

RESOLUTION OF THE CITY COUNCIL

No. 250

Approved April 21, 1987

RESOLVED, that the City Council urge the passage by the
General Assembly of that Act entitled:

AN ACT RELATING TO TAXATION

which allows the cities and towns administering the real estate
conveyance tax to return 85 cents on every \$1.10 they collect.

IN CITY COUNCIL
APR 16 1987

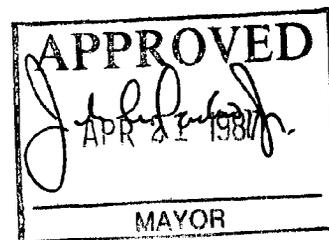
READ AND PASSED

Nicholas W. Eaton

PRES.

Robert M. Mandlowe

CLERK



IN CITY COUNCIL
APR 2 1987
FIRST READING
REFERRED TO COMMITTEE ON

Bob M. Mendonca CLERK

FINANCE

THE COMMITTEE ON

FINANCE

Approves Passage of
The Within Resolution

Bob M. Mendonca
Chairman

PR ? 1987

Councilman Glavin, Councilman Dillan
Councilwoman Sargnoli (By Request)

STATE OF RHODE ISLAND
IN GENERAL ASSEMBLY, A.D. 1987

A N A C T

RELATING TO TAXATION

Introduced By

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

SECTION 1. 44-25-4. of the General Laws of Rhode Island entitled " FURNISHING STAMPS - SALE - AGENTS - COMPENSATION - BOND PREMIUMS" is hereby amended to read as follows.

44-25-4. (a) The tax administrator shall prescribe, prepare, and furnish stamps, of such denominations and quantities as may be necessary, for the payment of the tax imposed and assessed by this chapter. The tax administrator shall make provisions, including the use of metering machines, so-called, if deemed expedient by him, for the date of such stamps in such places as he may deem necessary.

(b) The tax administrator may appoint the recorder of deeds or clerks in each city or town and other persons within or without the state, as agents, for the sale of stamps to be used in paying the tax herein imposed upon instruments, and may allow a commission to said agents of ~~twenty-five cents (-25¢)~~ eighty-five cents (85¢) per one dollar and ten cents (\$1.10) The commissions allowed to a recorder of deeds or clerks shall be turned over to the treasurer of the city or town in which the tax is collected, for the use of such city or town.

(c) The tax administrator shall pay the premium on any bond required by the tax administrator to be procured by any agent for the performance of his duties under this chapter.

SECTION 2 This act shall take effect upon passage

EXPLANATION

This act alters the commission that agents can claim for administering the Real Estate Conveyance Tax from twenty-five cents (25¢) per one dollar and tens (\$1.10) collected to eighty-five cents (85¢) per one dollar and ten cents (\$1.10) collected

This act shall take effect upon passage

11/11/11

Commissioner of the
Department of Revenue
Harrisburg, PA

CITY OF PROVIDENCE, RHODE ISLAND . MAYOR JOSEPH R. PAOLINO, JR.

Rose M. Mendonca
City Clerk

—
Clerk of Council

—
Clerk of Committees



DEPARTMENT OF CITY CLERK
CITY HALL

Michael R. Clement
First Deputy

—
Grace Nobrega
Second Deputy

May 12, 1987

—
—
—
_, Rhode Island _

Dear _:

Enclosed are certified copies of Resolution Nos. 250-278 approved by His Honor the Mayor on April 21, 1987, for your review.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM:lc

Enc.

cc: Governor
Lt. Governor
Sec. of State
Speaker of House
Senate Minority Leader
Senate Majority Leader
House Minority Leader
House Majority Leader

Rose M. Mendonca
City Clerk

Clerk of Council

Clerk of Committees



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House Majority Leader



State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

Edward D. DiPrete

Governor

May 13, 1987

Rose M. Mendonca, City Clerk
City of Providence
Providence City Hall
Providence, RI 02903

Dear Ms. Mendonca:

Governor DiPrete has received your letter of May 12, 1987 enclosing copies of Resolutions of the Providence City Council numbered 250 through 278.

I have forwarded the Resolutions to the Governor's Policy Office for their review when they consider the various items of legislation referred to in the Resolutions.

We hope you will continue to communicate with this office on matters of interest to the City of Providence.

Very truly yours,


Peter Palombo, Jr.
Executive Counsel
to the Governor

PP/lat

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 251

Approved April 21, 1987

RESOLVED, that the City Council urge the passage by the
General Assembly of that Act entitled:

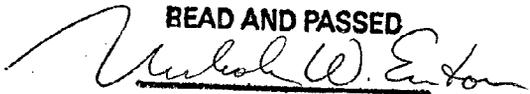
AN ACT CREATING A CONVENTION CENTER AUTHORITY

which creates a convention center authority the purpose of which
would be to construct and manage a convention center and related
facilities within the state.

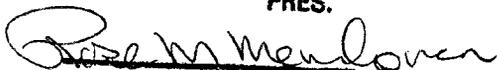
IN CITY COUNCIL

APR 16 1987

READ AND PASSED



PRES.



CLERK



IN CITY COUNCIL
APR 2 1987
FIRST READING
REFERRED TO COMMITTEE ON

FINANCE

Joseph Mendonca CLERK

THE COMMITTEE ON
FINANCE

Approves Passage of
The Within Resolution

Joseph Mendonca
Clerk Chairman

APR 2 1987

Councilman Slavin, Councilman Dellon
Councilwoman Sangueli (By Request)

S T A T E O F R H O D E I S L A N D

I N G E N E R A L A S S E M B L Y

J A N U A R Y S E S S I O N , A . D . 1 9 8 7

A N A C T

C R E A T I N G A C O N V E N T I O N C E N T E R A U T H O R I T Y

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

Section 1. Short Title. - This act shall be known and may be cited as "The Convention Center Authority Act".

Section 2. Legislative findings. - It is hereby found that (a) there is a serious shortage of suitable facilities for conventions and related exhibition, meeting, banquet and other facilities customarily incident thereto, in the state of Rhode Island; (b) private enterprise alone is not able to provide the necessary facilities; (c) the public welfare and the further economic development and the prosperity of the state of Rhode

Island requires the establishment of such facilities and the financing thereof, as provided in this act; and (d) the facilities will be managed and operated with the greatest public benefit and at the least public cost if provision is made for leases, concessions and other contracts with persons, firms and corporations, as provided in this act.

Section 3. Definitions. - The following words and terms shall have the following respective meanings, unless the context clearly indicates a different meaning:

(a) "Chief Municipal Officer" means (i) if the Municipality is a city, its mayor, or (ii) if the Municipality is a town, the president of its town council.

(b) "Convention center" means a facility used to house conventions, trade shows, exhibitions, displays, meetings, banquets, and other events, as well as facilities related thereto such as parking lots and garages.

(c) "Corporation" means the corporation established by this act.

(d) "Governor" means the Governor of the State of Rhode Island.

(e) "Municipality" means the city or town within which the convention center and other facilities constructed, managed or operated by the corporation is located.

(f) "Project" means the acquisition, construction, reconstruction, rehabilitation, improvement, development of, or any expenditure with respect to, any real or personal property for the corporation's purposes.

(g) "State" means the State of Rhode Island.

Section 4. Creation of a corporation - Composition - Personnel - Compensation. - (a) There is hereby created and established a public corporation of the state, having a distinct legal existence from the state and not constituting a department of the state government, with such corporate powers as are set

forth in this act to be known as "The Convention Center Authority", or by such other name as the board of commissioners may select which appropriately identifies the corporation's activities or location, to carry out the provisions of this act. The corporation is hereby constituted a public instrumentality exercising public and essential governmental functions, and the exercise by the corporation of the powers conferred by this act shall be deemed and held to be the performance of an essential governmental function of the state. It is the intent of the General Assembly by the passage of this act to incorporate a public corporation and instrumentality and agency of the state for the purpose of carrying on the activities hereinafter authorized, and to vest such corporation with all powers, authority, rights, privileges and titles that may be necessary to enable it to accomplish such purposes. This act shall be liberally construed in conformity with the purpose expressed.

(b) The corporation is created, established and incorporated for the following purposes: to construct, manage and operate a convention center and to acquire by purchase or otherwise land therefor.

(c) The convention center shall be located in one of the Cities or Towns in the State in which the mayor (if a city) or a President of the town council (if a town) thereof and the Governor agree that such convention center shall be located.

(d) (i) The powers of the corporation shall be vested in a board of commissioners having nine members who shall be appointed in the manner set forth herein. Forthwith upon the enactment hereof, the Governor and Chief Municipal Officer (hereinafter sometimes referred to as the "appointing authorities") will each appoint four commissioners for terms ending respectively on June 30, 1988, June 30, 1989, and June 30, 1990, and June 30, 1991, and thereafter until their respective successors are appointed and shall have qualified. Beginning on June 30, 1988, and on

each June 30 thereafter, the appointing authorities shall appoint commissioners to succeed the commissioners whose terms are then ending and to serve for terms of four years.

(ii) Forthwith upon the enactment hereof, the Governor and the Chief Municipal Officer will jointly appoint a ninth commissioner who will act as chairperson of the corporation and whose four year term will end on June 30, 1991. The authority to appoint a ninth commissioner who will act as chairperson will reside in the Governor and the Chief Municipal Officer jointly until the expiration of a second full four year term on June 30, 1995. Thereafter, the ninth commissioner will be appointed (for successive four year terms) by the Governor and the chairperson will be elected from among its members by the board of commissioners.

(e) Any commissioner may be reappointed for successive terms. Any commissioner may be removed by the appointing authority for misfeasance, malfeasance or willful neglect of duty. Any vacancy resulting from the death, disability or other failure of a commissioner to continue to serve may be filled by the person given the power to make the original appointment.

(f) The board of commissioners shall elect from among its members, vice chairperson, such other officers as they may determine, including a secretary and a treasurer, and, beginning on July 1, 1995, a chairperson. Meetings shall be held at the call of the chairperson or whenever two commissioners so request.

^Action by the corporation may be taken by the board of commissioners at any regular or special meeting at which a quorum is present. Five commissioners of the corporation shall constitute a quorum. Any action taken by the corporation under the provisions of this act shall require the affirmative vote of not less than five commissioners. No vacancy in the membership of the corporation shall impair the right of a quorum to exercise all the rights and perform all the duties of the corporation.

(g) Commissioners shall receive no compensation for the performance of their duties hereunder but each such commissioner shall be reimbursed for his or her reasonable expenses incurred in carrying out such duties under this act.

(h) Notwithstanding the provisions of any other law, no officer or employee of the state shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of membership of the corporation or his or her service thereto.

(i) The commissioners may employ an executive director who shall administer, manage and direct the affairs and business of the corporation, subject to the policies, control and direction of the commissioners. The commissioners may employ technical experts and such other officers, agents and fix their qualification, duties and compensation. The executive director and such technical experts, officers, agents and attorneys so employed shall not be subject to the provisions of the classified service. The commissioners may employ other employees, permanent and temporary, and such employees shall be subject to the provisions of the classified service. The commissioners may delegate to one or more of the corporation's agents or employees such administrative duties as they may deem proper.

(j) The commissioners may authorize the engagement of such other person, corporation or other entity including, without limiting the generality of the foregoing, any public body corporate and politic located within the Municipality as they may select to undertake the staffing and management of the convention center (including the scheduling of events and related activities) upon such terms and for such periods of time as they may deem proper.

(k) The secretary shall keep a record of the proceedings of the corporation and shall be custodian of all books, documents and papers filed with the corporation and of its minute book and

seal. The secretary shall have the authority to cause to be made copies of all minutes and other records and documents of the corporation and to give certificates under the seal of the corporation to the effect that such copies are true copies and all persons dealing with the corporation may rely upon such certificates.

(1) No part of the net earnings of the corporation shall be distributable to, or inure to the benefit of, any private person.

Section 5. Transactions with the corporation. - Any Municipality is authorized from time to time to sell or otherwise convey to the corporation any property held by the Municipality and to lease from the corporation, or contract with the corporation with respect to any facilities, or any interest therein, held by the corporation under this act. The provisions of any other laws or ordinances, general, special or local, or of any rule or regulation of the state or the Municipality, or of any municipal charter provision, restricting or regulating in any manner the power of the state or the Municipality to lease (as lessee or lessor) or sell or convey property, real, personal or mixed, shall not apply to leases and sales made pursuant to the authority conferred by this act.

Section 6. General powers. - The corporation shall have power:

(a) To have perpetual succession.

(b) To sue and be sued, complain and defend, in its corporate name.

(c) To have a corporate seal which may be altered at pleasure, and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced.

(d) To purchase, take, receive, lease, or otherwise acquire, own, hold, improve, use and otherwise deal in and with, real or personal property, or any interest therein, wherever situated.

(e) To sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of all or any part of its property and assets; any such transfers or dispositions may be for nominal or other consideration, by public or private sale, with or without public bidding, notwithstanding the provisions of any other law.

(f) To purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge or otherwise dispose of, and otherwise use and deal in and with, shares or other interests in, or obligations of, other domestic or foreign corporations, associations, partnerships or individuals, direct or indirect obligations of the United States or of any other government, state, territory, governmental district or municipality or of any instrumentality thereof.

(g) To make and enter into all contracts, agreements and guarantees and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises, and income, necessary or incidental to the performance of its duties and the execution of its powers under this act.

(h) To conduct its business, carry on its operations, and have offices and exercise the powers granted by this act.

(i) To elect or appoint officers and agents of the corporation, and define their duties.

(j) To make and alter by-laws, not inconsistent with this act.

(k) To make contracts with, and to receive and accept grants from, the state or any political subdivision thereof, including the Municipality.

(l) To have and exercise all powers necessary or convenient to effect its purposes.

Section 7. Condemnation power. - (a) If for any of the purposes of this act, the corporation shall find it necessary to acquire any real property, whether for immediate or future use, the corporation may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for the construction or operation of a convention center, and upon such determination, the said property shall be deemed to be required for such public use until otherwise determined by the corporation; and with the exceptions hereinafter specifically noted, the said determination shall not be affected by the fact that such property has theretofore been taken for, or is then devoted to, a public use; but the public use in hands or under the control of the corporation shall be deemed superior to the public use in the hands of any other person, association or corporation; provided further, however, that no real property or interest, estate or right therein belonging to the state shall be acquired without consent of the state; and no real property or interest, estate or right therein belonging to any municipality shall be acquired without the consent of such municipality; and no real property, or interest or estate therein, belonging to a public utility corporation may be acquired without the approval of the public utility commission or such other regulatory body having regulatory power over such corporation.

(b) The corporation may proceed to acquire and is hereby authorized to and may proceed to acquire such property, whether a fee simple absolute or a lesser interest, by the exercise of the right of eminent domain in the manner prescribed in this act.

(c) Nothing herein contained shall be construed to prohibit the corporation from bringing any proceedings to remove a cloud on title or such other proceedings as it may, in its discretion, deem proper and necessary, or from acquiring any such property by negotiation or purchase.

(d) The necessity for the acquisition of property under this act shall be conclusively presumed upon the adoption by the corporation of a vote determining that the acquisition of such property or any interest therein described in such vote is necessary for the acquisition, construction or operation of a project. Within six (6) months after its passage, the corporation shall cause to be filed in the appropriate land evidence records a copy of its vote together with a statement signed by the chairperson or vice chairperson of the corporation that such property is taken pursuant to this act, and also a description of such real property indicating the nature and extent of the estate or interest therein taken as aforesaid and a plat thereof, which copy of the vote and statement of the chairperson or vice chairperson shall be certified by the secretary of the corporation and the description and plat shall be certified by the city or town clerk for the city or town within which the real property lies.

(e) Forthwith thereafter the corporation shall cause to be filed in the superior court in and for the county within which the real property lies a statement of the sum of money estimated to be just compensation for the property taken, and shall deposit in said superior court to the use of the persons entitled thereto the sum set forth in such statement. The corporation shall satisfy the court that the amount so deposited with the court is sufficient to satisfy the just claims of all persons having an estate or interest in such real property. Whenever the corporation satisfies the court that the claims of all persons interested in the real property taken have been satisfied, the unexpended balance shall be ordered repaid forthwith to the corporation.

(f) Upon the filing of the copy of the vote, statement, description and plat in the land evidence records and upon the making of the deposit in accordance with the order of the supe-

rior court, title to said real property in fee simple absolute or such lesser estate or interest therein specified in said resolution shall vest in the corporation, and said real property shall be deemed to be condemned and taken for the use of the corporation and the right to just compensation for the same shall vest in the persons entitled thereto, and the corporation thereupon may take possession of said real property. No sum so paid unto the court shall be charged with clerks' fees of any nature.

(g) After the filing of the copy of the vote, statement, description and plat, notice of the taking of such land or other real property shall be served upon the owners of or persons having any estate or interest in such real property by the sheriff or his deputies of the county in which the real estate is situated by leaving a true and attested copy of the vote, statement, description and plat with each of such persons personally, or at the last and usual place of abode in this state with some person living there, and in case any of such persons are absent from this state and have no last and usual place of abode therein occupied by any person, such copy shall be left with the person or persons, if any, in charge of, or having possession of such real property taken of such absent persons, and another copy thereof shall be mailed to the address of such person, if the same is known to the officer serving such notice.

(h) After the filing of such vote, description and plat, the corporation shall cause a copy thereof to be published in some newspaper having general circulation in the city or town in which the real property lies at least once a week for three (3) successive weeks.

(i) If any party shall agree with the corporation upon the price to be paid for the value of the real property so taken and of appurtenant damage to any remainder or for the value of his estate, right or interest therein, the court, upon application of the parties in interest, may order that the sum agreed upon be

paid forthwith from the money deposited, as the just compensation to be awarded in said proceedings; provided, however, that no payment shall be made to any official or employee of said corporation for any property or interest therein acquired from such official or employee unless the amount of such payment is determined by the court to constitute just compensation to be awarded in said proceedings.

(j) Any owner of, or person entitled to any estate or right in, or interested in any part of the real property so taken, who cannot agree with the corporation upon the price to be paid for his estate, right or interest in such real property so taken and the appurtenant damage to the remainder, may, within three (3) months after personal notice of said taking, or if he has no personal notice, may within one (1) year from the time the sum of money estimated to be just compensation is deposited in the superior court to the use of the persons entitled thereto, apply by petition to the superior court for the county in which said real property is situated, setting forth the taking of his land or his estate or interest therein and praying for an assessment or damages by the court or by a jury. Upon the filing of such petition the court shall cause twenty (20) days' notice of the pendency thereof to be given to the corporation by serving the chairperson or vice chairperson of the corporation with a certified copy thereof.

(k) After the service of such notice the court may proceed to the trial thereof. Such trial shall be conducted as other civil actions at law are tried. Such trial shall determine all questions of fact relating to the value of such real property, and any estate or interest therein, and the amount thereof and the appurtenant damage to any remainder and the amount thereof, and such trial and decision or verdict of the court or jury shall be subject to all rights to except to rulings, to move for new trial, and to appeal, as are provided by law. Upon the entry of

judgment in such proceedings execution shall be issued against the money so deposited in court and in default thereof against any other property of the corporation.

(1) In case two (2) or more petitioners make claim to the same real property, or to any estate or interest therein, or to different estate or interests in the same real property, said court shall, upon motion, consolidate their several petitions for trial at the same time, and may frame all necessary issues for the trial thereof.

(m) If any real property or any estate or interest therein, in which any minor or other person not capable in law to act in his own behalf is interested, is taken under the provisions of this act, said superior court, upon the filing therein of a petition by or in behalf of such minor or person or by the corporation may appoint a guardian ad litem for such minor or other person. Guardians may, with the advice and consent of said superior court, and upon such terms as said superior court may prescribe, release to the corporation all claims for damages for the land of such minor or other person or for any such estate or interest therein. Any lawfully appointed, qualified and acting guardian or other fiduciary of the estate of any such minor or other person, with the approval of the court of probate within this state having jurisdiction to authorize the sale of lands and properties within this state of such minor or other person, may before the filing of any such petition, agree with such minor or other person for any taking of his real property or of his interest or estate therein, and may, upon receiving such amount, release to the corporation all claims for damages for such minor or other person for such taking.

(n) In case any owner of or any person having an estate or interest in such real property shall fail to file his petition as above provided, the superior court for the county in which the real property is situated, in its discretion, may permit the

filing of such petition within one (1) year subsequent to the year following the time of the deposit in the superior court of the sum of money estimated to be just compensation for the property taken; provided, such person shall have had no actual knowledge of the taking of such land in season to file such petition; and provided, no other person or persons claiming to own such real property or estate or interest therein shall have been paid the value thereof; and provided, no judgment has been rendered against the corporation for the payment of such value to any other person or persons claiming to own such real estate.

(o) If any real property or any estate or interest therein is unclaimed or held by a person or persons whose whereabouts are unknown, after making inquiry satisfactory to the superior court for the county in which the real property lies, the corporation, after the expiration of two (2) years from the first publication of the copy of the vote, statement, description and plat, may petition such court that the value of the estate or interest or such unknown person or persons be determined. After such notice by publication to such person or persons as the court in its discretion may order, and after hearing on said petition, the court shall fix the value of said estate or interest and shall order said sum to be deposited in the registry of such court in a special account to accumulate for the benefit of the person or persons, if any, entitled thereto. The receipt of the clerk of the superior court therefor shall constitute a discharge of the corporation from all liability in connection with such taking. When the person entitled to the money deposited shall have satisfied the superior court of his right to receive the same, the court shall cause it to be paid over to him, with all accumulations thereon.

(p) The superior court shall have power to make such orders with respect to encumbrances, liens, taxes and other charges on the land, if any, as shall be just and equitable.

(q) Whenever in the opinion of the corporation a substantial saving in the cost of acquiring title can be effected by conveying other real property, title to which is in the corporation, to the person or persons from whom the estate or interest in real property is being purchased or taken, or by the construction or improvement by the corporation of any work or facility upon the remaining real property of the person or persons from whom the estate or interest in real property is being purchased or taken, the corporation shall be and hereby is authorized to convey such other real property to the person or persons from whom the estate or interest in real property is being purchased or taken and to construct or improve any work or facility upon the remaining land of such person or persons.

(r) At any time during the pendency of any proceedings for the assessment of damages for property or interests therein taken or to be taken by eminent domain by the corporation, the corporation or any owner may apply to the court for an order directing an owner or the corporation, as the case may be, to show cause why further proceedings should be expedited, and the court may upon such application make an order requiring that the hearings proceed and that any other steps be taken with all possible expedition.

Section 8. Limitation of liability. - In any tort action against the corporation, any damages recovered therein shall not exceed the sum of \$100,000.

Section 9. Bonds and notes of the corporation. -

(a) The corporation is authorized to issue its negotiable bonds and notes from time to time for any of its corporate purposes. All bonds and notes issued by the corporation may be secured by the full faith and credit of the corporation or may be payable solely out of the revenues and receipts derived from the lease, mortgage or sale by the corporation of its facilities or of any part thereof or from any other financing arrangement with

respect thereto as may be designated in the proceedings of the corporation under which the bonds or notes shall be authorized to be issued. Such bonds and notes may be executed and delivered by the corporation at any time and from time to time, may be in such form and denominations and of such tenor and maturities, may be in bearer form or in registered form, as to principal and interest or as to principal alone, may be payable in such installments and at such time or times, may be payable at such places whether within or without the state, may bear interest at such rate or rates payable at such time or times and at such place or places and evidenced in such manner, and may contain such provisions not inconsistent herewith, all as shall be provided in the proceedings of the corporation under which the bonds shall be authorized to be issued; provided, however, that bonds of the corporation shall be payable not more than forty (40) years from the date thereof and notes shall be payable not more than ten (10) years from the date thereof. If deemed advisable by the corporation, there may be retained in the proceedings under which any bonds or notes of the corporation are authorized to be issued an option to redeem all or any part thereof as may be specified in such proceedings, at such price or prices and after such notice or notices and on such terms and conditions as may be set forth in such proceedings and as may be recited in the face of the bonds or notes, but nothing herein contained shall be construed to confer on the corporation any right or option to redeem any bonds or notes except as may be provided in the proceedings under which they shall be issued. Any bonds or notes of the corporation may be sold at such price or prices, at public or private sale, in such manner and from time to time as may be determined by the corporation, and the corporation may pay all expenses, premiums and commissions which it may deem necessary or advantageous in connection with the issuance and sale thereof. Any moneys of the corporation, including proceeds from the sale of any bonds or

notes, and revenues, receipts and income from any of its projects, may be invested and reinvested in such obligations, securities and other investments as shall be provided in the resolution or resolutions under which such bonds or notes are authorized.

(b) Issuance by the corporation of one or more series of bonds or notes for one or more purposes shall not preclude it from issuing other bonds or notes in connection with the same project or any other projects, but the proceedings whereunder any subsequent bonds or notes may be issued shall recognize and protect any prior pledge or mortgage made for any prior issue of bonds or notes unless in the proceedings authorizing such prior issue the right is reserved to issue subsequent bonds or notes on a parity with such prior issue.

(c) The corporation is authorized to provide for the issuance of its bonds or notes for the purpose of refunding any bonds or notes of the corporation then outstanding, including the payment of any redemption premium thereon and any interest accrued or to accrue to the earliest or subsequent date of redemption, purchase or maturity of such bonds or notes, and, if deemed advisable by the corporation, for the additional purpose of paying all or any part of the cost of constructing and acquiring additions, improvements, extensions or enlargements of a project or any portion thereof.

(d) The proceeds of any such bonds or notes issued for the purpose of refunding outstanding bonds or notes may, in the discretion of the corporation, be applied to the purchase or retirement at maturity or redemption of such outstanding bonds or notes either on their earliest or any subsequent redemption date, and may, pending such application, be placed in escrow to be applied to such purchase or retirement at maturity or redemption on such date as may be determined by the corporation.

(e) Any such escrowed proceeds, pending such use, may be invested and reinvested in obligations of or guaranteed by the United States of America, or in certificates of deposit or time deposits secured by direct obligations of or guaranteed by the United States of America, maturing at such time or times as shall be appropriate to assure the prompt payment, as to principal, interest and redemption premium, if any, on the outstanding bonds or notes to be so refunded. The interest, income and profits, if any, earned or realized on any such investment may also be applied to the payment of the outstanding bonds or notes to be so refunded. After the terms of the escrow have been fully satisfied and carried out, any balance of such proceeds and interest, income and profits, if any, earned or realized on the investments thereof may be returned to the corporation for use by it in any lawful manner. The portion of the proceeds of any such bonds or notes issued for the additional purpose of paying all or any part of the cost of constructing and acquiring additions, improvements, extensions or enlargements of a project may be invested and reinvested in obligations of or guaranteed by the United States of America, or in certificates of deposit or time deposits secured by direct obligations of or guaranteed by the United States of America, maturing not later than the time or times when such proceeds will be needed for the purpose of paying all or any part of such cost. The interest, income and profits, if any, earned or realized on such investments may be applied to the payment of all or any part of such cost or may be used by the corporation in any lawful manner.

(f) All such bonds or notes shall be issued and secured and shall be subject to the provisions of this act in the same manner and to the same extent as any other bonds and notes issued pursuant to this act. All bonds and notes authorized under this section and the interest coupons, if any, applicable thereto are hereby made and shall be construed to be negotiable instruments.

(g) Money borrowed by the corporation for the purpose of providing temporary financing of a project pending the issuance of bonds or other notes shall be evidenced by notes or other obligations. The principal of and interest on all notes or other obligations of the corporation so issued under the provisions of this section shall be payable from the following:

- (i) from the proceeds of bonds subsequently issued; or.
- (ii) from the proceeds of subsequent borrowings which comply with the provisions hereof.

(h) Notwithstanding any other provisions of this act, all such notes shall be deemed to be negotiable instruments under the laws of the state subject only to the provisions for registration contained therein. Such notes or other obligations or any issue thereof shall be in a form and contain such other provisions as the corporation may determine and such votes or resolutions or proceedings authorizing such notes or other obligations or any issue thereof may contain, in addition to any provisions, conditions, covenants or limitations authorized by this act, any provisions, conditions, covenants or limitations which the corporation is authorized to include in any resolution or resolutions authorizing bonds or notes or in any trust indenture relating thereto. The corporation may issue such notes or other obligations in such manner either publicly or privately on such terms as it may determine to be in its best interests. Such notes or other obligations may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, body, or agency of the state, without any other proceedings or the happening of any conditions or things other than those proceedings, conditions or things which are specifically required by this act and by the provisions and resolutions authorizing the issuance of such notes or obligations.

Section 10. Security for bonds and notes - Construction and acquisition of projects. -

(a) The principal of and interest on any bonds or notes issued by the corporation may be secured by a pledge of any revenues and receipts of the corporation and may be secured by a pledge, agreement, mortgage or deed of trust or security agreement or trust indenture covering all or any part of a project, including any additions, improvements, extensions to or enlargements of any projects thereafter made. Such bonds or notes may also be secured by an assignment of the lease or other financing agreement with respect to any project for the construction and acquisition of which said bonds or notes are issued and by an assignment of the revenues and receipts derived by the corporation from any such lease or other financing agreement. The resolution under which the bonds or notes are authorized to be issued and any such mortgage, deed of trust, trust indenture, lease or other financing agreement may contain agreements and provisions respecting the maintenance of the projects covered thereby, the fixing and collection of rents or other revenues for any portions thereof leased, mortgaged or sold by the corporation to others, the creation and maintenance of special funds from such revenues and the rights and remedies available in the event of default, all as the corporation shall deem advisable and not in conflict with the provisions hereof. Each pledge, agreement, mortgage, deed of trust, security agreement and trust indenture (hereinafter sometimes collectively referred to as a "pledge") made for the benefit or security of any of the bonds or notes of the corporation shall be valid and binding from the time the pledge is made and shall continue effective until the principal of and interest on the bonds or notes for the benefit of which the same were made shall have been fully paid, or until provision shall have been made for such payment in the manner provided in the resolution or resolutions under which the same may be authorized. The revenues, moneys or properties so pledged by the corporation shall immediately be subject to the lien of such pledge

without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the corporation, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded or filed in any public office. In the event of default in the payment of the principal of and interest on any bonds or notes or in any agreements of the corporation made as a part of the contract under which the bonds or notes are issued, whether contained in the proceedings authorizing the bonds or notes or in any instrument executed as security therefor, the rights of affected bondholders or noteholders may be enforced by mandamus, the appointment of a receiver in equity, or by foreclosure of any such mortgage, deed of trust, or other instrument, or any one or more of said remedies or any other remedy provided in any such proceedings.

(b) The corporation may provide in any proceedings under which such bonds or notes may be authorized that any project or part thereof or any addition, improvement, extension or enlargement thereof, may be constructed by the corporation or the lessee or other occupant of the project or any designee of the corporation, the lessee, or other occupant of the project, or of any of them, and may also provide in such proceedings for the time and manner of and requisites for disbursements to be made for the cost of such construction and acquisition, and for all such certificates and approvals of construction and disbursements as the corporation shall deem necessary and provide for in such proceedings.

Section 11. Trust funds. - All moneys received pursuant to the authority of this act, whether as proceeds from the sale of bonds or notes or as revenues, receipts or income, shall be deemed to be trust funds to be held and applied solely as pro-

vided in the proceedings under which such bonds or notes are authorized. Any officer with whom, or any bank or trust company with which, such moneys shall be deposited as trustee thereof shall hold and apply the same for the purposes thereof, subject to such provisions as this act and the proceedings authorizing the bonds or notes of any issue or the trust agreement securing such bonds or notes may provide.

Section 12. Pledge of the state. - The state does hereby pledge to and agree with the holders of any notes or bonds issued by the corporation under this act that the state will not limit or alter the rights hereby vested in the corporation to fulfill the terms of any agreements made with the said holders thereof or in any way impair the rights and remedies of such holders until such notes and bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. The corporation is authorized to include this pledge and agreement with the holders of such notes or bonds.

Section 13. Credit of state or municipality not pledged. - Obligations issued under the provisions of this act shall not be deemed to constitute a debt or liability or obligation of the state or of any political subdivision thereof, including the Municipality, or a pledge of the faith and credit of the state or of any such political subdivision, including the Municipality, but shall be payable solely from the revenues or assets of the corporation. Each obligation issued under this act shall contain on the face thereof a statement to the effect that the corporation shall not be obligated to pay the same nor the interest thereon except from the revenues or assets pledged therefor and that neither the faith and credit nor the taxing power of the state or of any political subdivision thereof, including the Municipality, is pledged to the payment of the principal of or the interest on such obligation.

Section 14. Notes and bonds as legal investments. - The notes and bonds of the corporation shall be legal investments in which all public officers and public bodies of this state, its political subdivisions, all municipalities and municipal subdivisions, all insurance companies and associations, and other persons carrying on an insurance business, all banks, bankers, banking institutions including savings and loan associations, building and loan associations, trust companies, savings banks and savings associations, investment companies and other persons carrying on a banking business, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or in other obligations of the Municipality or state, may properly and legally invest funds, including capital, in their control or belonging to them. The notes and bonds are also hereby made securities which may properly and legally be deposited with and received by all public officers and bodies of the state or any agency or political subdivision of the state and all municipalities and public corporations for any purpose for which the deposit of bonds or other obligations of the state or Municipality is now or may hereafter be authorized by law.

Section 15. Dissolution. - (a) Whenever the board of commissioners of the corporation shall by resolution determine that the purposes for which the corporation was formed have been substantially fulfilled and all bonds theretofore issued by the corporation have been fully paid or adequate provision has been made therefor, the board of commissioners shall file a written statement in the office of the secretary of state of the state of Rhode Island, which statement shall set forth:

(1) that the board of commissioners of the corporation has duly adopted a resolution to dissolve the corporation and that such resolution received the vote of the majority of the commissioners in office;

(2) that all debts, obligations, and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor;

(3) that there are no suits pending against the corporation in any court, or that adequate provision has been made for the satisfaction of any judgment, order or decree which may be entered against it in any pending suit.

(b) Upon the filing of a written statement as hereinbefore provided, the existence of the corporation shall cease and title to all funds and properties owned by the corporation at that time of dissolution shall vest in and become the property of the state and the Municipality in such proportions as the Governor and the Chief Municipal Officer may agree. Any filing required to be made with the secretary of state pursuant to this section may be made without the payment of a filing fee.

Section 16. Tax exemption. - Any bonds, notes or other obligations issued by the corporation under the provisions of this act, their transfer, and the income therefrom (including any profits made on the sale thereof), shall at all times be free from taxation by the state or any political subdivision or other instrumentality of the state, excepting estate taxes.

Section 17. Applicability of other laws. - The corporation shall be subject to the provisions of chapter 38-2 ("Access to Public Records") and chapter 42-46 ("Open Meetings") of the general laws and, in addition, the commissioners shall be subject to the provisions of chapter 36-14 ("Conflict of Interest") of the general laws.

Section 18. Liberal construction. - Neither this act nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which the corporation might otherwise have under any laws of this state, and this act is cumulative to any such powers. This act does and shall be construed to provide a complete, additional, and alternative method

of doing things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws. However, the issuance of bonds, notes and other obligations of the corporation under the provisions of this act need not comply with the requirements of any other state law applicable to the issuance of bonds, notes and other obligations and contracts for the acquisition of land and improvements thereon and for the construction of buildings and other improvements undertaken pursuant to this act need not comply with the provisions of any other state law applicable to contracts for the construction and acquisition of city or state owned property. No proceedings, notice or approval shall be required for the issuance of any bonds, notes and other obligations or any instrument as security therefor, except as is provided in this act.

Section 19. Severability. - The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 20. Effective date. - This act shall take effect upon its passage. All acts or parts of acts inconsistent herewith are hereby repealed as of the effective date of this act.

EXPLANATION
OF
AN ACT
CREATING A CONVENTION CENTER AUTHORITY

This act would create a convention center authority the purpose of which would be to construct and manage a convention center and related facilities within the state.

This act will take effect upon its passage.