

# RESOLUTION OF THE CITY COUNCIL

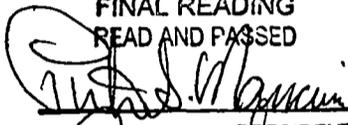
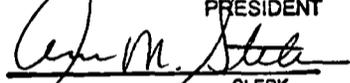
No. 334

Approved JUNE 18, 2007

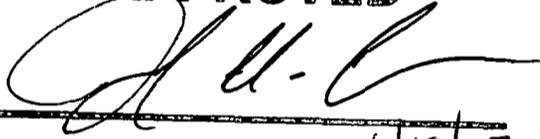
RESOLVED, That the Members of the Providence City Council  
hereby Endorse and Urge Passage by the General Assembly of Senate Bill, 2007-S  
1011, Amending Rhode Island General Law, Section 33-22-21.

IN CITY  
COUNCIL

JUN 18 2007  
FINAL READING  
READ AND PASSED

  
PRESIDENT  
  
CLERK

APPROVED



MAYOR

6/18/07

IN CITY COUNCIL  
MAY 17 2007  
FIRST READING  
REFERRED TO COMMITTEE ON  
STATE LEGISLATION  
Adam M. Steh CLERK

Councilman Yurdin By Request

*Special*  
THE COMMITTEE ON  
State Legislation  
Recommends *-continued*  
Adam M. Steh  
5-22-07 CLERK

THE COMMITTEE ON  
STATE LEGISLATION  
Recommends Approval, *as amended*  
Adam M. Steh  
5-29-07 CLERK

2007 -- S 1011

LC03022

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO PROBATE PRACTICE AND PROCEDURE -- FILING FEES

Introduced By: Senators Jabour, Pichardo, and Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 33-22-21 of the General Laws in Chapter 33-22 entitled "Practice in  
2 Probate Courts" is hereby amended to read as follows:  
3           **33-22-21. Fees enumerated -- Hearing date to be noted on receipt.** -- (a) The fees in  
4 probate courts shall be as follows: for every petition for the appointment of a receiver, custodian,  
5 administrator, guardian, or conservator, or for the probate of and recording of a will, one percent  
6 (1.0%) of the personal property of the decedent or ward over which the court has jurisdiction, but  
7 in no event shall the fee be less than thirty dollars (\$30.00) nor more than ~~one thousand five~~  
8 ~~hundred two thousand~~ dollars ~~(\$1,500)~~(\$2,000); for every petition for the change of name, thirty  
9 dollars (\$30.00); for every petition for adoption, thirty dollars (\$30.00); for every petition of a  
10 foreign administrator, executor, or guardian to transfer or sell real or personal estate, one percent  
11 (1.0%) of the personal property of the decedent, or ward located in Rhode Island, but in no event  
12 shall the fee be less than thirty dollars (\$30.00) nor more than ~~one thousand five hundred two~~  
13 ~~thousand~~ dollars ~~(\$1,500)~~(\$2,000) which fees shall be in lieu of all subsequent filing and  
14 recording fees in the same proceedings, except as hereinafter provided, and shall be paid before  
15 the petition is filed, and shall be based upon estimates submitted by the petitioner or someone in  
16 his or her behalf, and shall be subject to revision whenever it appears that the estimates were  
17 incorrect, and upon revision a further payment or rebate shall be made promptly. In the event that  
18 the appointment of a receiver or custodian, pending the appointment of an administrator,  
19 guardian, or conservator, or the probate of or recording of a will, is necessary, the fee so paid for

1 the petition shall be applied on the amount to be paid upon the filing of a petition for the  
2 appointment of the administrator, guardian, or conservator, or for the probate of or recording of  
3 the will. The court at any time may cite in and examine any receiver, custodian, executor,  
4 administrator, guardian, or conservator for the purpose of determining the full fee due and  
5 payable. Also, the following fees shall be charged:

6 (1) For every petition to file a claim out of time, thirty dollars (\$30.00);

7 (2) For every petition for the removal of an executor, administrator, guardian,  
8 conservator, or other fiduciary, thirty dollars (\$30.00);

9 (3) For every petition for appointment of a successor guardian under the uniform gifts to  
10 minors act, thirty dollars (\$30.00);

11 (4) For every petition to file a will with no probate, thirty dollars (\$30.00);

12 (5) An affidavit of complete administration, thirty dollars (\$30.00);

13 (6) For every certificate of appointment, five dollars (\$5.00);

14 (7) For every petition to remove or fill a vacancy of a trustee of any trust established  
15 under a will, or the termination of such trust, thirty dollars (\$30.00); and

16 (8) For every petition for tax minimization or estate planning, thirty dollars (\$30.00).

17 (b) Upon payment of any fee enumerated in this section, the clerk of the court shall issue  
18 a written receipt to the person making payment. In the event that the matter filed with the court  
19 calls for a hearing, the clerk of the court shall note the hearing date and time on the receipt  
20 whenever possible; otherwise as soon as is practicable after the filing of the matter, the clerk of  
21 the court shall provide written notice of the hearing date and time directly to the person filing the  
22 matter.

23 (c) The clerk of the court shall charge one dollar and fifty cents (\$1.50) per page and  
24 three dollars (\$3.00) to certify any probate documents on file with the probate court.

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

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LC03022  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PROBATE PRACTICE AND PROCEDURE -- FILING FEES

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- 1           This act would increase the maximum estate inventory filing fee from fifteen hundred
- 2 dollars (\$1,500) to two thousand dollars (\$2,000).
- 3           This act would take effect upon passage.

LC03022

It is enacted by the General Assembly as follows:

SECTION 1. Section 33-22-21 of the General Laws in Chapter 33-22 entitled "Practice in Probate Courts" is hereby amended to read as follows:

**33-22-21. Fees enumerated – Hearing date to be noted on receipt.** – (a) The fees in probate courts shall be as follows: for every petition for the appointment of a receiver, ~~eustodian~~, administrator, guardian, or conservator, or for the probate of and recording of a will, one percent (1.0%) of the personal property of the decedent or ward over which the court has jurisdiction, but in no event shall the fee be less than thirty dollars (\$30.00) nor more than ~~one thousand five hundred dollars (\$1,500)~~ two thousand dollars (\$2,000); for every petition for the change of name, thirty dollars (\$30.00); for every petition for adoption, thirty dollars (\$30.00); for every petition of a foreign administrator, executor, or guardian to transfer or sell real or personal estate, one percent (1.0%) of the personal property of the decedent, or ward located in Rhode Island, but in no event shall the fee be less than thirty dollars (\$30.00) nor more than ~~one thousand five hundred dollars (\$1,500)~~ two thousand dollars (\$2,000) which fees shall be in lieu of all subsequent filing and recording fees in the same proceedings, except as hereinafter provided, and shall be paid before the petition is filed, and shall be based upon estimates submitted by the petitioner or someone in his or her behalf, and shall be subject to revision whenever it appears that the estimates were incorrect, and upon revision a further payment or rebate shall be made promptly. In the event that the appointment of a receiver or custodian, pending the appointment of an administrator, guardian, or conservator, or the probate of or recording of a will, is necessary, the fee so paid for the petition shall be applied on the amount to be paid upon the filing of a petition for the appointment of the

administrator, guardian, or conservator, or for the probate of or recording of the will. The court at any time may cite in and examine any receiver, custodian, executor, administrator, guardian, or conservator for the purpose of determining the full fee due and payable. Also, the following fees shall be charged:

- (1) For every petition to file a claim out of time, thirty dollars (\$30.00);
- (2) For every petition for the removal of an executor, administrator, guardian, conservator, or other fiduciary, thirty dollars (\$30.00);
- (3) For every petition for appointment of a successor guardian under the uniform gifts to minors act, thirty dollars (\$30.00);
- (4) For every petition to file a will with no probate, thirty dollars (\$30.00);
- (5) An affidavit of complete administration, thirty dollars (\$30.00);
- (6) For every certificate of appointment, five dollars (\$5.00);
- (7) For every petition to remove or fill a vacancy of a trustee of any trust established under a will, or the termination of such trust, thirty dollars (\$30.00); and
- (8) For every petition for tax minimization or estate planning, thirty dollars (\$30.00).

(b) Upon payment of any fee enumerated in this section, the clerk of the court shall issue a written receipt to the person making payment. In the event that the matter filed with the court calls for a hearing, the clerk of the court shall note the hearing date and time on the receipt whenever possible; otherwise as soon as is practicable after the filing of the matter, the clerk of the court shall provide written notice of the hearing date and time directly to the person filing the matter.

(c) The clerk of the court shall charge one dollar and fifty cents (\$1.50) per page and three dollars (\$3.00) to certify any probate documents on file with the probate court.

SECTION 2. This act shall take effect upon passage.

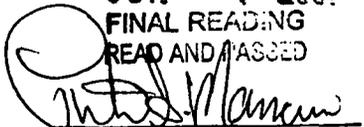
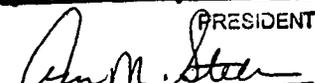
# RESOLUTION OF THE CITY COUNCIL

No. 335

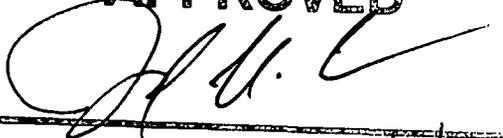
Approved JUNE 18, 2007

RESOLVED, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2007-H 6414 and Senate Bill 2007-S 1003, An Act Relating to Public Utilities and Carriers – Regulatory Powers of Administration.

IN CITY  
COUNCIL  
JUN 7 2007  
FINAL READING  
READ AND PASSED

  
PRESIDENT  
  
CLERK

APPROVED

  
6/18/07  
MAYOR

IN CITY COUNCIL  
MAY 17 2007  
FIRST READING  
REFERRED TO COMMITTEE ON  
STATE LEGISLATION

Alan M. Steh CLERK

Councilman Yurdin By Request

*Special*  
THE COMMITTEE ON  
State Legislation  
Recommends *continued*  
Alan M. Steh  
5-22-07 CLERK

THE COMMITTEE ON  
STATE LEGISLATION  
Recommends Approval, *As Amended*  
Alan M. Steh  
5-29-07 CLERK

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# STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2006

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**A N A C T**

**RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF  
ADMINISTRATION**

**Introduced By:**

**Date Introduced:**

**Referred To:**

It is enacted by the General Assembly as follows:

1-1      SECTION 1. Section 39-3-11.1 of the General Laws in Chapter 39-3 entitled "Regulatory

1-2 Powers of Administration" is hereby amended to read as follows:

1-3 **39-3-11.1. Changes in rates of publicly owned water authorities. -- (a)**

1-4 Notwithstanding any other provisions of this chapter, the commission shall not have the power to  
1-5 suspend the taking effect of any change or changes in the rates, tolls, and charges filed and  
1-6 published in compliance with the requirements of sections 39-3-10 and 39-3-11 by any public  
1-7 waterworks or water service owned or furnished by a city, town, or any other municipal  
1-8 corporation defined as a public utility in section 39-1-2, when the change or changes are proposed  
1-9 to be made solely for the purpose of making payments or compensation to any city or town for  
1-10 reimbursement of any loans or advances of money previously issued to any public waterworks or  
1-11 water service by any city or town under existing contracts or arrangements; provided, however,  
1-12 that the change or changes shall take effect subject to refund or credit pending further  
1-13 investigation, hearing, and order by the commission within eight (8) months after the effective  
1-14 date. The public waterworks or water service shall file with the commission the new rate schedule  
1-15 along with the documentary evidence of the indebtedness supporting the new rates. Further, the  
1-16 rate schedule shall be published in a newspaper of general circulation in the service area by the  
1-17 waterworks or water service at least ten (10) days prior to the effective date thereof.

1-18 (b) The provisions of this section shall not be construed to bar recovery of loans or  
2-1 advances of money not otherwise reflected in existing rates, tolls, and charges issued to May 19,  
2-2 1982.

2-3 **(c) In setting rates for publicly owned water authorities, the commission may not require**  
2-4 **the payment of rental fees for fire hydrants from any municipal corporation.**

2-5 SECTION 2. Chapter 45-39 of the General Laws entitled "Sale of Water" is hereby  
2-6 amended by adding thereto the following section:

2-7 **45-39-4. Payment for hydrant rentals. -- Every city, town, quasi municipal corporation,**  
2-8 **water district, authority, or any other agency of the state created by any special or general law,**

- 2-9 authorized to sell water, is barred from assessing rental fees for any fire hydrants within the city,  
2-10 town, water district, or authority.  
2-11 SECTION 3. This act shall take effect upon passage.

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**EXPLANATION**  
**BY THE LEGISLATIVE COUNCIL**  
**OF**  
**A N A C T**  
**RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF**  
**ADMINISTRATION**

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- 3-1 This act would prohibit the assessment of rental fees for fire hydrants, by municipalities.  
3-2 This act would take effect upon passage.

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2007 -- H 6414

LC03086

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF  
ADMINISTRATION

Introduced By: Representatives Almeida, Williams, Diaz, Slater, and DeSimone

Date Introduced: May 17, 2007

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-3-11.1 of the General Laws in Chapter 39-3 entitled "Regulatory  
2 Powers of Administration" is hereby amended to read as follows:

3 39-3-11.1. Changes in rates of publicly owned water authorities. -- (a)

4 Notwithstanding any other provisions of this chapter, the commission shall not have the power to  
5 suspend the taking effect of any change or changes in the rates, tolls, and charges filed and  
6 published in compliance with the requirements of sections 39-3-10 and 39-3-11 by any public  
7 waterworks or water service owned or furnished by a city, town, or any other municipal  
8 corporation defined as a public utility in section 39-1-2, when the change or changes are proposed  
9 to be made solely for the purpose of making payments or compensation to any city or town for  
10 reimbursement of any loans or advances of money previously issued to any public waterworks or  
11 water service by any city or town under existing contracts or arrangements; provided, however,  
12 that the change or changes shall take effect subject to refund or credit pending further  
13 investigation, hearing, and order by the commission within eight (8) months after the effective  
14 date. The public waterworks or water service shall file with the commission the new rate schedule  
15 along with the documentary evidence of the indebtedness supporting the new rates. Further, the  
16 rate schedule shall be published in a newspaper of general circulation in the service area by the  
17 waterworks or water service at least ten (10) days prior to the effective date thereof.

18 (b) The provisions of this section shall not be construed to bar recovery of loans or

1 advances of money not otherwise reflected in existing rates, tolls, and charges issued to May 19,  
2 1982.

3 (c) In setting rates for publicly owned water authorities, the commission may not require  
4 the payment of rental fees for fire hydrants from any municipal corporation.

5 SECTION 2. Chapter 45-39 of the General Laws entitled "Sale of Water" is hereby  
6 amended by adding thereto the following section:

7 45-39-4. Payment for hydrant rentals. -- Every city, town, quasi municipal corporation,  
8 water district, authority, or any other agency of the state created by any special or general law,  
9 authorized to sell water, is barred from assessing rental fees for any fire hydrants within the city,  
10 town, water district, or authority.

11 SECTION 3. This act shall take effect upon passage.

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LC03086  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF  
ADMINISTRATION

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- 1 This act would prohibit the assessment of rental fees for fire hydrants, by municipalities.
- 2 This act would take effect upon passage.

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LC03086  
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2007 -- S 1003

LC03020

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF  
ADMINISTRATION

Introduced By: Senators Ruggerio, Pichardo, and Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-3-11.1 of the General Laws in Chapter 39-3 entitled "Regulatory  
2 Powers of Administration" is hereby amended to read as follows:

3 **39-3-11.1. Changes in rates of publicly owned water authorities.** -- (a)

4 Notwithstanding any other provisions of this chapter, the commission shall not have the power to  
5 suspend the taking effect of any change or changes in the rates, tolls, and charges filed and  
6 published in compliance with the requirements of sections 39-3-10 and 39-3-11 by any public  
7 waterworks or water service owned or furnished by a city, town, or any other municipal  
8 corporation defined as a public utility in section 39-1-2, when the change or changes are proposed  
9 to be made solely for the purpose of making payments or compensation to any city or town for  
10 reimbursement of any loans or advances of money previously issued to any public waterworks or  
11 water service by any city or town under existing contracts or arrangements; provided, however,  
12 that the change or changes shall take effect subject to refund or credit pending further  
13 investigation, hearing, and order by the commission within eight (8) months after the effective  
14 date. The public waterworks or water service shall file with the commission the new rate schedule  
15 along with the documentary evidence of the indebtedness supporting the new rates. Further, the  
16 rate schedule shall be published in a newspaper of general circulation in the service area by the  
17 waterworks or water service at least ten (10) days prior to the effective date thereof.

18 (b) The provisions of this section shall not be construed to bar recovery of loans or

1 advances of money not otherwise reflected in existing rates, tolls, and charges issued to May 19,  
2 1982.

3 (c) In setting rates for publicly owned water authorities, the commission may not require  
4 the payment of rental fees for fire hydrants from any municipal corporation.

5 SECTION 2. Chapter 45-39 of the General Laws entitled "Sale of Water" is hereby  
6 amended by adding thereto the following section:

7 45-39-4. Payment for hydrant rentals. -- Every city, town, quasi municipal corporation,  
8 water district, authority, or any other agency of the state created by any special or general law,  
9 authorized to sell water, is barred from assessing rental fees for any fire hydrants within the city,  
10 town, water district, or authority.

11 SECTION 3. This act shall take effect upon passage.

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LC03020  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF  
ADMINISTRATION

\*\*\*

- 1 This act would prohibit the assessment of rental fees for fire hydrants, by municipalities.
- 2 This act would take effect upon passage.

LC03020

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 336

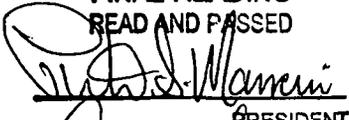
Approved JUNE 18, 2007

RESOLVED, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2007-H 6406 and Senate Bill 2007-S 0996, An Act Relating to Public Utilities – Water Supply Systems.

IN CITY  
COUNCIL

JUN 17 2007

FINAL READING  
READ AND PASSED

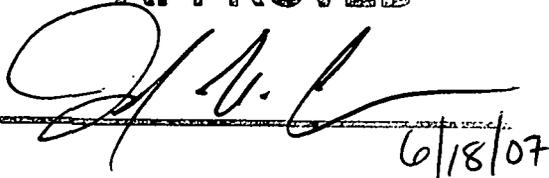


PRESIDENT



CLERK

APPROVED

 6/18/07

MAYOR

IN CITY COUNCIL  
MAY 17 2007  
FIRST READING  
REFERRED TO COMMITTEE ON  
STATE LEGISLATION  
John M. Stebbins CLERK

Councilman Yurdin By Request

*Special*  
THE COMMITTEE ON  
*Special Committee*  
Recommends - Continued  
John M. Stebbins  
5-22-07 CLERK

THE COMMITTEE ON  
STATE LEGISLATION  
Recommends Approval, as Amended  
John M. Stebbins  
5-29-07 CLERK

# AN ACT RELATING TO PUBLIC UTILITIES - WATER SUPPLY SYSTEMS

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 39-3 of the General Laws entitled "Regulatory Powers of Administration" is hereby amended by adding thereto the following section:

39-3-11.4. Reasonable return to be included in rates of water utilities owned by municipalities. -- Notwithstanding any other provisions of law, any water supply system regulated by the Public Utilities Commission and owned by a municipality shall be given a reasonable rate of return on its annual gross revenues as part of its rates, to be computed at a rate of not less than eight percent (8%) per annum times the annual gross revenues of the water supply system. After the reasonable rate of return is included as part of the water supply system's rates by a final unappealable order of the Public Utilities Commission, any municipality that owns a water supply system regulated by the Public Utilities Commission shall be entitled to be paid by the water supply system, on an annual basis after the effective date of said rates, compensation equal to the aforesaid reasonable rate of return established by the Public Utilities Commission as part of its rates.

SECTION 2. Section 46-15.3-21 of the General Laws in Chapter 46-15.3 entitled "Public Drinking Water Supply System Protection" is hereby amended to read as follows:

46-15.3-21. Fees, rates and charges.

(a) The fees, rates, and charges for drinking water are a mandatory component of water supply system management.

(b) The following factors shall be considered in setting fees, rates, and charges:

(1) Recovery of all capital and operating costs, fixed and variable of production, conservation, use, management, protection, obtaining, development, procuring, and/or transporting water, and its sale at wholesale or retail;

(2) Marginal cost pricing;

(3) Emergency and drought period surcharges;

(4) Seasonal price structures;

(5) Difference in costs based upon different points of delivery;

(6) The effect of fees, rates, and charges on use of water and, where applicable, on wastewater costs and charges;

(7) The effect of reducing non-account water to levels consistent with stated goals;

(8) Preparing, maintaining and implementing water supply system management programs; ~~and~~

(9) Notwithstanding any other provisions of law, the Providence water supply board shall transfer to the general fund of the city of Providence an amount equal to five percent (5%) per annum times the annual gross revenues of the Providence water supply board for the fiscal year ending June 30, 2004, and for the next two (2) succeeding fiscal years. This transfer shall not be included as part of the Providence water supply board's rates approved by a final unappealable order of the public utilities commission for same three (3) fiscal years- ; and

(10) Notwithstanding any other provisions of law, any water supply system regulated by the Public Utilities Commission and owned by a municipality shall be given a reasonable rate of return on its annual gross revenues as part of its rates, to be computed at a rate of not less than eight percent (8%) per annum times the annual gross revenues of the water supply system. After the reasonable rate of return is included as part of the water supply system's rates by a final unappealable order of the Public Utilities Commission, any municipality that owns a water supply system regulated by the Public Utilities Commission shall be entitled to be paid by the water supply system, on an annual basis after the effective date of said rates, compensation equal to the aforesaid reasonable rate of return established by the Public Utilities Commission as part of its rates.

(c) Notwithstanding the provisions of sections 39-2-2 and 39-2-5, all rates and charges made by water suppliers which decline as quantity used increased are hereby declared to be no longer conducive to sound water supply system management designed to properly conserve, develop, utilize, and protect this finite natural resource. The public utilities commission may order rates for suppliers of water which either do not vary with quantities used or when there is evidence of increasing costs to either the utility or to society, rates which increase as the quantity used increases. If the commission finds that changing rates to comply with this section will cause a hardship to a class of customers, the commission may order that rates for that class of customers be changed to comply with this section over a period of time not to exceed five (5) years.

(d) Notwithstanding the provisions of sections 39-2-2 and 39-2-5, the public utilities commission may order a reduction in rates consistent with the amount by which a supplier exceeds the stated goals for non-account water. Non-account water shall be defined as the difference between the metered supply and the metered consumption for a specific period including an allowance for firefighting. No estimates for non-metered usage, except for the firefighting allowance, shall be included in the calculation of accounted for water.

SECTION 3. This act shall take effect upon passage.

EXPLANATION

BY THE LEGISLATIVE COUNCIL

**OF**  
**AN ACT**  
**RELATING TO PUBLIC UTILITIES -- WATER SUPPLY SYSTEMS**

\*\*\*

- 4-1        This act would allow the payment by water supply systems owned by municipalities at a  
4-2        reasonable rate of return to the municipality, which rate would be a percentage of the system's  
4-3        annual gross revenues. The rate would be set and approved by the Public Utilities Commission.  
4-4        This act would take effect upon passage.
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2007 -- H 6406

LC03087

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO PUBLIC UTILITIES

Introduced By: Representatives Ajello, Segal, Almeida, Fox, and Giannini

Date Introduced: May 17, 2007

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 39-3 of the General Laws entitled "Regulatory Powers of  
2 Administration" is hereby amended by adding thereto the following section:

3 **39-3-11.4. Reasonable return to be included in rates of water utilities owned by**  
4 **municipalities. -- Notwithstanding any other provisions of law, any water supply system**  
5 **regulated by the public utilities commission and owned by a municipality shall be given a**  
6 **reasonable rate of return on its annual gross revenues as part of its rates, to be computed at a rate**  
7 **of not less than eight percent (8%) per annum times the annual gross revenues of the water supply**  
8 **system. After the reasonable rate of return is included as part of the water supply system's rates**  
9 **by a final unappealable order of the public utilities commission, any municipality that owns a**  
10 **water supply system regulated by the public utilities commission shall be entitled to be paid by**  
11 **the water supply system, on an annual basis after the effective date of said rates, compensation**  
12 **equal to the aforesaid reasonable rate of return established by the public utilities commission as**  
13 **part of its rates.**

14 SECTION 2. Section 46-15.3-21 of the General Laws in Chapter 46-15.3 entitled "Public  
15 Drinking Water Supply System Protection" is hereby amended to read as follows:

16 **46-15.3-21. Fees, rates and charges. --** (a) The fees, rates, and charges for drinking  
17 water are a mandatory component of water supply system management.

18 (b) The following factors shall be considered in setting fees, rates, and charges:

19 (1) Recovery of all capital and operating costs, fixed and variable of production,

1 conservation, use, management, protection, obtaining, development, procuring, and/or  
2 transporting water, and its sale at wholesale or retail;

3 (2) Marginal cost pricing;

4 (3) Emergency and drought period surcharges;

5 (4) Seasonal price structures;

6 (5) Difference in costs based upon different points of delivery;

7 (6) The effect of fees, rates, and charges on use of water and, where applicable, on  
8 wastewater costs and charges;

9 (7) The effect of reducing non-account water to levels consistent with stated goals;

10 (8) Preparing, maintaining and implementing water supply system management  
11 programs; ~~and~~

12 (9) Notwithstanding any other provisions of law, the Providence water supply board  
13 shall transfer to the general fund of the city of Providence an amount equal to five percent (5%)  
14 per annum times the annual gross revenues of the Providence water supply board for the fiscal  
15 year ending June 30, 2004, and for the next two (2) succeeding fiscal years. This transfer shall not  
16 be included as part of the Providence water supply board's rates approved by a final unappealable  
17 order of the public utilities commission for same three (3) fiscal years; and

18 (10) Notwithstanding any other provisions of law, any water supply system regulated by  
19 the public utilities commission and owned by a municipality shall be given a reasonable rate of  
20 return on its annual gross revenues as part of its rates, to be computed at a rate of not less than  
21 eight percent (8%) per annum times the annual gross revenues of the water supply system. After  
22 the reasonable rate of return is included as part of the water supply system's rates by a final  
23 unappealable order of the public utilities commission, any municipality that owns a water supply  
24 system regulated by the public utilities commission shall be entitled to be paid by the water  
25 supply system, on an annual basis after the effective date of said rates, compensation equal to the  
26 aforesaid reasonable rate of return established by the public utilities commission as part of its  
27 rates.

28 (c) Notwithstanding the provisions of sections 39-2-2 and 39-2-5, all rates and charges  
29 made by water suppliers which decline as quantity used increased are hereby declared to be no  
30 longer conducive to sound water supply system management designed to properly conserve,  
31 develop, utilize, and protect this finite natural resource. The public utilities commission may  
32 order rates for suppliers of water which either do not vary with quantities used or when there is  
33 evidence of increasing costs to either the utility or to society, rates which increase as the quantity  
34 used increases. If the commission finds that changing rates to comply with this section will cause

1 a hardship to a class of customers, the commission may order that rates for that class of customers  
2 be changed to comply with this section over a period of time not to exceed five (5) years.

3 (d) Notwithstanding the provisions of sections 39-2-2 and 39-2-5, the public utilities  
4 commission may order a reduction in rates consistent with the amount by which a supplier  
5 exceeds the stated goals for non-account water. Non-account water shall be defined as the  
6 difference between the metered supply and the metered consumption for a specific period  
7 including an allowance for firefighting. No estimates for non-metered usage, except for the  
8 firefighting allowance, shall be included in the calculation of accounted for water.

9 SECTION 3. This act shall take effect upon passage.

LC03087

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PUBLIC UTILITIES

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- 1           This act would allow the payment by water supply systems owned by municipalities at a  
2 reasonable rate of return to the municipality, which rate would be a percentage of the system's  
3 annual gross revenues. The rate would be set and approved by the Public utilities commission.  
4           This act would take effect upon passage

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LC03087  
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2007 -- S 0996

LC03023

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO PUBLIC UTILITIES

Introduced By: Senators Perry, Ruggerio, Pichardo, and Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 39-3 of the General Laws entitled "Regulatory Powers of  
2 Administration" is hereby amended by adding thereto the following section:

3 39-3-11.4. Reasonable return to be included in rates of water utilities owned by  
4 municipalities. – Notwithstanding any other provisions of law, any water supply system  
5 regulated by the public utilities commission and owned by a municipality shall be given a  
6 reasonable rate of return on its annual gross revenues as part of its rates, to be computed at a rate  
7 of not less than eight percent (8%) per annum times the annual gross revenues of the water supply  
8 system. After the reasonable rate of return is included as part of the water supply system's rates  
9 by a final unappealable order of the public utilities commission, any municipality that owns a  
10 water supply system regulated by the public utilities commission shall be entitled to be paid by  
11 the water supply system, on an annual basis after the effective date of said rates, compensation  
12 equal to the aforesaid reasonable rate of return established by the public utilities commission as  
13 part of its rates.

14 SECTION 2. Section 46-15.3-21 of the General Laws in Chapter 46-15.3 entitled "Public  
15 Drinking Water Supply System Protection" is hereby amended to read as follows:

16 46-15.3-21. Fees, rates and charges. -- (a) The fees, rates, and charges for drinking  
17 water are a mandatory component of water supply system management.

18 (b) The following factors shall be considered in setting fees, rates, and charges:

19 (1) Recovery of all capital and operating costs, fixed and variable of production,

1 conservation, use, management, protection, obtaining, development, procuring, and/or  
2 transporting water, and its sale at wholesale or retail;

3 (2) Marginal cost pricing;

4 (3) Emergency and drought period surcharges;

5 (4) Seasonal price structures;

6 (5) Difference in costs based upon different points of delivery;

7 (6) The effect of fees, rates, and charges on use of water and, where applicable, on  
8 wastewater costs and charges;

9 (7) The effect of reducing non-account water to levels consistent with stated goals;

10 (8) Preparing, maintaining and implementing water supply system management  
11 programs; ~~and~~

12 (9) Notwithstanding any other provisions of law, the Providence water supply board  
13 shall transfer to the general fund of the city of Providence an amount equal to five percent (5%)  
14 per annum times the annual gross revenues of the Providence water supply board for the fiscal  
15 year ending June 30, 2004, and for the next two (2) succeeding fiscal years. This transfer shall not  
16 be included as part of the Providence water supply board's rates approved by a final unappealable  
17 order of the public utilities commission for same three (3) fiscal years; and

18 (10) Notwithstanding any other provisions of law, any water supply system regulated by  
19 the public utilities commission and owned by a municipality shall be given a reasonable rate of  
20 return on its annual gross revenues as part of its rates, to be computed at a rate of not less than  
21 eight percent (8%) per annum times the annual gross revenues of the water supply system. After  
22 the reasonable rate of return is included as part of the water supply system's rates by a final  
23 unappealable order of the public utilities commission, any municipality that owns a water supply  
24 system regulated by the public utilities commission shall be entitled to be paid by the water  
25 supply system, on an annual basis after the effective date of said rates, compensation equal to the  
26 aforesaid reasonable rate of return established by the public utilities commission as part of its  
27 rates.

28 (c) Notwithstanding the provisions of sections 39-2-2 and 39-2-5, all rates and charges  
29 made by water suppliers which decline as quantity used increased are hereby declared to be no  
30 longer conducive to sound water supply system management designed to properly conserve,  
31 develop, utilize, and protect this finite natural resource. The public utilities commission may  
32 order rates for suppliers of water which either do not vary with quantities used or when there is  
33 evidence of increasing costs to either the utility or to society, rates which increase as the quantity  
34 used increases. If the commission finds that changing rates to comply with this section will cause

1 a hardship to a class of customers, the commission may order that rates for that class of customers  
2 be changed to comply with this section over a period of time not to exceed five (5) years.

3 (d) Notwithstanding the provisions of sections ~~39-2-2~~ and ~~39-2-5~~, the public utilities  
4 commission may order a reduction in rates consistent with the amount by which a supplier  
5 exceeds the stated goals for non-account water. Non-account water shall be defined as the  
6 difference between the metered supply and the metered consumption for a specific period  
7 including an allowance for firefighting. No estimates for non-metered usage, except for the  
8 firefighting allowance, shall be included in the calculation of accounted for water.

9 SECTION 3. This act shall take effect upon passage.

LC03023

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PUBLIC UTILITIES

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- 1           This act would allow the payment by water supply systems owned by municipalities at a
- 2 reasonable rate of return to the municipality, which rate would be a percentage of the system's
- 3 annual gross revenues. The rate would be set and approved by the Public utilities commission.
- 4           This act would take effect upon passage

LC03023

2007 -- S 0997

LC03025

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- CERTIFICATES OF TITLE AND  
SECURITY INTERESTS

Introduced By: Senators Ruggerio, Pichardo, and Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-3.1-4 of the General Laws in Chapter 31-3.1 entitled  
2 "Certificates of Title and Security Interests" is hereby amended to read as follows:

3 **31-3.1-4. Application for first certificate of title.** -- (a) The application for the first  
4 certificate of title of a vehicle in this state shall be made by the owner to the division of motor  
5 vehicles on the form it prescribes and shall contain:

6 (1) The name, residence, and mailing address of the owner;

7 (2) A description of the vehicle including, so far as the following data exists: its make,  
8 model, identifying number, type of body, the number of cylinders, and whether new or used;

9 (3) The date of purchase by applicant, the name and address of the person from whom  
10 the vehicle was acquired, and the names and addresses of any lienholders in the order of their  
11 priority and the dates of their security agreements; and

12 (4) Any further information the division reasonably requires to identify the vehicle and  
13 to enable it to determine whether the owner is entitled to a certificate of title, and the existence or  
14 nonexistence of security interests in the vehicle.

15 (b) If the application refers to a vehicle purchased from a dealer, it shall contain the  
16 name and address of any lienholder holding a security interest created or reserved at the time of  
17 the sale and the date of this security agreement and be signed by the dealer as well as the owner,  
18 and the dealer or buyer shall promptly mail or deliver the application to the division. The buyer

1 shall also complete a security lien statement as provided in section 31-3.1-19.

2 (c) If the application refers to a vehicle last previously registered in another state or  
3 country, the application shall contain or be accompanied by:

4 (1) Any certificate of title issued by the other state or country;

5 (2) Any other information and documents the division reasonably requires to establish  
6 the ownership of the vehicle and the existence or nonexistence of security interest in it; and

7 (3) The certificate of a person authorized by law that the identifying number of the  
8 vehicle has been inspected and found to conform to the description given in the application, or  
9 any other proof of the identity of the vehicle the division reasonably requires.

10 (d) Chiefs of police, their designees, or, in an emergency, the administrator of the  
11 division of motor vehicles or his or her designee shall conduct the inspection of the vehicle  
12 identifying number, and certify, on forms provided by the division, that it has been found to  
13 conform to the description given in the application or any other form of the identity of the vehicle  
14 the division reasonably requires. An inspection and certification fee of ten dollars (\$10.00) shall  
15 be assessed against the applicant by the city or town whose police conduct the inspection. This  
16 provision eliminates the responsibility for the inspection to be performed by division personnel.

17 (1) Upon inspection of the vehicle identifying number as provided for in this section,  
18 each vehicle identification number shall be submitted for a National Crime Information Center  
19 (NCIC) check, and the results, sometimes called the "NCIC check number", shall be attached to  
20 the TR-5 form provided by the division or to any other form consistent with this provision that  
21 the division might reasonably require.

22 (e) No person, partnership, or corporation shall charge a fee in excess of ~~ten dollars~~  
23 ~~(\$10.00)~~ twenty five dollars (\$25.00) for obtaining a certificate of title for a motor vehicle.

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

LC03025

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO MOTOR AND OTHER VEHICLES -- CERTIFICATES OF TITLE AND  
SECURITY INTERESTS

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- 1           This act would raise the amount that can be charged for a certificate of title for a motor
- 2 vehicle.
- 3           This act would take effect upon passage.

LC03025