

**RHODE ISLAND LIFE SCIENCE HUB  
MEETING OF DIRECTORS  
PUBLIC SESSION**

**January 22, 2024**

The Board of Directors (the “**Board**”) of the Rhode Island Life Science Hub (the “**RILSH**”) met on January 22, 2024, in Public Session, beginning at 9:00 a.m., pursuant to the public notice of meeting, a copy of which is attached hereto as **Exhibit A**, as required by applicable Rhode Island law.

The following Directors were present and participated throughout the meeting as indicated: Neil Steinberg, Secretary Liz Tanner, Ernie Almonte, Dr. Patrice Milos, Kerry Evers, Brian Britson, Armand Sabitoni\*, Dr. Jack Warner, Marc Parlange, Dr. Christina Paxson, Mukesh Jain, John Fernandez, and Dr. Michael Wagner.

Directors absent were: Cassandra Thomas.

Also present were: Lilia Holt, Vice President of Business Development, Rhode Island Commerce Corporation, and Christopher J. Fragomeni, Esq., Savage Law Partners, LLP.

\*Present and participated remotely.

**1. CALL TO ORDER AND OPENING REMARKS.**

Chairman Neil Steinberg called the meeting to order at 9:05 a.m., indicating that a quorum was present. Mr. Steinberg indicated that there was still an open position for the Board, that Cassandra Thomas from the City of Providence was absent, and that Armand Sabatoni was present and participating through Zoom. Mr. Steinberg commented on the importance of the Board and the opportunity for Rhode Island going forward and thanked the Governor, Speaker, and Senate President for their support on the initiative.

**2. TO INTRODUCE THE RILSH AND BOARD OF DIRECTORS.**

Board members went around the table for introductions. Mr. Steinberg stated the RILSH is a quasi-state agency, subject to the Open Meetings Act, that can go into executive session when warranted, and that this inaugural meeting is primarily an organizational agenda, going forward agendas would be more strategic. Mr. Steinberg commented that the legislation was passed in June 2023 with the Rhode Island Life Science Hub Act, Rhode Island General Laws § 23-99-1, et seq. (the “**Act**”), with funding through an APRA SFRF appropriation and not an annual appropriation. Mr. Steinberg reviewed the origin of the RILSH through the January 2022 report through the Rhode Island Foundation and Jones Lang LaSalle, presenting a SWOT analysis of the life sciences sector in Rhode Island to the Governor, Speaker, and Senate President, initiating the creation of a state plan for growing the life sciences industry.

Mr. Steinberg expressed the need to hire a Chief Executive Officer for the RILSH. Staffing of the organization will help prepare and execute strategic objectives for the organization in

workforce development, establishing a wet lab incubator and shared lab space as there is no commercial wet lab space available in Rhode Island, and establishing a fund.

Mr. Steinberg explained the plan for the RILSH is modeled after the Massachusetts Life Sciences Center (the “MLSC”) and structured as a quasi-public entity. RI BIO is a partner organization in Rhode Island, like MassBIO to the MLSC in Massachusetts. Mr. Steinberg commented on how the RILSH will work with real estate developers like the Rhode Island State Health Lab development, bringing people together throughout the industry, and the RILSH is here to oversee these activities. Mr. Steinberg stated that half of the Board was appointed by the Governor and half were positions written in legislation, and was here for the State of Rhode Island. Mr. Steinberg mentioned that life sciences are a broad industry with many different sectors, and the RILSH should engage strategically and expeditiously to leverage experience and expertise.

**3. TO DISCUSS THE ROLES AND RESPONSIBILITIES OF THE BOARD TREASURER AND SECRETARY AND TO CONSIDER THE NOMINATIONS OF A BOARD SECRETARY.**

Mr. Steinberg mentioned that Ernie Almonte by statute is the treasurer for the Board, and the Board will need to appoint a secretary to certify minutes and documents for the organization. Mr. Steinberg asked if there were any volunteers at that moment for the secretary position. There were no volunteers to consider at this meeting.

**4. TO REVIEW THE RHODE ISLAND LIFE SCIENCE HUB ACT AND TO REVIEW THE RILSH BOARD BY-LAWS.**

Mr. Steinberg reviewed the Act, outlining that it is the central and coordinating entity for Rhode Island designated to facilitate commercial and clinical development throughout the industry. The RILSH will need to determine and navigate how to support commercial life science companies versus health care services. The RILSH will help fund and incubate life science companies, and promote their economic development in Rhode Island. Mr. Steinberg noted that Rhode Island state efforts to support the industry are nascent compared to Massachusetts, which has been invested in the industry for decades. Mr. Steinberg acknowledged that the RILSH will be able to legally issue bonds as a future funding source. The Board has the authority to certify life science companies and create an investment fund. Mr. Steinberg outlined that the organization will be governed by a Board of fifteen (15) directors prescribed in the legislation with four (4) year terms and, in the future, will need to be staggered terms. Board meetings are subject to the State’s open meeting laws but can, when warranted, enter executive session. The Board has the ability to hire a President and a Chief Executive Officer for the organization with advice and consent of the Rhode Island State Senate. The timeframe for hiring is by May 2024. Per legislation, the RILSH will have office space within the Rhode Island Commerce Corporation offices to start. Mr. Steinberg outlined the powers and establishing legislation for the RILSH. The Board will establish and approve By-Laws in upcoming Board meetings.

A copy of the Act is attached hereto as **Exhibit B.**

**5. TO DISCUSS AND REVIEW THE STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RHODE ISLAND GENERAL LAWS § 36-14-6, RECUSAL FORMS, AND ETHICS EDUCATION AND TRAINING.**

Mr. Chris Fragomeni, the lawyer for the Rhode Island Commerce Corporation from Savage Law Partners, reviewed for the Board the Rhode Island Code of Ethics – found in legislature, rules and regulations, through the Rhode Island Ethics Commission. Mr. Fragomeni reviewed the definition, process, and procedures for evaluating and reporting conflicts of interests. Mr. Steinberg emphasized how the Board has a quorum of eight (8). Questions were asked and answered by Mr. Fragomeni. Mr. Fragomeni also reviewed the concept and definitions for public open meetings and a rolling or walking quorum. More questions were asked and answered regarding the Open Meetings Act, R.I.G.L. § 42-46-1, et seq. (the “Open Meetings Act”).

A copy of the Open Meetings Act is attached hereto as **Exhibit C.**

**6. TO RECEIVE AN UPDATE ON THE \$45 MILLION BIOSCIENCE INVESTMENT BUDGET PROCESS, APPROVED FUNDS FROM THE RHODE ISLAND PANDEMIC RECOVERY OFFICE AND FURTHER DETERMINATION OF AN OPERATING BUDGET FOR THE RILSH.**

Mr. Steinberg described the RILSH funding of \$45,000,000 as ARPA SFRF funding through the Rhode Island Pandemic Recovery Office, providing programmatic and operating funding. Funding must be obligated by December 31, 2024, and spent by December 31, 2026. Ms. Lilia Holt, the Vice President of Business Development for the Rhode Island Commerce Corporation, presented to the Board the PowerPoint attached hereto as **Exhibit D.** Ms. Holt described the process and procedures for funding the RILSH through the Rhode Island Pandemic Recovery Office, the \$2,000,000 approved for the Bioscience Investment for the RILSH startup costs and the Rhode Island Commerce Corporation support staff over the first 9 months, and next steps to approve the remaining \$45,000,000.

The RILSH will report performance and budget metrics to the Rhode Island Pandemic Recovery Office and will need to spend funding each quarter to unlock additional funding.

**7. TO DISCUSS ESTABLISHING A REVIEW COMMITTEE AND MECHANISM FOR CERTIFYING LIFE SCIENCE COMPANIES.**

Mr. Steinberg described the need for establishing a review committee and mechanism for certifying life science companies and how the Board will start working on this process. Director Paxson asked if we should wait until there is an executive director. Mr. Steinberg responded that we would like to have someone in place but as soon as possible.

**8. TO DISCUSS AND APPOINT A REVIEW COMMITTEE FOR HIRING A PRESIDENT AND CHIEF EXECUTIVE OFFICER FOR THE RILSH.**

Mr. Steinberg discussed the need for a subcommittee for screening President and CEO candidates and the process and timing for an executive search. The subcommittee will work with the executive search firm for Board review and hiring decisions. The hiring subcommittee will consist of Mr. Ernie Almonte, Secretary Liz Tanner, Dr. Mukesh Jain, Brian Britson, Dr. Patrice

Milos, and Mr. John Fernandez. Director Parlange asked if Board members can make candidate recommendations, to which Mr. Steinberg responded yes. Mr. Steinberg recommended the executive search firm establish subcommittee meeting dates.

Upon motion duly made by Mr. Fernandez and seconded by Secretary Tanner, the following vote was unanimously adopted:

**VOTED:** To discuss and appoint a review committee for hiring a President and Chief Executive Officer for the RILSH.

**9. TO CONSIDER THE SELECTION OF AN EXECUTIVE SEARCH FIRM FOR IDENTIFYING POTENTIAL CANDIDATES FOR ONE OR MORE LEADERSHIP-LEVEL POSITIONS, THE PRIMARY AND FIRST POSITION BEING FOR A PRESIDENT AND CHIEF EXECUTIVE OFFICER FOR THE RILSH.**

Mr. Steinberg explained that the RILSH had issued a request for proposals (the “RFP”) for an executive search firm for a hiring a President and CEO (the “**Services**”). The RILSH evaluated the responses to the RFP and recommends to the Board to engage Korn Ferry to perform the Services. Questions were asked and answered.

Upon motion duly made by Mr. John Fernandez and seconded by Dr. Michael Wagner, the following votes were unanimously adopted:

**VOTED:** To hire Korn Ferry to perform the Services for the RILSH as the executive search firm for identifying potential candidates for one or more leadership-level positions, the primary and first position being for a President and Chief Executive Officer for the RILSH.

**VOTED:** That the Chairperson or Vice Chairperson of the Board acting singly, shall have the authority to negotiate and execute any and all documents in connection with the retention of Korn Ferry for the Services in an amount not to exceed \$150,000, plus out-of-pocket expenses as approved in the sole discretion of the Chairperson or Vice Chairperson.

**10. TO CONSIDER THE EXPENDITURE OF FUNDING FOR INSURANCE POLICIES AND INFORMATION AND TECHNOLOGY SERVICES.**

Mr. Steinberg explained that the RILSH will need to issue RFPs for brokers and policies to cover Directors and Officers (**D&O**) Insurance, General Liability Insurance, and information and technology services for the organization.

Upon motion duly made by Mr. John Fernandez and seconded by Dr. Michael Wagner, the following vote was unanimously adopted:

**VOTED:** To issue and RFP to obtain insurance to coverages the activities of RILSH and its Board and information and technology services.

**11. TO CONSIDER THE SELECTION OF A LAW FIRM TO PROVIDE COMPREHENSIVE LEGAL SERVICES TO RILSH.**

Mr. Steinberg explained that the RILSH had issued an RFP for proposals for general legal services (the “**Legal Services**”) and, pursuant to Rhode Island General Laws § 37-2-70, the RILSH is authorized to engage counsel to provide Legal Services.

**WHEREAS**, the RILSH has evaluated the responses to the RFP and recommends to the Board to engage Locke Lord LLP (the “**Vendor**”) to perform the Legal Services for the RILSH.

Upon motion duly made by Mr. Ernie Almonte and seconded by Dr. Patrice Milos, the following votes were unanimously adopted:

**VOTED:** That the Board hereby finds that there is a need for the Legal Services to be performed for the RILSH including, but not limited to, general counsel services, and the Board hereby engages the Vendor to perform Legal Services for the RILSH.

**VOTED:** That the Vendor being appropriately licensed in Rhode Island has the resources and qualifications to perform the Legal Services for the RILSH.

**VOTED:** That the Board hereby authorizes the Chairperson to retain the Vendor for the Legal Services and to negotiate and execute any and all documents or take any action necessary in connection with carrying out the authorizations provided by and contemplated by these resolutions including, but not limited to, executing an engagement agreement with the Vendor so long as the RILSH has appropriate funding and the engagement agreement complies with the provisions of R.I. Gen. Laws § 37-2-70(b).

**12. TO CONSIDER THE SELECTION OF A FIRM TO PROVIDE PUBLIC RELATIONS AND COMMUNICATION SERVICES FOR THE RILSH.**

Next, Mr. Steinberg discussed that communications and public relations will be very important for the RILSH. The RILSH has issued an RFP for communications and public relations services (the “**PR Services**”). The responses to the RFP have been evaluated, and New Harbor Group (the “**PR Vendor**”) was seen as the leading contender for the performance of the PR Services.

Upon motion duly made by Mr. Ernie Almonte and seconded by Mr. John Fernandez, the following vote was adopted:

**VOTED:** That the Chairperson or Vice Chairperson of the Board hereby is authorized acting singly to negotiate and execute any and all documents in connection with the retention of the PR Vendor for the PR Services in an amount not to exceed \$125,000, plus out-of-pocket expenses as approved in the sole discretion of the Chairperson or Vice Chairperson.

**13. TO AUTHORIZE THE CHAIR TO ENTER INTO A BANKING RELATIONSHIP.**

Next, Mr. Steinberg commented that the RILSH needs to establish one or more bank accounts and relationship in order to conduct its business. After some discussion about in state institutions, Citizens Bank was proposed to the Board as the first banking institution for the RILSH.

Upon motion duly made by Mr. Ernie Almonte and seconded by Dr. Patrice Milos, the following vote was unanimously adopted:

**VOTED:** That the RILSH establish a banking relationship with Citizens Bank and open one or more accounts as may be required to properly conduct the business of the RILSH and to authorize the Chairperson to execute and deliver any and all documentation required to carry out the purpose of this resolution.

**14. TO DISCUSS THE RHODE ISLAND LIFE SCIENCES INDUSTRY AND ECOSYSTEM EVENT DATES AND CONCEPT.**

Mr. Steinberg described the need for the RILSH to have industry and ecosystem events. He mentioned RI BIO and other industry partners to work with for future events, and the RILSH will continue to look for funding/sponsorship opportunities to support these efforts. The RILSH intends to hold an event Spring 2024 with speakers, panels, and breakout sessions.

**15. TO CONSIDER THE 2024 RILSH BOARD MEETING DATES.**

Mr. Steinberg proposed monthly meetings at least for the first year, recommending the third Tuesday of every month, but pushing the February meeting to the fourth week in February due to school vacations. The RILSH has the authority to have public Board meetings in person and via Zoom/remotely, but in person is preferred. Mr. Steinberg mentioned welcoming future topics for meetings, including what the life science pockets are in the State, what should we know, and how do we focus and allocate.

Upon motion duly made by Dr. Christina Paxson and seconded by Mr. John Fernandez, the following vote was unanimously adopted:

**VOTED:** That the monthly meeting date and times for RILSH will be the third Tuesday of each month (except for February which shall be the fourth Tuesday) at 9:00 am in a location to be determined.

There being no further business in public session, the meeting was adjourned by unanimous consent at 10:31 a.m. upon motion made by Dr. Christina Paxson and seconded by Mr. John Fernandez.

/s/ Neil Steinberg  
Neil Steinberg, Chair

## **JANUARY 22, 2024 PUBLIC NOTICE OF MEETING**

### **EXHIBIT A**

#### **RHODE ISLAND LIFE SCIENCE HUB PUBLIC NOTICE OF MEETING**

A meeting of the Board of Directors of the Rhode Island Life Science Hub (the “**RILSH**”) will be held on **January 22, 2024**, beginning at **9:00 a.m.** at the Warren Alpert Medical School of Brown University, Surgical Multipurpose Room – Room 275 (Floor 2), 222 Richmond Street, Providence, RI, 02903 or by Zoom link provided below.

Link to join Zoom:

<https://us02web.zoom.us/j/85900947078?pwd=dFBtTE9OQU9wbzFuWmxIclpjaGs0UT09>

Passcode: 177619

The meeting will be held for the following purposes:

1. To introduce the RILSH and Board of Directors.
2. To discuss roles and responsibilities of board treasurer and secretary and to consider nominations of board secretary.
3. To review the Rhode Island Life Science Hub Act (R.I. Gen. Laws § 23-99-1, et seq.) and to review the RILSH Board By-Laws.
4. To discuss and review a Statement of Conflict of Interest pursuant to R.I. Gen. Laws § 36-14-6, recusal forms, and ethics education and training.
5. To receive an update on the \$45 million Bioscience Investment budget process, approved funds from the Rhode Island Pandemic Recovery Office and further determination of an operating budget for the RILSH.
6. To discuss establishing a review committee and mechanism for certifying life science companies.
7. To discuss and appoint a review committee for hiring a President and Chief Executive Officer for the RILSH.
8. To consider the selection of an executive search firm for identifying potential candidates for one or more leadership-level positions, the primary and first position being for a President and Chief Executive Office, for the RILSH.
9. To consider the expenditure of funding for insurance policies and information and technology services.
10. To consider the selection of a law firm to provide comprehensive legal services to the RILSH.

11. To consider the selection of a firm to provide public relations and communication services for the RILSH.
12. To authorize the Chair to enter into a banking relationship.
13. To discuss the Rhode Island Life Sciences industry and ecosystem event dates and concept.
14. To consider the 2024 RILSH Board meeting dates.

This notice shall be posted at the office of the Rhode Island Commerce Corporation, at the State House, and by electronic filing with the Secretary of State's Office.

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Neil Steinberg  
Chair, The Rhode Island Life Science Hub

The location is accessible to the handicapped. Those requiring interpreter services for the hearing impaired must notify the Rhode Island Commerce Corporation at 278-9100 forty-eight (48) hours in advance of the meeting. Also, for the hearing impaired, assisted listening devices are available onsite, without notice, at this location.

Dated: January 17, 2024



## **EXHIBIT B**

### **Chapter 99 The Rhode Island Life Science Hub Act**

#### **Index of Sections**

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#### **§ 23-99-1. Short title.**

This act shall be known and may be cited as the “Rhode Island Life Science Hub Act”.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

#### **§ 23-99-2. Legislative purpose.**

The purpose of this chapter shall be to create and lawfully manage the Rhode Island life science hub, a public corporation. The Rhode Island life science hub shall be the central entity and coordinating organization of life science initiatives on behalf of the state and shall:

(1) Facilitate the development of medical advances and scientific breakthroughs with companies that specialize in the fields of: medical devices, biomedical technology, medical therapeutic therapies, biogenetics, biomedical engineering, biopharmaceuticals, genomics, and life sciences; and

(2) Through targeted investment of grants, tax credits, and incentives, fund and incubate Rhode Island-based life science companies that will promote economic and workforce development within the state and that shall allow the state to successfully compete in the national and international life science industries.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

### **§ 23-99-3. Definitions.**

As used in this chapter, the following words shall have the following meanings:

- (1) “Affiliate” means any person or company who or that directly or indirectly controls or is controlled by or is under direct or indirect common control of another company or person including, but not limited to, any company that is merged or consolidated, or that purchases all or substantially all of the assets of another company.
- (2) “Board” means the board of directors of the hub.
- (3) “Certification proposal” means a written proposal submitted by a life science company for approval as a certified life sciences company.
- (4) “Certified life sciences company” means a company that has been certified by the board as being eligible to receive grants and incentives from the investment fund.
- (5) “Commerce corporation” means the Rhode Island commerce corporation, established pursuant to § 42-64-1 et seq.
- (6) “Company” means a business corporation, partnership, firm, unincorporated association, or other entity engaged or proposing to engage in economic activity within the state, and any affiliate thereof.
- (7) “Hub” means the Rhode Island life science hub established by § 23-99-4.
- (8) “Investment fund” means the hub investment fund established by § 23-99-6.
- (9) “Life science” means and shall include, but not be limited to, the science of: medical devices, biomedical technology, medical therapeutic therapies, biogenetics, biomedical engineering, biopharmaceuticals, genomics, biomanufacturing, diagnostics, digital health, and related fields.
- (10) “Life science company” means a company engaged in life science research, development, manufacturing, incubation, or commercialization in Rhode Island, and any affiliate thereof.
- (11) “Life sciences industry” means the fields of medical devices, biomedical technology, medical therapeutic therapies, biogenetics, biomedical engineering, biopharmaceuticals, genomics, biomanufacturing, diagnostics, digital health, and related fields.
- (12) “Person” means a natural person, company, or other legal entity.
- (13) “State” means the state of Rhode Island.
- (14) “Venture” means, without limitation, any contractual arrangement with any person whereby the corporation obtains rights from or in an invention or product or proceeds

therefrom, or rights to obtain from any person any and all forms of equity instruments including, but not limited to, common and preferred stock, warrants, options, convertible debentures, and similar types of instruments exercisable or convertible into capital stock, in exchange for the granting of financial aid to such person.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

#### **§ 23-99-4. Rhode Island life science hub established.**

(a) There is hereby constituted as an independent public a public corporation for the purposes set forth in this chapter with a separate legal existence from the state to be known as the Rhode Island life science hub hereinafter to be referred to as the “hub”. The exercise by the hub of the powers conferred by this chapter shall be considered to be the performance of an essential governmental function.

(b) The hub shall be governed and its corporate powers exercised by a board of directors consisting of fifteen (15) directors: seven (7) of whom shall be appointed by the governor, one of whom shall be a senior executive with extensive background in the banking, grant making, and fundraising fields, one of whom shall be a member of a life science trade association, or his or her designee, one of whom shall be the president or a senior executive of a Rhode Island based life science company, or his or her designee, two (2) of whom shall be senior executives of Rhode Island based life science companies specializing in biomanufacturing, or his or her designees, one of whom shall be a representative of organized labor, or his or her designee, and one of whom shall be a member of the public who shall be a certified public accountant and a member of the Rhode Island society of certified public accountants; one of whom shall be the secretary of commerce; three (3) of whom shall be the president of Rhode Island college, or his or her designee, the president of the university of Rhode Island, or his or her designee, and the president of Brown university, or his or her designee; one of whom shall be the dean of the Warren Alpert Medical School of Brown university, or his or her designee; one of whom shall be the president and chief executive officer of the Lifespan Corporation, or his or her designee; one of whom shall be the president and chief executive officer of Care New England Health System, or his or her designee; and one of whom shall be an ex officio director who shall also be the director of economic development for the city of Providence, or his or her designee.

(c) The chair of the board shall be appointed by the governor, with the advice and consent of the senate, and shall be an individual who served in the capacity as a senior executive with extensive background in the banking, grant making, and fundraising fields. The vice-chair of the board shall be the secretary of commerce. Eight (8) directors shall constitute a quorum, and any action to be taken by the board under the provisions of this chapter may be authorized by resolution approved by a majority of the directors present and entitled to vote at any regular or special meetings at which a quorum is present. No votes on the certification of any life science company nor on the allocation or award of any fund resources to any certified life science company shall be taken unless the chair is present and voting. A vacancy in the membership of the board of directors shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the board. Pursuant to § 42-46-5(b)(6), board directors are authorized to participate remotely using videoconferencing technology in open public meetings of the board; provided, however, that:

**(1)** The remote director(s) and all persons present at the meeting location are clearly audible and visible to each other;

**(2)** A quorum of the body is participating, either in person or by the use of remote videoconferencing technology;

**(3)** A member of the board who participates in a meeting of the board remotely shall be considered present for purposes of a quorum and voting;

**(4)** If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used and include instructions on how the public can access the virtual meeting; and

**(5)** The board shall adopt rules defining the requirements of remote participation including its use for executive session, and the conditions by which a director is authorized to participate remotely.

**(d)** Each board member shall serve a term of four (4) years. In the event that the chair of the board position becomes vacant for any reason, or the chair is not able to perform the duties of that position for any reason, the vice chair shall serve as the interim chair until the chair is able to resume the chair's duties; provided, however, in the event that the chair is not able to resume the chair's duties in that position, the governor shall appoint a new chair and, in making this appointment, the governor shall give due consideration to appointing an individual from a list of six (6) candidates, three (3) of whom shall be provided to the governor by the speaker of the house and three (3) of whom shall be provided to the governor by the president of the senate. Any person appointed to fill a vacancy in the office of an appointed director of the board shall be appointed in a like manner and shall serve for the unexpired term of such director. Any director shall be eligible for reappointment.

**(e)** The director of the board who is a member of the public and who is a certified public accountant and a member of the Rhode Island society of certified public accountants shall serve as treasurer and shall be charged with keeping the funds, books of account, and accounting records of the hub. No grants, tax credits, or incentives shall be issued by the hub to any certified life science company without the approval of the board and the signature of the treasurer. The board shall annually elect a secretary who shall keep a record of the proceedings of the board and shall be custodian of all books, documents, and papers.

**(f)** Board directors shall serve without compensation, but each director shall be entitled to reimbursement for actual, reasonable, and necessary expenses while engaged in the performance of official duties. Board directors, officers, and employees shall not be liable to the state, the hub, or to any other person as a result of their activities except for malfeasance in office or intentional violations of law.

**(g)** The board shall establish an application review committee consisting of not less than three (3) directors of the board, which shall review certification proposals submitted by life sciences companies that shall be supported by independently verifiable information, and the board shall make a record of findings based on the certification proposal, documents submitted therewith, and any additional evidence that the life science company meets all criteria that the hub may prescribe.

**(h)** Certified life science companies shall be eligible to receive funding from the hub, upon a majority vote of the board, for the following benefits which shall be awarded by the board on a competitive basis:

**(1)** Grants, loans, or other investments;

**(2)** Assistance from the hub in obtaining federal, state, and nonprofit monies; or

**(3)** Assistance from the hub in facilitating clinical trials.

**(i)** Notwithstanding any other provisions of law in relation to their tenure of office, the governor may remove any board director for the neglect of any duty required by law, incompetence, unprofessional conduct, or willful misconduct.

**(j)** Each director shall make full disclosure, in accordance with §§ 36-14-1 — 36-14-7, of any financial interest, if any, in any matter before the board. Such interest must be disclosed in advance to the directors of the board, recorded in the minutes of the board, and the director having such an interest shall recuse themselves and shall not participate in any decision of the board relating to such interest.

**(k)** With the advice and consent of the senate, the board shall have the power to hire a president, who shall also serve as the chief executive officer of the hub. The board also shall have the power to establish compensation and conditions of employment for the president and chief executive officer; provided, further, the board shall have the power to hire other employees and establish compensation and conditions of employment for such employees.

**(l)** The commerce corporation shall provide operating quarters for the hub for, at a minimum, the first year of the hub's operation.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

#### **§ 23-99-5. Hub powers.**

The hub shall have the following powers and all powers necessary to carry out and effectuate its purposes, including, without limitation, all powers necessary for the performance of the following:

**(1)** To have perpetual succession as a public corporate body and agency of the state and to adopt bylaws, rules, regulations, and procedures for its governance and conduct of its business;

**(2)** To act as the central entity and coordinating organization of life sciences initiatives on behalf of the state and to work in collaboration with governmental entities, bodies, centers, hubs, and facilities to promote life sciences;

**(3)** To engage accountants, architects, attorneys, engineers, planners, real estate experts, and other consultants as may be necessary in its judgment to carry out the purposes of this chapter;

- (4) To obtain insurance for board directors, officers, and employees in order to indemnify said persons against the claims of others;
- (5) To administer the investment fund, for the purposes of making appropriations, allocations, grants, or loans;
- (6) To apply for and accept contributions of any source of money, property, labor, or any other things of value and to invest, disburse, appropriate, grant, loan, or allocate any funds for the purpose of investing in any life science initiative;
- (7) To create access to capital, funding, and business support programs;
- (8) To enter into venture agreements with persons, upon such terms and on such conditions as are consistent with the purposes of this chapter, for the advancement of financial aid to such persons for the research, development, and application of specific technologies, products, procedures, services, and techniques, to be developed and produced in this state, and to condition such agreements upon contractual assurances that the benefits of increasing or maintaining employment and tax revenues shall remain in this state and shall accrue to it;
- (9) To enter into contracts and agreements to further scientific research in the state, aid in the promotion of the health of residents, foster jobs in the life sciences, and promote overall economic growth in the life sciences industry; and
- (10) To issue bonds, notes, and any other obligations of the hub, subject to the provisions of chapter 18 of title 35 (“Rhode Island public corporation debt management”).

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

#### **§ 23-99-6. Hub investment fund.**

- (a) There shall be established and placed within the hub, a fund or funds to be known as the Rhode Island life science investment fund, hereinafter referred to as the “fund”, to be held by the hub to finance the operations and initiatives of the hub. The fund shall be credited any appropriations, bond proceeds, federal grants, or loans, or other such additional funds as are subject to the direction and control of the hub, which may properly be applied in furtherance of the objectives of the hub.
- (b) The fund shall be held and applied by the hub to make qualified investments, grants, research and other funding, and loans designed to advance public purposes for the life science industry in the state and shall use the fund for such purposes.
- (c) The state shall not be liable for the payment of the principal of, or interest on, any bonds or notes of the hub, or for the performance of any pledge, mortgage, obligation, or agreement of any kind whatsoever that may be undertaken by the hub, and none of the bonds or notes of the hub nor any of its agreements or obligations shall be construed to constitute an indebtedness of the state. Payments related to any transaction involving, or investment by, the hub shall be payable solely from the fund.

(d) The board shall promulgate rules, regulations, or guidelines necessary to carry out the provisions of this section.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

#### **§ 23-99-7. Annual reports.**

The hub shall submit a report, beginning on or before October 1, 2024, and on October 1 annually thereafter, to the governor, the speaker of the house, and the president of the senate. This report shall include:

- (1) The hub's receipts and expenditures during such fiscal year;
- (2) The hub's assets and liabilities at the end of its fiscal year;
- (3) A list of all certified life sciences companies;
- (4) A complete list of grants awarded by the hub and any other funding activities;
- (5) Reports of patents or products resulting from funded activities;
- (6) The status of construction of any real estate project resulting from certification, including whether construction is on-time and on-budget;
- (7) Any federal initiatives that have an impact on life science companies doing business in the state; and
- (8) Any concerns surrounding pending or threatened litigation, pending legislation both state and federal, or any other known material risks.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

#### **§ 23-99-8. Accountability and audit.**

(a) The board shall be responsible for establishing accountability standards, reporting standards, and outcome measurements for all of its expenditures, including all investments and grants.

(b) The board and the hub shall comply with provisions of chapter 155 of title 42 ("quasi-public corporations accountability and transparency act").

(c) In addition to the requirements pursuant to the provisions of subsection (b) of this section and § 42-155-7, the books and records of the hub shall be audited by an outside audit firm selected and paid for by the hub, in accordance with § 35-7-13 at least on an annual basis, in accordance with generally accepted accounting principles and generally accepted government auditing standards.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.

**§ 23-99-9. Severability.**

If any section, clause, provision, or portion of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall not affect any other section, clause, or provision of this chapter which is not in and of itself unconstitutional.

History of Section.

P.L. 2023, ch. 79, art. 7, § 2, effective September 1, 2023.



## **EXHIBIT C**

### **Chapter 46 Open Meetings**

#### **Index of Sections**

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#### **§ 42-46-1. Public policy.**

It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy.

History of Section.

G.L. 1956, § 42-46-1; P.L. 1976, ch. 330, § 2.

## **§ 42-46-2. Definitions.**

As used in this chapter:

(1) “*Meeting*” means the convening of a public body to discuss and/or act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power. As used herein, the term “*meeting*” expressly includes, without limiting the generality of the foregoing, so-called “*workshop*,” “*working*,” or “*work*” sessions.

(2) “*Open call*” means a public announcement by the chairperson of the committee that the meeting is going to be held in executive session and the chairperson must indicate which exception of § 42-46-5 is being involved.

(3) “*Open forum*” means the designated portion of an open meeting, if any, on a properly posted notice reserved for citizens to address comments to a public body relating to matters affecting the public business.

(4) “*Prevailing plaintiff*” includes those persons and entities deemed “*prevailing parties*” pursuant to 42 U.S.C. § 1988.

(5) “*Public body*” means any department, agency, commission, committee, board, council, bureau, or authority, or any subdivision thereof, of state or municipal government or the board of directors of any library that funded at least twenty-five percent (25%) of its operational budget in the prior budget year with public funds, and shall include all authorities defined in § 42-35-1. For purposes of this section, any political party, organization, or unit thereof meeting or convening is not and should not be considered to be a public body; provided, however, that no such meeting shall be used to circumvent the requirements of this chapter.

(6) “*Quorum*,” unless otherwise defined by applicable law, means a simple majority of the membership of a public body.

History of Section.

G.L. 1956, § 42-46-2; P.L. 1976, ch. 330, § 2; P.L. 1982, ch. 352, § 1; P.L. 1984, ch. 372, § 1; P.L. 1995, ch. 297, § 1; P.L. 1998, ch. 379, § 1; P.L. 2005, ch. 103, § 1; P.L. 2005, ch. 134, § 1; P.L. 2006, ch. 453, § 1; P.L. 2007, ch. 129, § 1; P.L. 2007, ch. 180, § 1; P.L. 2008, ch. 475, § 11; P.L. 2019, ch. 98, § 1; P.L. 2019, ch. 132, § 1.

## **§ 42-46-3. Open meetings.**

Every meeting of all public bodies shall be open to the public unless closed pursuant to §§ 42-46-4 and 42-46-5.

History of Section.

G.L. 1956, § 42-46-3; P.L. 1976, ch. 330, § 2.

#### **§ 42-46-4. Closed meetings.**

(a) By open call, a public body may hold a meeting closed to the public upon an affirmative vote of the majority of its members. A meeting closed to the public shall be limited to matters allowed to be exempted from discussion at open meetings by § 42-46-5. The vote of each member on the question of holding a meeting closed to the public and the reason for holding a closed meeting, by a citation to a subdivision of § 42-46-5(a), and a statement specifying the nature of the business to be discussed, shall be recorded and entered into the minutes of the meeting. No public body shall discuss in closed session any public matter which does not fall within the citations to § 42-46-5(a) referred to by the public body in voting to close the meeting, even if these discussions could otherwise be closed to the public under this chapter.

(b) All votes taken in closed sessions shall be disclosed once the session is reopened; provided, however, a vote taken in a closed session need not be disclosed for the period of time during which its disclosure would jeopardize any strategy, negotiation or investigation undertaken pursuant to discussions conducted under § 42-46-5(a).

#### **History of Section.**

G.L. 1956, § 42-46-4; P.L. 1976, ch. 330, § 2; P.L. 1988, ch. 84, § 29; P.L. 1988, ch. 659, § 1, P.L. 1990, ch. 201, § 1; P.L. 1998, ch. 379, § 1; P.L. 2007, ch. 340, § 37.

#### **§ 42-46-5. Purposes for which meeting may be closed — Use of electronic communications — Judicial proceedings — Disruptive conduct.**

(a) A public body may hold a meeting closed to the public pursuant to § 42-46-4 for one or more of the following purposes:

(1) Any discussions of the job performance, character, or physical or mental health of a person or persons provided that the person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.

Failure to provide notification shall render any action taken against the person or persons affected null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state for the record that any persons to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.

(2) Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation.

(3) Discussion regarding the matter of security including, but not limited to, the deployment of security personnel or devices.

(4) Any investigative proceedings regarding allegations of misconduct, either civil or criminal.

(5) Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

**(6)** Any discussions related to or concerning a prospective business or industry locating in the state of Rhode Island when an open meeting would have a detrimental effect on the interest of the public.

**(7)** A matter related to the question of the investment of public funds where the premature disclosure would adversely affect the public interest. Public funds shall include any investment plan or matter related thereto, including, but not limited to, state lottery plans for new promotions.

**(8)** Any executive sessions of a local school committee exclusively for the purposes: (i) Of conducting student disciplinary hearings; or (ii) Of reviewing other matters that relate to the privacy of students and their records, including all hearings of the various juvenile hearing boards of any municipality; provided, however, that any affected student shall have been notified in advance in writing and advised that he or she may require that the discussion be held in an open meeting.

Failure to provide notification shall render any action taken against the student or students affected null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state for the record that any students to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.

**(9)** Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining agreement.

**(10)** Any discussion of the personal finances of a prospective donor to a library.

**(b)** No meeting of members of a public body or use of electronic communication, including telephonic communication and telephone conferencing, shall be used to circumvent the spirit or requirements of this chapter; provided, however, these meetings and discussions are not prohibited.

**(1)** Provided, further however, that discussions of a public body via electronic communication, including telephonic communication and telephone conferencing, shall be permitted only to schedule a meeting, except as provided in this subsection.

**(2)** Provided, further however, that a member of a public body may participate by use of electronic communication or telephone communication while on active duty in the armed services of the United States.

**(3)** Provided, further however, that a member of that public body, who has a disability as defined in chapter 87 of this title and:

**(i)** Cannot attend meetings of that public body solely by reason of the member's disability; and

**(ii)** Cannot otherwise participate in the meeting without the use of electronic communication or telephone communication as reasonable accommodation, may participate by use of electronic communication or telephone communication in accordance with the process below.

**(4)** The governor's commission on disabilities is authorized and directed to:

**(i)** Establish rules and regulations for determining whether a member of a public body is not otherwise able to participate in meetings of that public body without the use of electronic communication or telephone communication as a reasonable accommodation due to that member's disability;

**(ii)** Grant a waiver that allows a member to participate by electronic communication or telephone communication only if the member's disability would prevent the member from being physically present at the meeting location, and the use of such communication is the only reasonable accommodation; and

**(iii)** Any waiver decisions shall be a matter of public record.

**(5)** The university of Rhode Island board of trustees members, established pursuant to § 16-32-2, are authorized to participate remotely in open public meetings of the board; provided, however, that:

**(i)** The remote members and all persons present at the meeting location are clearly audible and visible to each other;

**(ii)** A quorum of the body is participating;

**(iii)** If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used and include instructions on how the public can access the virtual meeting; and

**(iv)** The board shall adopt rules defining the requirements of remote participation including its use for executive session, and the conditions by which a member is authorized to participate remotely.

**(6)** The Rhode Island Life Science Hub board of directors, established pursuant to § 23-99-4, is authorized to participate remotely in open public meetings of the board, in accordance with the provisions of § 23-99-4(c).

**(c)** This chapter shall not apply to proceedings of the judicial branch of state government or probate court or municipal court proceedings in any city or town.

**(d)** This chapter shall not prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct of the meeting is seriously compromised.

#### History of Section.

G.L. 1956, § 42-46-5; P.L. 1976, ch. 330, § 2; P.L. 1982, ch. 352, § 1; P.L. 1988, ch. 659, § 1; P.L. 1995, ch. 265, § 1; P.L. 1998, ch. 379, § 1; P.L. 2000, ch. 330, § 1; P.L. 2000, ch. 463, § 1; P.L. 2005, ch. 91, § 1; P.L. 2005, ch. 98, § 1; P.L. 2005, ch. 103, § 1; P.L. 2005, ch. 134, § 1; P.L. 2006, ch. 602, § 1; P.L. 2007, ch. 433, § 1; P.L. 2021, ch. 51, § 1, effective June 11, 2021; P.L. 2021, ch. 52, § 1, effective June 11, 2021; P.L. 2022, ch. 9, § 1, effective March 28, 2022; P.L. 2022, ch. 10, § 1, effective March 28, 2022; P.L. 2023, ch. 79, art. 7, § 3, effective September 1, 2023.

#### **§ 42-46-6. Notice.**

**(a)** All public bodies shall give written notice of their regularly scheduled meetings at the beginning of each calendar year. The notice shall include the dates, times, and places of the meetings and shall be provided to members of the public upon request and to the secretary of state at the beginning of each calendar year in accordance with subsection (f).

**(b)** Public bodies shall give supplemental written public notice of any meeting within a minimum of forty-eight (48) hours, excluding weekends and state holidays in the count of hours, before the date. This notice shall include the date the notice was posted; the date, time, and place of the meeting; and a statement specifying the nature of the business to be discussed. Copies of the notice shall be maintained by the public body for a minimum of one year. Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. School committees may, however, add items for informational purposes only, pursuant to a request, submitted in writing, by a member of the public during the public comment session of the school committee's meetings. Said informational items may not be voted upon unless they have been posted in accordance with the provisions of this section. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

**(c)** Written public notice shall include, but need not be limited to, posting a copy of the notice at the principal office of the public body holding the meeting, or if no principal office exists, at the building in which the meeting is to be held, and in at least one other prominent place within the governmental unit, and electronic filing of the notice with the secretary of state pursuant to subsection (f); however, nothing contained herein shall prevent a public body from holding an emergency meeting, upon an affirmative vote of the majority of the members of the body when the meeting is deemed necessary to address an unexpected occurrence that requires immediate action to protect the public. If an emergency meeting is called, a meeting notice and agenda shall be posted as soon as practicable and shall be electronically filed with the secretary of state pursuant to subsection (f) and, upon meeting, the public body shall state for the record and minutes why the matter must be addressed in less than forty-eight (48) hours in accordance with subsection (b) of this section and only discuss the issue or issues that created the need for an emergency meeting. Nothing contained herein shall be used in the circumvention of the spirit and requirements of this chapter.

**(d)** Nothing within this chapter shall prohibit any public body, or the members thereof, from responding to comments initiated by a member of the public during a properly noticed open forum even if the subject matter of a citizen's comments or discussions were not previously posted, provided such matters shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official. Nothing contained in this chapter requires any public body to hold an open-forum session to entertain or respond to any topic nor does it prohibit any public body from limiting comment on any topic at such an open-forum session. No public body, or the members thereof, may use this section to circumvent the spirit or requirements of this chapter.

(e) A school committee may add agenda items not appearing in the published notice required by this section under the following conditions:

(1) The revised agenda is electronically filed with the secretary of state pursuant to subsection (f), and is posted on the school district's website and the two (2) public locations required by this section at least forty-eight (48) hours in advance of the meeting in accordance with subsection (b) of this section;

(2) The new agenda items were unexpected and could not have been added in time for newspaper publication;

(3) Upon meeting, the public body states for the record and minutes why the agenda items could not have been added in time for newspaper publication and need to be addressed at the meeting;

(4) A formal process is available to provide timely notice of the revised agenda to any person who has requested that notice, and the school district has taken reasonable steps to make the public aware of this process; and

(5) The published notice shall include a statement that any changes in the agenda will be posted on the school district's website and the two (2) public locations required by this section and will be electronically filed with the secretary of state at least forty-eight (48) hours in advance of the meeting in accordance with subsection (b) of this section.

(f) All notices required by this section to be filed with the secretary of state shall be electronically transmitted to the secretary of state in accordance with rules and regulations that shall be promulgated by the secretary of state. This requirement of the electronic transmission and filing of notices with the secretary of state shall take effect one year after this subsection takes effect.

(g) If a public body fails to transmit notices in accordance with this section, then any aggrieved person may file a complaint with the attorney general in accordance with § 42-46-8.

#### History of Section.

G.L. 1956, § 42-46-6; P.L. 1976, ch. 330, § 2; P.L. 1981, ch. 182, § 1; P.L. 1984, ch. 372, § 1; P.L. 1988, ch. 659, § 1; P.L. 1998, ch. 379, § 1; P.L. 2001, ch. 360, § 1; P.L. 2003, ch. 305, § 1; P.L. 2003, ch. 362, § 1; P.L. 2006, ch. 328, § 1; P.L. 2006, ch. 453, § 1; P.L. 2006, ch. 458, § 1; P.L. 2011, ch. 151, art. 12, § 1; P.L. 2017, ch. 214, § 1; P.L. 2017, ch. 333, § 1.

#### § 42-46-7. Minutes.

(a) All public bodies shall keep written minutes of all their meetings. The minutes shall include, but need not be limited to:

(1) The date, time, and place of the meeting;

(2) The members of the public body recorded as either present or absent;

(3) A record by individual members of any vote taken; and

(4) Any other information relevant to the business of the public body that any member of the public body requests be included or reflected in the minutes.

(b)(1) A record of all votes taken at all meetings of public bodies, listing how each member voted on each issue, shall be a public record and shall be available to the public at the office of the public body within two (2) weeks of the date of the vote. The minutes shall be public records and unofficial minutes shall be available to the public at the office of the public body within thirty-five (35) days of the meeting or at the next regularly scheduled meeting, whichever is earlier, except where the disclosure would be inconsistent with §§ 42-46-4 and 42-46-5 or where the public body by majority vote extends the time period for the filing of the minutes and publicly states the reason.

(2) In addition to the provisions of subsection (b)(1), all volunteer fire companies, associations, fire district companies, or any other organization currently engaged in the mission of extinguishing fires and preventing fire hazards, whether it is incorporated or not, and whether it is a paid department or not, shall post unofficial minutes of their meetings within twenty-one (21) days of the meeting, but not later than seven (7) days prior to the next regularly scheduled meeting, whichever is earlier, on the secretary of state's website. Except for discussions related to finances, the provisions of this subsection shall not apply to a volunteer fire company if the matters of the volunteer fire company are under the supervision, control, or jurisdiction of another public body.

(c) The minutes of a closed session shall be made available at the next regularly scheduled meeting unless the majority of the body votes to keep the minutes closed pursuant to §§ 42-46-4 and 42-46-5.

(d) All public bodies shall keep official and/or approved minutes of all meetings of the body and shall file a copy of the minutes of all open meetings with the secretary of state for inspection by the public within thirty-five (35) days of the meeting; provided that this subsection shall not apply to public bodies whose responsibilities are solely advisory in nature.

(e) All minutes and unofficial minutes required by this section to be filed with the secretary of state shall be electronically transmitted to the secretary of state in accordance with rules and regulations that shall be promulgated by the secretary of state. If a public body fails to transmit minutes or unofficial minutes in accordance with this subsection, then any aggrieved person may file a complaint with the attorney general in accordance with § 42-46-8.

History of Section.  
P.L. 1976, ch. 330, § 2; P.L. 1984, ch. 372, § 1; P.L. 1985, ch. 373, § 1; P.L. 1989, ch. 431, § 1; P.L. 1995, ch. 165, § 1; P.L. 2003, ch. 305, § 1; P.L. 2003, ch. 362, § 1; P.L. 2013, ch. 333, § 1; P.L. 2013, ch. 359, § 1; P.L. 2017, ch. 214, § 1; P.L. 2017, ch. 333, § 1; P.L. 2021, ch. 217, § 1, effective July 10, 2021; P.L. 2021, ch. 366, § 1, effective July 10, 2021.

#### **§ 42-46-8. Remedies available to aggrieved persons or entities.**

(a) Any citizen or entity of the state who is aggrieved as a result of violations of the provisions of this chapter may file a complaint with the attorney general. The attorney general shall investigate the complaint and if the attorney general determines that the allegations of the complaint are



meritorious he or she may file a complaint on behalf of the complainant in the superior court against the public body.

**(b)** No complaint may be filed by the attorney general after one hundred eighty (180) days from the date of public approval of the minutes of the meeting at which the alleged violation occurred, or, in the case of an unannounced or improperly closed meeting, after one hundred eighty (180) days from the public action of a public body revealing the alleged violation, whichever is greater.

**(c)** Nothing within this section shall prohibit any individual from retaining private counsel for the purpose of filing a complaint in the superior court within the time specified by this section against the public body which has allegedly violated the provisions of this chapter; provided, however, that if the individual has first filed a complaint with the attorney general pursuant to this section, and the attorney general declines to take legal action, the individual may file suit in superior court within ninety (90) days of the attorney general's closing of the complaint or within one hundred eighty (180) days of the alleged violation, whichever occurs later.

**(d)** The court shall award reasonable attorney fees and costs to a prevailing plaintiff, other than the attorney general, except where special circumstances would render such an award unjust. The court may issue injunctive relief and declare null and void any actions of a public body found to be in violation of this chapter. In addition, the court may impose a civil fine not exceeding five thousand dollars (\$5,000) against a public body or any of its members found to have committed a willful or knowing violation of this chapter.

**(e)** Nothing within this section shall prohibit the attorney general from initiating a complaint on behalf of the public interest.

**(f)** Actions brought under this chapter may be advanced on the calendar upon motion of the petitioner.

**(g)** The attorney general shall consider all complaints filed under this chapter to have also been filed under § 38-2-8(b) if applicable.

History of Section.

P.L. 1978, ch. 146, § 2; P.L. 1981, ch. 279, § 1; P.L. 1984, ch. 372, § 1; P.L. 1985, ch. 373, § 1; P.L. 1988, ch. 659, § 1; P.L. 1998, ch. 379, § 1.

#### **§ 42-46-9. Other applicable law.**

The provisions of this chapter shall be in addition to any and all other conditions or provisions of applicable law and are not to be construed to be in amendment of or in repeal of any other applicable provision of law, except § 16-2-29, which has been expressly repealed.

History of Section.

P.L. 1976, ch. 330, § 2; P.L. 1977, ch. 111, § 1.

#### **§ 42-46-10. Severability.**

If any provision of this chapter, or the application of this chapter to any particular meeting or type of meeting, is held invalid or unconstitutional, the decision shall not affect the validity of the remaining provisions or the other applications of this chapter.

History of Section.

G.L. 1956, § 42-46-10; P.L. 1976, ch. 330, § 2.

#### **§ 42-46-11. Reported violations.**

Every year the attorney general shall prepare a report summarizing the complaints received pursuant to this chapter, which shall be submitted to the legislature and which shall include information as to how many complaints were found to be meritorious and the action taken by the attorney general in response to those complaints.

History of Section.

P.L. 1988, ch. 659, § 2.

#### **§ 42-46-12. Notice of citizen's rights under this chapter.**

The attorney general shall prepare a notice providing concise information explaining the requirements of this chapter and advising citizens of their right to file complaints for violations of this chapter. The notice shall be posted in a prominent location in each city and town hall in the state.

History of Section.

P.L. 1988, ch. 659, § 2.

#### **§ 42-46-13. Accessibility for persons with disabilities.**

(a) All public bodies, to comply with the nondiscrimination on the basis of disability requirements of R.I. Const., Art. I, § 2 and applicable federal and state nondiscrimination laws (29 U.S.C. § 794, chapter 87 of this title, and chapter 24 of title 11), shall develop a transition plan setting forth the steps necessary to ensure that all open meetings of said public bodies are accessible to persons with disabilities.

(b) The state building code standards committee shall, by September 1, 1989 adopt an accessibility of meetings for persons with disabilities standard that includes provisions ensuring that the meeting location is accessible to and usable by all persons with disabilities.

(c) This section does not require the public body to make each of its existing facilities accessible to and usable by persons with disabilities so long as all meetings required to be open to the public pursuant to chapter 46 of this title are held in accessible facilities by the dates specified in subsection (e).

(d) The public body may comply with the requirements of this section through such means as reassignment of meetings to accessible facilities, alteration of existing facilities, or construction of

new facilities. The public body is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section.

(e) The public body shall comply with the obligations established under this section by July 1, 1990, except that where structural changes in facilities are necessary in order to comply with this section, such changes shall be made by December 30, 1991, but in any event as expeditiously as possible unless an extension is granted by the state building commissioner for good cause.

(f) Each municipal government and school district shall, with the assistance of the state building commission, complete a transition plan covering the location of meetings for all public bodies under their jurisdiction. Each chief executive of each city or town and the superintendent of schools will submit their transition plan to the governor's commission on disabilities for review and approval. The governor's commission on disabilities with assistance from the state building commission shall approve or modify, with the concurrence of the municipal government or school district, the transition plans.

(g) The provisions of §§ 45-13-7 — 45-13-10, inclusive, shall not apply to this section.

History of Section.

P.L. 1989, ch. 487, § 1; P.L. 1997, ch. 150, § 14.

#### **§ 42-46-14. Burden of proof.**

In all actions brought under this chapter, the burden shall be on the public body to demonstrate that the meeting in dispute was properly closed pursuant to, or otherwise exempt from the terms of this chapter.

History of Section.

P.L. 1998, ch. 379, § 2.

## EXHIBIT D

# The Bioscience Investment - \$45 Million Update

- The Bioscience Investment has \$2 million approved within the budget to support start up operations of the RI Life Sciences Hub (RILSH), including staff salaries and related employee expenses, professional and consulting services, marketing, travel, and office supplies and technology within the first 9 months.
- RI Commerce staff and operations will support the start up efforts and implementation of the RILSH.
- The second phase will be a direct grant to the RILSH contingent on additional information and planned expenditure budgets on programming and operations enabled through the Bioscience Investment.

Project Expenditure	FY 2024 (Q3/Q4) January 2024 - June 2024	FY 2025 (Q1) July 2024 - Sept 2024	Total
Startup costs for RI Life Sciences Hub	\$1,083,659	\$666,866	<b>\$1,750,000</b>
RI Commerce Support Staff	\$166,716	\$83,359	<b>\$250,000</b>
Grant to RI Life Science Hub	TBD		