

PA 11-216

SB1110

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March 8, 2011
11:00 A.M.

support. You know, I've talked to her, and I've talked to you, and we're encouraged that she's working with us in the General Assembly on -- on jobs and on bills like this that are pro growth, pro business formation, pro business, and we look forward to working with you in the future on these bills and others that -- that serve that goal. Thanks.

DEPUTY SECRETARY JAMES SPALLONE: Thank you, Mr. Chairman. Likewise. We enjoy being part of the team in trying to get all this done.

SENATOR DUFF: Thank you, Representative. Any other questions or comments? Seeing none, thank you very much.

Next is Commissioner Howard Pitkin. Commissioner. Commissioner, thanks for coming today. We appreciate it. And at our initial organizing meeting, I don't think we had the opportunity to introduce you, so I want to thank you for your service to the State, and we are very, very pleased that -- I'll speak for myself -- that Governor Malloy has reappointed you as Commissioner of the Banking Department.

You've held a steady hand in a very difficult time for the banking industry, in general, and we appreciate that and thought he made a great choice by reappointing you.

COMMISSIONER HOWARD PITKIN: Thanks.

SENATOR DUFF: So I want to welcome you and thank you again for all that you've done in the past, and especially working with this committee as well. So please proceed with your testimony.

SB 1109
SB 1110
HB 6285
(HB 6351)

COMMISSIONER HOWARD PITKIN: Thank you for your -- for your kind comments, and thanks to the members of the committee in total. This has

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been a -- a very easy committee to work with during difficult times.

Good morning, Chairman Duff, Chairman Tong, members of the committee. My name is Howard Pitkin. And I am the Commissioner of the Connecticut Department of Banking. I'm here to testify in favor of three pieces of legislation.

Senate Bill 1109, AN ACT CONCERNING BANKS is the first bill I wish to speak on. The proposal is necessary to clarify the fees for out-of-state branch locations and to delete a redundant and confusing provision.

The bill would allow the agency to grant investors conditional -- another provision of the bill would allow the agency to grant investors conditional preliminary approval to organize more than one bank to acquire failed banks. This is the overnight charter that we enacted two years ago.

It is unnecessary and unduly burdensome to have investors file another application for preliminary conditional approval in order to organize additional banks to acquire failed banks. The department already will have checked the resources and suitability of the investors prior to issuing the preliminary approval.

Moreover, the agency has the ability to impose conditions in the preliminary approval process with respect to the organization of subsequent banks to ensure that all capital and other requirements continue to be met.

Another part of the bill provides for a new provision authorizing Connecticut banks to merge with their nonbank affiliates. This

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would give these organization -- organizations optimum flexibility, with respect to corporate reorganizations, and put them on a level playing field with national banks.

This bill was proposed last year and wasn't -- was not enacted due to time constraints.

The next bill I wish to comment on is Senate Bill 1110, AN ACT CONCERNING CONSUMER CREDIT LICENSES. This proposal requires an applicant for a license under various provisions of the consumer credit statutes to provide the complete history of criminal convictions of the applicant, and authorizes the agency to conduct state and federal criminal history records check of such persons and certain other related persons of such applicant.

The bill authorizes the Commissioner to deny an application for a license if the applicant, or certain other related persons of such applicant, have been convicted of any misdemeanor involving any aspect of the business for which a license is being sought, or any felony are necessary to exclude such -- such persons from engaging in the various types of consumer credit businesses.

This bill was also proposed last year, and it, too, died due to time constraints.

The last bill is purely technical in -- in nature, as much technicality as a bill can be, House Bill 6285, AN ACT CONCERNING THE CONNECTICUT UNIFORM SECURITIES ACT. It clarifies and conforms Connecticut law with federal law, by requiring state notice filing requirements, apply only to advisors registered with the FCC.

Thank you for your attention to these matters,

would be fine, too.

MEGAN WEILER: Oh, I won't. All right.

SENATOR DUFF: Thank you.

MEGAN WEILER: Well, good afternoon. My name is Megan Weiler, and I'm counsel for State Farm Bank. On behalf of State Farm Bank, I want to thank the Committee for the opportunity to testify in support of SB 1110, AN ACT CONCERNING CONSUMER CREDIT LICENSES.

This line streamlines licenses for mortgage loan originators while continuing to provide important and necessary safeguards to Connecticut consumers. State Farm Bank is a subsidiary of State Farm Mutual Automobile Insurance Company and was established in 1999 as a federal savings bank. Since its inception, it has grown to over \$15 billion in total assets, with over 2 million accounts.

As a federal savings bank, State Farm Bank is chartered and regulated by the Office of Thrift Supervision, the responsibilities for which will be transferred to the Office of the Comptroller of the Currency later this year pursuant to (inaudible).

State Farm Bank is a nontraditional financial institution in that it does not have traditional branch offices, but does offer traditional banking products, such as mortgages. State Farm Agents are our primary marketing channel and are exclusive independent contractors for State Farm Bank. We have a few in attendance here today.

Agents provide information to consumers about mortgages offered by the bank, but their role is limited to marketing, product counseling,

and helping customers complete and submit forms and applications. They do not evaluate mortgages, underwrite mortgages, or make lending decisions or any other decisions on behalf of State Farm Bank.

We recognize that buying a home is the largest purchase that many of us will make, and we strive to make sure our State Farm Agents who engage in banking activities are well informed and educated. These agents receive extensive training and oversight from State Farm Bank and are also regulated by the OTS.

Although employees of federally chartered savings banks are exempt from state licensure under the federal SAFE Act, since our agents are independent contractors, they are required to be licensed as mortgage loan originators.

Currently, in Connecticut, agents who originate mortgages must obtain both a mortgage broker and a mortgage loan originator license in order to originate. A mortgage broker license requires three years of prior experience within the last five. Many of our Agents meet that requirement, but any new Agents coming into the state would be unable to do so.

Under SB1110, State Farm agents who -- or market mortgages would continue to be licensed in Connecticut as mortgage loan originators. Section 36a-487(c) of SB1110 allows State Farm Bank to register as an exempt company. This will permit the bank to sponsor State Farm Agents as mortgage loan originators and will eliminate the need for State Farm agents to obtain a mortgage broker's license.

As their sponsor, State Farm Bank would also be responsible for securing a blanket surety bond, a minimum of 100,000, maximum of 500,000,

depending on the volume of origination. That would cover all State Farm Agents who engage in banking activities and is provided for by 36a-492, Sub a, Sub 3, of SB 1110. This provision would relieve individual agents of the responsibility of purchasing a surety bond, while still ensuring that Connecticut consumers receive adequate financial protection.

Eighteen states currently allow State Farm Bank to register as an exempt company for the purpose of sponsoring our licensed agents and providing a blanket surety bond. Several other states are considering similar changes.

Our experience is that these statutory changes eliminate duplicative licensing requirements, while preserving financial protection for consumers. The bill may also provide some processing relief for regulatory agencies as one cumulative surety bond replaces numerous individual bonds, and a single company registration replaces numerous mortgage broker company license applications.

State Farm Bank thanks the Committee for the opportunity to discuss this important issue and urges you to support the bill. And I would be happy to answer any questions you have.

SENATOR DUFF: Great. Thank you very much. As you had mentioned, and as the Commissioner mentioned, this was a bill that looked like it was going to go all the way last year and, unfortunately, due to some time constraints, never made it through. But I don't think it was very controversial at the time --

MEGAN WEILER: Correct.

SENATOR DUFF: -- We do want to comply and conform with the federal SAFE Act standards obviously.

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MEGAN WEILER: Absolutely.

SENATOR DUFF: So we appreciate your reaching out and taking the time to testify. Any questions or comments?

Senator Frantz.

SENATOR FRANTZ: Thank you, Mr. Chairman. Good whatever it is. Quick question for you. Would you be the only exempt insurance company or bank -- banking company in -- in -- in the state?

MEGAN WEILER: Primerica might play in that field. We're not exactly sure how they're organized in Connecticut, but they have taken advantage in some other states.

SENATOR FRANTZ: Okay.

MEGAN WEILER: But past that, none that we're aware of.

SENATOR FRANTZ: Okay. Thank you. You had also mentioned that you're exempt in 11 other states, was it?

MEGAN WEILER: Eighteen.

SENATOR FRANTZ: Eighteen other states.

MEGAN WEILER: And pending in four.

SENATOR FRANTZ: Pending in four. Are there any states out there that are in opposition to the concept of -- of establishing a -- a, you know, exempt corporation?

MEGAN WEILER: We have some states who have been in opposition, only insofar as they're waiting for

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HUD to come down and say yea or nay on the exempt company. We've talked informally with HUD, and they don't anticipate any opposition, just because the same framework and safeguards are there.

It's just that State Farm Bank, as a federally chartered savings bank, is exempt from federal SAFE Act, so it's really semantics more than anything. And, honestly, it provides more protection for the state to have State Farm Bank be involved as a party to that relationship as well.

SENATOR FRANTZ: Thank you for those concise answers. Thank you, Mr. Chairman.

SENATOR DUFF: Thank you, Senator. Appreciate it. Any other questions or comments from members of the Committee? Thank you very much.

MEGAN WEILER: Thank you.

SENATOR DUFF: Thank you. We are at the end of folks who have signed up on the list to speak. Are there any other members of the public or any other public officials who would like to speak to the Committee on any of the bills that are in front of us today?

If not, we'll declare this hearing adjourned. Thank you.



CONNECTICUT BANKERS ASSOCIATION

March 8, 2011

To: Members of the Banks Committee

**Fr. Connecticut Bankers Association
Contacts: Tom Mongellow and Fritz Conway**

Re: S.B. No. 1110 AN ACT CONCERNING CONSUMER CREDIT LICENSES

Position: Support with Changes

The CBA is supportive with minor modifications, of S. B 1110, which is the Department of Banking's reintroduction of last year's important update to the SAFE Act. Last years legislation was unfortunately not passed due to time constraints in the final days of the 2010 Session.

Among the many provisions of this bill, it importantly continues the ongoing coordination of State law and regulation with the Federal licensing and registration system for mortgage loan originators, and additionally mortgage processors and underwriters. It is important to our state system be synchronized with the Federal system by July 31st of this year, which is the deadline for individuals to be licensed or registered. Passage of this bill will ensure the smooth processing of all the individuals central to the mortgage lending system throughout the State.

The CBA has been working with the Department on several areas of the bill to ensure that mortgage lending products and their lending processes remain readily available for consumers throughout the state. We look forward to working with the Committee and the Department on those suggestions.

State Farm®

Corporate Headquarters
One State Farm Plaza A3
Bloomington, Illinois 61710-0001



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Attorney
Phone: (309) 766-3531
megan.weiler.mmn4@statefarm.com

March 8, 2011

RE: CT SB 1110: An Act Concerning Consumer Credit Licenses

Dear Members of the Banks Committee:

On behalf of State Farm Bank, F.S.B., thank you for the opportunity to offer testimony in support of Senate Bill No. 1110, An Act Concerning Consumer Credit Licenses.

By way of introduction, the following is a short summary and description of the banking activities of State Farm Bank. State Farm Bank was established on March 12, 1999, as an FDIC-insured federal savings bank subsidiary of State Farm Mutual Automobile Insurance Company ("State Farm"). As a federal savings bank, State Farm Bank is chartered, regulated, and examined by the Office of Thrift Supervision ("OTS"), soon to be the Office of the Comptroller of the Currency ("OCC") pursuant to federal law. State Farm Bank provides deposit and limited loan products and services to customers in Connecticut primarily through State Farm's exclusive network of independent agents ("Exclusive Agents"), as authorized by the Home Owners' Loan Act (12 U.S.C. §§ 1461 *et seq.*). State Farm Bank's deposit and loan products and services are currently available throughout the United States via the Internet, mail, and a telephone call center.

State Farm's network of Exclusive Agents is primarily composed of individuals who sell State Farm insurance products. Exclusive Agents are not employees of State Farm. Pursuant to the terms of State Farm's agent agreements, Exclusive Agents generally are prohibited from selling insurance and financial products issued by non-State Farm organizations.

As currently structured, Exclusive Agents who market State Farm Bank products and services will enter into a separate agreement with State Farm Bank ("Bank Agreement"). Under the terms of that agreement, Exclusive Agents offer State Farm Bank's products to customers. It is expected that Exclusive Agents will provide information and brochures regarding the products and services offered by State Farm Bank primarily through mailings and through telephone and personal contacts with customers. Exclusive Agents also display State Farm Bank product brochures in their offices. In addition, Exclusive Agents may perform ministerial functions to assist customers in completing applications for products of State Farm Bank or, alternatively, may refer customers to a State Farm Bank representative who will assist the customer in obtaining a desired product or service.

As a general matter, the role of Exclusive Agents in the mortgage origination and lending activities of State Farm Bank is limited to marketing, product counseling and helping customers complete and submit forms and applications. Exclusive Agents do not evaluate loan applications (except to determine whether complete), apply any underwriting criteria to the loan application, or make any lending or other decisions on behalf of State Farm Bank. In addition, Exclusive Agents will not accept any loan payments. In return for their services, Exclusive Agents are paid a fee by the Bank after closing for each mortgage loan they assisted in originating. All compensation paid to Exclusive Agents in connection with the services provided for such loans is made in compliance with the Real Estate Settlement Procedures Act.

Customers applying for either a first or second (home equity loan or line of credit) mortgage enter into an agreement with Exclusive Agents entitled "Notice of Marketing Relationship and Services Agreement ("NMRSA"). The NMRSA explains the exclusive relationship between the Exclusive Agents and State Farm Bank, the services that will be provided, and the fees that the Exclusive Agents will be paid by State Farm Bank. Customers do not pay the Exclusive Agents for their services or for any upfront or application fees. All application fees are payable directly by customers to State Farm Bank, and may be collected and forwarded to State Farm Bank (along with other application-related documentation) by the Exclusive Agents.

The compliance oversight of State Farm Bank and its Exclusive Agents is carried out in a comprehensive manner by a full-time dedicated staff within the Bank. In addition, State Farm Bank benefits through the cooperative efforts of the Bloomington-based State Farm Marketplace Compliance department. This department oversees the State Farm agency function and has both "sales" and "service" compliance groups that continually assess and monitor agent performance, including the initiation of disciplinary actions when warranted. Marketplace Compliance also has a field presence, with assigned staff in each of the 13 State Farm Zone office territories throughout the U.S. Finally, State Farm's Internal Audit staff periodically conducts its own reviews to assess Exclusive Agents' performance. The Bank's dedicated compliance professionals ensure that Exclusive Agents receive necessary training and support to market Bank products consistent with policies and applicable regulatory requirements.

While State Farm Bank makes every effort to effectively train and monitor the Agents' banking activities, you should also be aware that the OTS has confirmed in writing that Agents who participate in any of the activities of State Farm Bank are subject to OTS regulation. In a letter dated June 16, 2000, OTS Regional Deputy Director Philip A. Gerbick states that the activities of Agents in serving State Farm Bank are "subject to regulation and examination by the OTS to the same extent as if those banking activities were directly performed by State Farm Bank." OTS, at its discretion, "may conduct on-site examinations at the offices of any Agent involved in the banking activities of State Farm Bank for the sole purpose of reviewing those banking activities." In fact, OTS examiners visited agents' offices in conjunction with examinations of the Bank. The OTS correspondence is in accordance with 12 U.S.C. § 1464(d)(7)(D)(i), which states that services provided by contract for a savings bank are subject to regulation to the same extent as if such services were performed by the savings bank on its own premises. Accordingly, State Farm Bank is legally responsible for the actions of Agents engaged in mortgage origination and lending activities.

State Farm Bank has registered as an exempt company in several states, including Idaho, Iowa, Kentucky, Michigan, Minnesota, Nebraska, Nevada, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Texas, West Virginia, and Wyoming. Legislative and regulatory changes allowing for exempt company registration are also pending in a few other states.

As a federally-chartered bank, State Farm Bank and its employees are exempt from Connecticut licensing requirements (CT Stat. 36a-485(20) and 36a-487(a)). However, State Farm Bank's Exclusive Agents are independent contractors and are therefore required to be licensed. To be licensed as mortgage loan originators under the SAFE Act and Connecticut law (CT Stat. 36a-485 *et seq*), Exclusive Agents must complete prelicensing education, pass a national and state exam, and submit a background check and a credit report. Individuals must also be covered by a surety bond.

Registration as an exempt company allows the Bank to sponsor its individual, licensed mortgage loan originator Agents and provide a blanket surety bond on their behalf. State Farm Bank is also willing to sign an undertaking of accountability in support of its agents. The exempt company registration option can be activated through the Nationwide Mortgage Licensing System (NMLS), allowing State Farm Bank to submit its application for exempt company status and sponsor its agents through NMLS. We have found that the exempt company registration option provides several administrative and convenience benefits for both the state and our agents while maintaining the high standards of consumer protection mandated by the SAFE Act.

State Farm Bank fully supports SB 1110. I trust that you will find the foregoing information helpful as you consider the potential implementation of this bill.

Sincerely,

Megan Weiler

Counsel to State Farm Bank

TESTIMONY SUBMITTED TO THE BANKS COMMITTEE
March 8, 2011

Commissioner Howard F. Pitkin
Department of Banking

SB 1109, AAC BANKS,
SB 1110, AN ACT CONCERNING CONSUMER CREDIT LICENSES,
HB6285, AAC THE CONNECTICUT UNIFORM SECURITIES ACT,

Good morning Chairman Duff, Chairman Tong, members of the committee, my name is Howard F. Pitkin and I am the Commissioner of the Connecticut Department of Banking. I am here to testify in favor of three pieces of legislation.

SB 1109, AAC BANKS, is the first bill I wish to speak on. The proposal is necessary to clarify the fees for out-of-state branch relocations and to delete a redundant and confusing provision.

The bill would allow the agency to grant investors conditional preliminary approval to organize more than one bank to acquire failed banks. It is unnecessary and unduly burdensome to have investors file another application for preliminary conditional approval in order to organize additional banks to acquire failed banks. The department already will have checked the resources and suitability of the investors prior to issuing the preliminary approval. Moreover, the agency has the ability to impose conditions in the preliminary approval process with respect to the organization of subsequent banks to ensure that all capital and other requirements continue to be met.

Also there is a proposed new provision authorizing Connecticut banks to merge with their nonbank affiliates would give these organizations flexibility with respect to corporate reorganizations and put them on a level playing field with national banks. This bill was proposed last year and was not enacted due to time constraints.

The next bill I wish to comment on is **SB 1110, AN ACT CONCERNING CONSUMER CREDIT LICENSES**. This proposal impacts, in different ways, all of the industries licensed by the Consumer Credit Division. With regard to mortgage licensees, the proposal addresses the following: (1) it requires certain individuals engaged in loan processing or underwriting to obtain a loan processor or underwriter license; (2) it creates an ability for entities exempt from licensing requirements as mortgage lenders, correspondent lenders, or mortgage brokers to register as exempt registrants on the NMLS for purposes of sponsoring and bonding individuals required to hold mortgage loan originator licenses; (3) it clarifies bonding requirements for mortgage loan originators and their sponsoring entities. With regard to debt negotiator licenses, the proposal requires certain individuals who are engaged in such activity in connection with

residential mortgage loans to obtain mortgage loan originator licenses under the mortgage chapter. The proposal further addresses attendant bonding requirements and exempt entity registration capability for debt negotiators, as applicable. The proposal makes various other technical and conforming changes to our statutes governing all the consumer credit license types, and includes expansion of the agency's authority to conduct criminal history background checks on non-mortgage related license types. Many aspects of this bill were proposed in our legislation last year, which too was not enacted due to time constraints. We will be working with the legislative commissioner's office to correct certain issues we have identified in this proposal, and anticipate the need for some substitute language.

The last agency bill is almost purely technical in nature. *HB6285, AAC THE CONNECTICUT UNIFORM SECURITIES ACT* conforms Connecticut law with federal law exempting all investment advisors from the requirement that investment advisers are exempted from the registration requirements set forth in the Connecticut General Statutes. The legislation would put the agency in conformity with federal definitions.

Thank you for your attention to these matters and I will answer any questions you may have on this or any other bills.

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 29
9635 – 9973**

pt/tj/lxe/gbr
HOUSE OF REPRESENTATIVES

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June 8, 2011

Please proceed, sir.

REP. SHARKEY (88th):

And if I could, I'd like to read you the Calendar
and bill numbers.

DEPUTY SPEAKER ALTOBELLO:

Thank you, please proceed.

REP. SHARKEY (88th):

The first is Calendar 99, House Bill 6429.
Calendar 331, Senate Bill 980. Calendar 399, Senate
Bill 883. Calendar 439, House Bill 6632. Calendar
476, House bill 6387. Calendar 503, Senate Bill 1110.
Calendar 524, Senate Bill 1153. Calendar 565, Senate
Bill 1083. Calendar 585, Senate Bill 212. Calendar SB227
586, Senate Bill 38. And Calendar 604, Senate Bill
396.

And, Mr. Speaker, if I -- just as a heads up to
the rest of the Chamber, there will be other bills
added to this Consent Calendar at this point which
require amendments and those amendments will be called
and then added also to the Consent Calendar. Thank
you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Sharkey.

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HOUSE OF REPRESENTATIVES

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June 8, 2011

Thank you, Mr. Speaker. This represents our first Consent Calendar of the evening and I move its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please read through the numbers on the Consent Calendar for the Chamber's edification, please.

THE CLERK:

Calendar 99, House Bill 6429. Calendar 331, Senate Bill 980. Calendar 399, Senate Bill 883. Calendar 439, House Bill 6632. Calendar 503, Senate Bill 1110. Calendar 585, Senate Bill 212. Calendar 586, Senate Bill 227. Calendar 491, Senate Bill 799. Calendar 535, Senate Bill 1116. Calendar 568, Senate Bill Number 1138. Calendar 637, Senate Bill 1160. Calendar 569, Senate Bill 1199. Calendar 616, Senate Bill 973. Calendar 583, Senate Bill 98. And Calendar 517, Senate Bill

SB1062

DEPUTY SPEAKER ARESIMOWICZ:

The question before us is on passage of the bills on today's -- Consent Calendar. Will you remark? If not, staff and guests please come to the Well of the House, members take your seats, the machine will be open.

THE CLERK:

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HOUSE OF REPRESENTATIVES

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June 8, 2011

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting today's Consent Calendar by roll call. Members to the Chamber.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? If all the members have voted, please check the board to determine if your vote has been properly cast. If all the members have voted, the machine will be locked, Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

On today's Consent Calendar,

Total Number voting	148
Necessary for passage	75
Those voting Yea	148
Those voting Nay	0
Those absent and not voting	3

DEPUTY SPEAKER ARESIMOWICZ:

Consent Calendar is passed.

Representative Sharkey, you have the floor, sir.

Is there business on the Clerk's desk?

THE CLERK:

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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mhr
SENATE

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May 11, 2011

OF CONSUMER PROTECTION STATUTES, Favorable Report of
the General Law Committee, and Judiciary Committee.

And the Clerk is in possession of one amendment.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

After having had the Clerk read that long title,
we need to pass that bill temporarily, so --

THE CHAIR:

Yes, sir, that is (inaudible) --

SENATOR LOONEY:

Madam President --

THE CHAIR:

-- passed.

SENATOR LOONEY:

-- we have a -- we have a number of items to add
to the Consent Calendar at this time. I certainly
appreciate the cooperation in preparing this list.

Beginning, Madam President, on Calendar page 9,
Calendar 177, Senate Bill 1110. Mr. -- Madam
President, would move to place that item on the
Consent Calendar.

THE CHAIR:

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SENATE

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Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

And Madam President, moving now to Calendar page 10, Calendar 192, Senate Bill 983. Madam President, would move to place that item also on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving to Calendar page 16, Calendar 305, Senate Bill 897, Madam President, move to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving to Calendar page 17, Calendar 319, Senate Bill 944, Madam President, move to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

mhr
SENATE

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Madam President, if the Clerk would now call those items placed on the Consent Calendar.

THE CHAIR:

Yeah, it's (inaudible).

THE CLERK:

Madam President.

THE CHAIR:

Please proceed, sir.

THE CLERK:

I'm going to try to call it off the screen; I've never done this.

THE CHAIR:

Okay.

THE CLERK:

Calling --

THE CHAIR:

Just take your time.

THE CLERK:

-- off the screen, Calendar page 1, Calendar Number 394, Senate Joint Resolution 42; Calendar page 1, Calendar Number 427, House Joint Resolution Number 111; Calendar page 2, Calendar Number 428, House Joint Resolution Number 112; Calendar page 2, Calendar Number 436, Senate Joint Resolution 43;

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SENATE

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Calendar page 2, Calendar Number 437, Senate Joint Resolution 44; Calendar page 2, Calendar Number 438, Senate Joint Resolution 45; Calendar page 2, Calendar 468, Senate Resolution Number 26; Calendar page 3, Calendar Number 469, Senate Joint Resolution 46; Calendar page 3, Calendar Number 484, House Joint Resolution 113; Calendar page 3, Calendar Number 485, House Joint Resolution 114; Calendar page 3, Calendar Number 486, House Joint Resolution 115; Calendar page 3, Calendar Number 487, House Joint Resolution 116; Calendar page 4, Calendar Number 488, House Joint Resolution 117; Calendar -- returning to Calendar -- Calendar page 4, Calendar Number 488, House Joint Resolution 117; Calendar page 9, Calendar 177, substitute for Senate Bill Number 1110; Calendar page 10, Calendar Number 192, substitute for Senate Bill Number 983; Calendar page 16, Calendar Number 305, Senate Bill Number 897; Calendar page 17, Calendar Number 319, substitute for Senate Bill Number 944; Calendar page 17, Calendar Number 326, substitute for House Bill Number 6297; Calendar page 18, Calendar Number 331, substitute for House Bill Number 6358; Calendar page 20, Calendar

mhr
SENATE

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Number 360, Senate Bill Number 1155; Calendar page 35,
Calendar Number 42, substitute for Senate Bill
Number 866; Calendar page 36, Calendar Number 60,
Senate Bill Number 888; Calendar Bill Number 105, on
page 38, substitute for House Bill Number 5266;
Calendar page 39 --

THE CHAIR:

So that --

THE CLERK:

-- Calendar Number 1112 --

THE CHAIR:

Mr. Clerk, can you wait for one moment, please.

Senator Looney.

SENATOR LOONEY:

Madam President, there is one item that the Clerk
read that I believe should not be on the Consent
Calendar -- I don't believe I placed it there -- and
that was Calendar page 35, Calendar 42, Senate
Bill 866. That item needs to be amended before it
will be taken up.

THE CHAIR:

Sir, okay. We will take that. Will you remove
that from the Consent Calendar, please?

SENATOR LOONEY:

mhr
SENATE

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May 11, 2011

The next item after that, Madam President, to be on the Consent Calendar is Calendar page 36, Calendar -- Calendar 60, if the Clerk might pick up on that one.

THE CLERK:

Okay. Calendar page 36, Calendar Number 60, Senate Bill Number 888; Calendar page 38 --

SENATOR LOONEY:

Okay.

THE CLERK:

-- Calendar Number 105, substitute for House Bill Number 5266; Calendar page 39, Calendar Number 112, substitute for Senate Bill Number 458; Calendar Number 39 -- I mean page 39, Calendar Number 123, Senate Bill Number 1041; Calendar page 40, Calendar Number 132, Senate Bill Number 868; on page 40, Calendar 141, Senate Bill Number 985; on page 43, Calendar Number 199, substitute for Senate Bill Number 1068.

I don't know if there's any other pages here.

THE CHAIR:

Page 18?

A VOICE:

Page 18.

mhr
SENATE

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May 11, 2011

THE CLERK:

Madam President.

THE CHAIR:

Yes.

SENATOR LOONEY:

Yes. That --

THE CLERK:

I yield to the Majority Leader.

SENATOR LOONEY:

Yes. That --

THE CHAIR:

Mr. Majority Leader.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I apologize. That item that we had removed from the Consent Calendar actually should be put back on. That was Calendar page 35, Calendar 42, Senate Bill 866. The amendment that was adopted on that bill is the -- was the only amendment that was -- that was needed, so there is not a need -- not a need for an additional amendment.

THE CHAIR:

Thank you.

SENATOR LOONEY:

mhr
SENATE

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Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Mr. Clerk, if you want to --

THE CLERK:

Madam President, someone pointed out to me that on Calendar page 18, Calendar Number 331, substitute for House Bill Number 6358, that I missed it, but that's supposed to be on the Consent Calendar.

THE CHAIR:

That's correct, sir.

Any corrections?

Okay. At this time, I would ask that the Clerk please open up the -- the machine and may announce a roll call vote, and the machines will be open.

THE CLERK:

An immediate roll call vote on the First Consent Calendar has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote on the First Consent Calendar has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

You don't have the Consent Calendar up,

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Mr. Clerk?

THE CLERK:

(Inaudible.)

THE CHAIR:

A ready vote.

Senators, we're having a little problem with the machine, if you'll just wait one moment, please.

Okay. It's -- I'm going to close the machine and reopen.

Mr. Clerk, are they resetting the -- the title?

Mr. Clerk?

THE CLERK:

I'm sorry.

THE CHAIR:

Is somebody resetting?

THE CLERK:

He's trying --

THE CHAIR:

Okay.

THE CLERK:

-- to do that. Okay.

THE CHAIR:

Thank you.

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Do you want to announce again? Mr. Clerk, will you announce a roll call vote again, please, and we will open the machines.

THE CLERK:

An immediate roll call vote on the First Consent Calendar is taking place in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote on the First Consent Calendar is taking place in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? If all members voted, the machine will be locked.

Will the Clerk please announce the tally.

THE CLERK:

Madam President:

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Absent	0

THE CHAIR:

The Consent Calendar is adopted.

Senator Looney.

SENATOR LOONEY: