2016 -- H 8293

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: Representative John G. Edwards

Date Introduced: June 03, 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5   inconsistent herewith shall stand repealed; provided, however, that except as to proceedings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   (7) Any and all acts, decisions, findings, or determinations made by the Rhode Island

22   turnpike and bridge authority and to any and all procedures or hearings before said agency under

23   the provisions of §24-12-37 concerning review of the assessment of tolls and administrative fees.

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

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT - ADMINISTRATIVE
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1   This act would add the turnpike and bridge authority to the list of state agencies and/or

2   entities entitled to exemptions from certain administrative procedures.

3   This act would take effect upon passage.

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