30) days. The draft shall
22 specify the incentive levels, eligibility criteria, and program rules for electric vehicle charging
23 infrastructure incentives. The program and investment criteria shall be finalized by the office and
24 department after the public comment period closes and include responses to submitted public
25 comments.

26 (c) The department and office shall provide a website for the electric vehicle charging
27 infrastructure investment program to support public accessibility.

28 **42-162-4. Reporting.**

29 The department and office shall provide a report to the governor and general assembly by
30 December 31, 2023, on the results of the electric vehicle charging infrastructure investment
31 program. The department and office shall provide an annual report to the governor and general
32 assembly until the federal funds have been completely utilized.

33 SECTION 18. This article shall take effect upon passage.