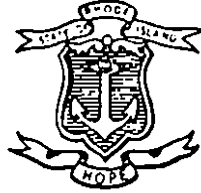


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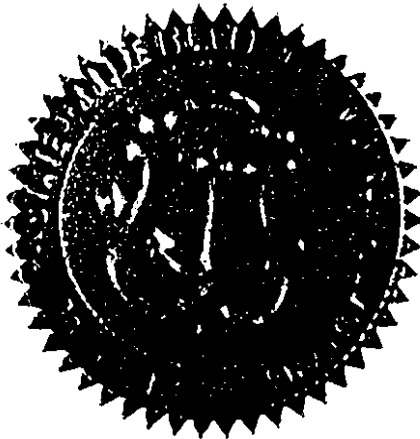
State of Rhode Island and Providence Plantations
OFFICE OF THE SECRETARY OF STATE
100 NORTH MAIN STREET
PROVIDENCE
02903

Kathleen S. Connell
Secretary of State

Corporations
277-3040
Elections
277-2340
Notary
277-2240
UCC
277-2521
TDD
277-2311

I, MAUREEN D. ROUNDS, Acting Deputy Secretary of State of the State of Rhode Island and Providence Plantations, HEREBY CERTIFY that the "Rhode Island Heritage Commission," created and established as a non-profit state commission, was chartered by an Act of the General Assembly at the January Session, A.D. 1981; and

I FURTHER CERTIFY that said non-profit state commission is now of record and has a legal existence in this office.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed the seal of the State
of Rhode Island this thirtieth
day of July A.D. 1990


Acting Deputy Secretary of State

(d) Notwithstanding the calculations in subsections (a) and (b), the department for children and their families shall be reimbursed one hundred percent (100%) of all approved education expenditures including special education expenditures in the prior fiscal year. The commissioner of elementary and secondary education shall promulgate such rules and regulations to carry out the intent of this section.

(e) (d) The department of education shall base reimbursement on 100% of the expenditures for its state-operated schools in accordance with the reference year provision as defined in section 16-7-16(f). Any funds to supplement the reimbursement shall be appropriated and included in the department budget.

(f) (e) The section shall apply to the School for the Deaf and the Davies Vocational School notwithstanding any provisions of this section to the contrary.

SECTION 2. This article shall take effect July 1, 1994.

ARTICLE 29

RELATING TO CONSOLIDATION OF THE RHODE ISLAND HISTORICAL PRESERVATION COMMISSION AND THE RHODE ISLAND HERITAGE COMMISSION

SECTION 1. Chapter 42-79 of the General Laws, entitled "Heritage Commission", is hereby repealed in its entirety.

42-79-1. Creation of commission.

There is hereby created and established within the executive department a state commission to be known as the "Rhode Island Heritage Commission" hereinafter referred to as the commission.

42-79-2. Appointment and terms of members.

The commission shall consist of twenty-five (25) members appointed by the governor broadly representing various ethnic, religious, historical, educational, cultural, social, military, and maritime heritages of the state. Five (5) commissioners will be appointed for a term of one year, ten (10) commissioners will be appointed for a term of three (3) years, and ten (10) commissioners will be appointed for a term of five (5) years. All subsequent appointments of commissioners shall be for three (3) year terms.

42-79-3. Officers.

The governor shall appoint from the commissioners a chairperson to serve at the pleasure of the governor, a vice chairperson, and a secretary, all to be elected from and by the commission body for a term of one year.

42-79-4. Purpose of commission.

The purposes of the commission shall include but not be limited to:

(1) sponsoring and/or coordinating heritage festivals;

(2) conducting and/or sponsoring heritage seminars, conferences and symposiums;

(3) publishing scholarly and popular works relating to the social, political and cultural development of the state;

(4) coordinating programs with other private or public groups or agencies which will meet the cultural needs of Rhode Island citizens;

(5) observing important events in the state's history with suitable celebrations; and

(6) funding projects and programs of public or private groups or agencies which relate to the heritage of Rhode Island and its people.

SECTION 2. The title of Chapter 42-45 of the General Laws is hereby changed to read: "Rhode Island Historical Preservation and Heritage Commission".

SECTION 3. Sections 42-45-2, 42-45-3, 42-45-5, 42-45-8, 42-45-9 and 42-45-10 of the General Laws, in Chapter 42-45 entitled "Historical Preservation Commission", are hereby amended to read as follows:

42-45-2. Creation of commission.

(a) There is hereby created within the executive department an historical preservation and heritage commission consisting of seventeen (17) eighteen (18) members as follows: ten (10) shall represent the public and shall be appointed by the governor as herein provided. Of the ten (10) public members, at least one (1) shall possess background and qualifications of an historian, one (1) an archaeologist, one (1)

an architect, or an architectural historian, one (1) a museologist, and one (1) an anthropologist; one (1) landscape historian or landscape architect and one (1) a representative of a private nonprofit historic preservation organization. Seven (7) members shall consist of: be the director of the department of economic development, the director of the department of environmental management, the associate director of administration for planning, the state building commissioner, and the state historic preservation officer, each of whom shall serve ex officio; and the chairperson of the house finance committee or a member of the house finance committee designated by the chairperson and the chairperson of the senate finance committee or a member of the senate finance committee designated by the chairperson. One (1) member shall be selected by the heritage subcommittee from among its members. The governor shall appoint the public members of the commission as follows: Two (2) members to serve until the first day of June, 1970, three (3) members to serve until the first day of June, 1971, and four (4) members to serve until the first day of June, 1972, and all members shall serve until their successors are appointed and qualified. In the month of May, 1970, and in the month of May in each year thereafter, the governor shall appoint successors to the public members of the commission whose terms shall expire in that year, to hold office commencing on the first day of June in the year of appointment and until the first day of June in the third year after their respective appointments or until their respective successors are appointed and qualified. Any vacancy of a public member which may occur in the commission shall be filled by appointment by the governor for the remainder of the unexpired term. Each ex officio member of the commission may designate a subordinate within his or her department or agency to represent him or her at all meetings of the commission.

(b) There shall be a Heritage subcommittee of the commission consisting of twenty-five (25) members appointed by the governor, broadly representing various ethnic, religious, historic, educational, cultural, social, military, and maritime heritages for the state. Five (5) commissioners will be appointed for a term of one (1) year, ten (10) commissioners will be appointed for a term of three (3) years, ten (10) commissioners will be appointed for a term of five (5) years, all subsequent appointments of commissioners shall be for three (3) year terms.

(c) Members of the commission and members of the subcommittee holding office upon passage of this article shall continue in office

until their successors are appointed and qualified.

42-46-2--Officers--of--the--historical--preservation sub-committee. Officers of the historical preservation and heritage commission. --

The commission shall annually elect from its members a chairperson and secretary. Five (5) members of the commission shall constitute a quorum, and no vacancy in the membership of the commission shall impair the right of quorum to exercise all the rights and perform all of the duties of the commission. Meetings of the commission shall be held upon the call of the chairperson, or a majority of the commission, upon due written notice mailed or delivered at least forty-eight (48) hours in advance of the meeting.

42-45-5. Powers and duties. --

(1) The commission shall have the following powers and duties:

(a) Establish criteria for evaluating historical, architectural or cultural sites, buildings, places, landmarks or areas so as to determine their value in terms of national, state or local importance and to adjudge their worthiness for inclusion in the state register;

(b) Compile, maintain and publish a state register of historical architectural and cultural sites, buildings, places, landmarks and areas which shall be revised every two (2) years. The state, a city or town, or any subdivision or instrumentality thereof shall not undertake, fund, or license any activity which will encroach upon, damage, or destroy, physically, visually, or environmentally, any site, building, place, landmark, or area included in the state register without first obtaining the advice of the historical preservation and heritage commission committee. The commission shall advise the party proposing an activity affecting any item in the state register of its opinion in writing, together with any maps, drawings, photographs, or material necessary to explain or support its advisory. If a written advisory is not given within sixty (60) days of receipt of notice of a proposed activity, the commission shall be deemed to approve the proposal. If more than sixty (60) days are needed to evaluate a proposed activity and render an advisory, arrangements for a reasonable extension shall be made by the commission and the party proposing the activity. Advisories rendered by the commission on any proposed activity affecting an item on the state register shall be followed unless there are compelling reasons for not doing so. In these cases, a statement of such

reasons, together with a copy of the commission's advisory, shall be submitted to the governor for final determination.

(c)(i) Assist and advise the department of administration and other appropriate agencies designated by the governor in preparing that element or elements of the state guide plan dealing with plans and programs for the preservation of historic sites and structures.

(ii) There shall also be included in such state guide plan a program for preservation of historic landscapes, and state land-use planning which shall consider the impact of land-use on historic landscapes. To assist in preparation of those elements of the state guide plan dealing with the preservation of historic landscapes, the commission shall prepare and maintain a statewide inventory of historic landscapes.

(d) Prepare statewide plans or programs for the preservation of sites or structures included in the state register which shall list the methods, practices, and procedures to be used in preserving or recording recognition to said sites or buildings. The plans or programs shall be a part of the state guide plan;

(e) Cause to be prepared plaques or markers made of some suitable material to be erected on, or affixed to with the permission of the owner, in a conspicuous place on those sites or buildings determined worthy of inclusion in the state register;

(f) Acquire or receive, by purchase, gift or otherwise, with the approval of the governor in the case of a gift and in accordance with chapter 6 of title 37 in other cases, land or any interest in land and/or buildings which have been designated in the state register for the purpose of preserving said land and/or buildings; to hold and maintain them, and give custody of said acquisitions for the purpose of preserving, maintaining or exhibiting them to qualified nonprofit organizations with due regard for the interest of the state and the public in the property;

(g) Grant or loan funds to towns or cities or private groups of funds made available therefor by the state or federal government, for the purpose of acquiring, restoring, relocating or otherwise preserving land or buildings designated in the state register;

(h) Receive on behalf of the state such grants or loans as may be made by the federal government or by private persons or groups for the purposes of this chapter, and it shall be the designated agency of the state in applying for these grants;

(i) Inventory and catalog all buildings, sites, objects, and artifacts of historical, architectural, or archaeological interest which are within the custody or jurisdiction of the departments and agencies of state government. This inventory and catalog shall include buildings, ruins, and other structures, monuments, paintings, photographs, flags, furniture, clothing, military equipment and uniforms, archaeological materials, and all other articles of historic, architectural, or archaeological interest. All departments and agencies will assist the commission in making this inventory and catalog. The commission shall inform each department and agency of those items contained in the inventory which are within its custody or jurisdiction by furnishing copies of the catalog or an extract thereof to each department and agency concerned. Copies of all amendments to the catalog, or extracts thereof, shall also be furnished to each department and agency concerned;

(j) Advise the department and agencies of state government of the appropriateness, suitability, proper procedures, and other safeguards which should be observed in preserving, displaying or using items contained in the catalog of articles of historic, architectural, or archaeological interest. When notified of any proposal to physically alter, change the location or method of storage, or change the manner of utilization or public accessibility, or to otherwise significantly affect any item listed in the catalog, the commission shall advise the responsible agency in writing, accompanied by any maps, drawings, photographs, or other explanatory material necessary. If a written advisory is not given within sixty (60) days of receipt of a notice of proposed action, the commission shall be deemed to approve the proposal. If more than sixty (60) days are needed to evaluate a proposal and render an advisory, arrangements for a reasonable extension shall be made by the commission and the department or agency concerned. Advisories given by the commission in accordance with this section shall be followed by the department or agency concerned unless there are compelling reasons for not doing so. In such cases, a statement of such reasons, together with a copy of the commission's advisory, shall be submitted to the governor for determination;

(k) Survey the use or occupancy of all state-owned buildings or sites which are of historic, architectural, or archaeological interest. The commission shall make recommendations to the director of administration concerning the appropriate use and availability of public access of each such building and site, so that these may be utilized and displayed in a manner in keeping with their historic, architectural, or archaeological value; and

(l) Appoint a state review board from among its own members and such other persons as it may desire, one (1) of whom shall possess the background and qualifications of an historian; one (1) architect or architectural historian and one (1) archeologist as required by the office of archeology, and historic preservation in the national park service. The state review board shall approve nominations to the state and national registers of historic places, approve the removal of properties from either register, and otherwise act in an advisory capacity to the historical preservation and heritage commission.

(m) To implement a state-owned historic properties program, to provide technical assistance to agencies with jurisdiction over historic properties, and review proposed alterations to state-owned historic properties; the commission shall develop in conjunction herewith the educational materials to implement such programs; and

(n) To reorganize the operation of and assume the supervisory responsibility for the following structures: the Old State House, Benefit Street Arsenal, Stephen Hopkins House (Providence), Bristol Court House (Bristol), Kent County Court House (East Greenwich). For purposes of this subsection, the commission shall appoint from its own members a historic sites division which shall implement the duties of this subdivision.

(2) Whenever a public hearing on any project involving state or local governmental funds or a federal grant or loan is held, notice of it shall be sent to any historic district commission in the city or town and to the Rhode Island historical preservation and heritage commission, together with a map indicating the area and the type of project to be discussed at the hearing. Whenever an urban project plan is prepared through the use of, or contemplating the use of, state or local governmental funds, a copy shall be transmitted to the Rhode Island historical preservation and heritage commission.

42-45-8. Executive director -- Employees. --

The historical preservation and heritage commission shall appoint an executive director, who shall not be subject to the provisions of chapter 4 of title 36; and shall set his or her compensation and terms of employment. The executive director, through a vote of the commission, may be delegated to act as authorized agent for the approval of all fiscal and personnel documents requiring an authorized signature. The commission shall also cause to be employed such staff, and technical and professional consultants, as may be required to carry out the powers and duties set forth in this chapter.

42-45-9.1. Historic preservation easement fund. --

It is hereby provided that the general treasurer establish a "historic preservation easement fund" for the purpose of receiving fees charged for acceptance of conservation easements. The historical preservation and heritage commission shall assess fees for acceptance of conservation easements. The fees shall be used to pay the costs of operating and maintaining the easements.

42-45-10. Historical preservation revolving fund. --

(a) There is hereby created as a separate fund within the treasury the historical preservation revolving fund which shall be administered by the general treasurer in accordance with the same laws and fiscal procedures as the general funds of the state. The fund shall consist of such sums as the state may from time to time appropriate, as well as monies received from the federal government, gifts, bequests, donations, or otherwise from any public or private source, which monies are intended to implement and encourage restoration or preservation of historic properties. These properties shall be construed to include particular structures of historical significance or properties located within a district which has been designated as historic; provided however, that no loan shall be made under this section unless the property is:

(1) Included in the state register

(2) Designated as a national historic landmark by the United States department of interior.

(3) Listed in the national register of historic places by the United States department of interior.

(b) All moneys placed in the historical preservation revolving fund shall be made available:

(1) For the purchase, or other acquisition or restoration, for resale, subject to appropriate covenants, of properties intended for preservation;

(2) To make loans to nonprofit preservation foundations, organizations, individuals, and cities and towns for the purpose of acquiring and restoring properties worthy of preservation. Loans to individuals shall be considered only after the commission has determined that private financing cannot otherwise be obtained.

(3) To make loans or otherwise provide a source of equity capital for residential and/or commercial development of historic properties in order to implement and encourage the revitalization of historic buildings and districts.

(c) Loans made under the provisions of this section may be made directly, or in cooperation with other lenders or any agency, department, or bureau of the federal government or state of Rhode Island. The proceeds from the resale of any properties acquired and restored and funds received from the repayment of any loans made for that purpose shall be deposited in and returned to the historical preservation revolving fund, to constitute a continuing revolving fund for the purposes listed above.

(d) The historical preservation and heritage commission shall adapt rules and regulations consistent with the purposes of this act and chapter 35 of this title, Administrative Procedures, which provide for an orderly and equitable disbursement and repayment of funds.

SECTION 4. Chapter 42-45 of the General Laws, entitled "Rhode Island Historical and Heritage Commission", is hereby amended by adding thereto the following sections:

42-45-3.1. Officers. --- 42-45-3.1. Officers of the heritage subcommittee. ---

The governor shall appoint from the heritage subcommittee members a chairperson to serve at the pleasure of the governor. A vice chairperson and a secretary will be elected from and by the subcommittee body for a term of one (1) year.

42-45-6. Purpose of heritage subcommittee. ---

The purposes of the heritage subcommittee shall include but not be limited to:

(1) Sponsoring and/or coordinating heritage festivals;

(2) Conducting and/or sponsoring heritage seminars, conference, and symposiums;

(3) Publishing scholarly and popular works relating to the social, political, and cultural development of the state;

(4) Coordinating programs with other private or public groups or agencies which will meet the cultural needs of Rhode Island's citizens;

(5) Observing important events in the state's history with suitable celebrations; and

(6) Funding projects and programs of public or private groups or agencies which relate to the heritage of Rhode Island and its people.

SECTION 5. This article shall take effect July 1, 1994.

ARTICLE 30

POSTSECONDARY STUDENT FINANCIAL ASSISTANCE

SECTION 1. Sections 16-56-2 and 16-56-3 of the General Laws, in Chapter 16-56 entitled "Postsecondary Student Financial Assistance", are hereby amended to read as follows:

16-56-2. General appropriation. ---

(a) The general assembly shall appropriate annually a sum to pay every award authorized by sections 16-56-2 to 16-56-12, inclusive, to be determined by multiplying ten percent (10%) of the October enrollment of the June 1980 graduating class and fifteen percent (15%) of the October enrollment for the June 1981, 1982, and 1983 graduating classes times one thousand dollars (\$1,000). For the 1984-1985 fiscal year the appropriation shall be determined by multiplying fifteen percent (15%) of the October enrollment for the June 1981, 1982, 1983, and 1984 graduating classes times one thousand dollars (\$1,000). For