

2016 -- H 7314

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LC003658  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - ADMINISTRATIVE  
PROCEDURES

Introduced By: Representatives Tobon, Abney, Barros, Coughlin, and Melo

Date Introduced: January 22, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-35-18 of the General Laws in Chapter 42-35 entitled  
2 "Administrative Procedures" is hereby amended to read as follows:

3 **42-35-18. Effective date of chapter -- Scope of application and exemptions.** -- (a) This  
4 chapter shall take effect upon January 1, 1964, and thereupon all acts and parts of acts  
5 inconsistent herewith shall stand repealed; provided, however, that except as to proceedings  
6 pending on June 30, 1963, this chapter shall apply to all agencies and agency proceedings not  
7 expressly exempted.

8 (b) None of the provisions of this chapter shall apply to the following sections and  
9 chapters:

- 10 (1) Section 16-32-10 (University of Rhode Island);  
11 (2) Chapter 41 of title 16 (New England Higher Education Compact);  
12 (3) Section 16-33-6 (Rhode Island College);  
13 (4) Chapter 16 of title 23 (Health Facilities Construction Act);  
14 (5) Chapter 8 of title 20 (Atlantic States Marine Fisheries Compact);  
15 (6) Chapter 38 of title 28 (Dr. John E. Donley Rehabilitation Center);  
16 (7) ~~Chapter 7 of title 17 (State Board of Elections);~~  
17 (8) Chapter 16 of title 8 (Judicial Tenure and Discipline);  
18 (9) Chapter 61 of title 42 (State Lottery);

- 1 (10) Chapter 24.4 of title 45 (Special Development Districts);
- 2 (11) Chapter 12 of title 35 (The University of Rhode Island Research Corporation).
- 3 (c) The provisions of §§ 42-35-9, 42-35-10, 42-35-11, 42-35-12 and 42-35-13 shall not
- 4 apply to:
- 5 (1) Any and all acts, decisions, findings, or determinations by the board of review of the
- 6 department of labor and training or the director of the department of labor and training or his, her,
- 7 its or their duly authorized agents and to any and all procedures or hearings before and by the
- 8 director or board of review of the department of labor and training or his or her agents under the
- 9 provisions of chapters 39 -- 44 of title 28.
- 10 (2) Section 28-5-17 (Conciliation of charges of unlawful practices).
- 11 (3) Chapter 8 of title 13 (Parole).
- 12 (4) Any and all acts, decisions, findings or determinations by the administrator of the
- 13 division of motor vehicles or his or her duly authorized agent and to any and all procedures or
- 14 hearings before and by said administrator or his or her said agent under the provisions of chapters
- 15 10, 11, 31 to 33, inclusive, of title 31.
- 16 (5) Procedures of the board of examiners of hoisting engineers under chapter 26 of title
- 17 28.
- 18 (6) Any and all acts, decisions, findings, or determinations made under authority from
- 19 the provisions of chapters 29 -- 38 of title 28, concerning workers' compensation administration,
- 20 procedure and benefits.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would subject the state board of elections to the provisions of the administrative
- 2 procedures act.
- 3           This act would take effect upon passage.

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