

STATE OF RHODE ISLAND  
IN GENERAL ASSEMBLY  
JANUARY SESSION, A.D. 1986

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AN ACT

RELATING TO THE PRESERVATION OF FARM  
LAND AND OPEN SPACE IN THE TOWN OF NEW  
SHOREHAM AND ESTABLISHING A LAND TRUST

(As Amended in 1987 and 2002)

Introduced By: Senators Gecarelli, Forte, Goldberg, Farnum, Hanson et al

Date Introduced: January 15, 1986

Referred To: Senate Corporations

It is enacted by the General Assembly as follows:

1           SECTION 1. There is hereby established the Block Island land  
2 trust (hereinafter called the trust), a body politic and corporate and  
3 a public instrumentality. The trust shall have the authority to acquire,  
4 hold and manage real property and interests therein situated  
5 in the town of New Shoreham consisting of open, agricultural, or  
6 littoral property, including existing and future wellfields and  
7 aquifer recharge areas, fresh and saltwater marshes and adjoining  
8 uplands, barrier beaches, wildlife habitats, land providing access to  
9 or views of the ocean, harbors, and ponds, land for bicycling and  
10 hiking paths and for future public recreational use, and land for  
11 agricultural use. With the exception of property acquired for public  
12 recreational purposes, the trust shall hold all property solely as  
13 open space or for agricultural uses or for water purposes as the  
14 trustees may determine.

1           SECTION 2. The trust shall be administered by five (5) trustees  
2 elected for staggered four (4) year terms, provided that the town  
3 council of the town of New Shoreham (hereinafter called the town  
4 council) shall appoint the initial five (5) persons to serve until the  
5 first regular town election following the acceptance of this act. At  
6 such first regular election there shall be elected two (2) trustees to  
7 serve for a term of two (2) years and three (3) trustees to serve for  
8 a term of four (4) years. Biennially thereafter at the regular town  
9 election, trustees shall be elected each for a term of four (4) years  
10 to succeed each trustee whose term has expired. Any vacancy occurring  
11 during a term shall be filled by appointment by the town council until  
12 the next regular town election, when such vacancy shall be filled for  
13 the unexpired term thereof. Trustees shall be electors of the town of  
14 New Shoreham, shall serve without compensation, and shall hold office  
15 until their successors have been named.

16           SECTION 3. The Trustees of the trust shall elect a chairperson,  
17 vice-chairperson, and treasurer from among its members. The trustees  
18 shall elect or appoint a secretary who need not be a voting member of  
19 the trust. The term of office of the chairperson, vice-chairperson,  
20 treasurer, and secretary, unless otherwise prescribed by the town  
21 council, shall be for one (1) year.

22           SECTION 4. The trustees may adopt reasonable rules and  
23 regulations governing the conduct of trust affairs, including the  
24 acquisition and management of its holdings, not inconsistent with the  
25 provisions of this act. All rules and regulations of the trust are subject  
26 to the approval of the town council. Decisions of the trustees shall  
27 be by majority vote of those present and voting, and no business shall  
28 be transacted without three (3) members present. The trustees shall  
29 keep accurate records of their meetings and actions and shall file an  
30 annual report which shall be printed in the annual town report. All  
31 meetings of the trust shall be open to the public in accordance with  
32 chapter 46 of title 42 of the general laws.

1           SECTION 5. The trust shall have the power to: a. Purchase,  
2 receive by gift, or otherwise acquire fee simple or lesser interests  
3 in real property, including development rights as defined in section  
4 42-82-2 of the general laws, or any interest in real property consistent  
5 with purposes of this act;

6           b. Accept gifts, grants or loans of funds or services from any  
7 source, public or private, and comply, subject to the provisions of  
8 this act, with any terms and conditions thereof;

9           c. Accept from state and/or federal agencies, loans or grants for  
10 use in carrying out the trust's purposes and enter into agreements  
11 with such agencies respecting any such loans or grants;

12           d. Employ counsel, auditors, engineers, appraisers, private  
13 consultants, advisors, secretaries or other personnel needed to perform  
14 its duties;

15           e. Administer and manage land and interests in land held by it in  
16 a manner which allows public use and enjoyment consistent with the  
17 natural and scenic resources thereof, including conveyance of any such  
18 land or interests in land to, and contracts with, nonprofit organizations,  
19 provided such land shall continue to be used in a manner consistent  
20 with the purposes of this act and with the terms of any grant  
21 or devise by which such land was acquired by the trust;

22           f. Incur debt, only after authorization in each instance by vote  
23 of a financial town meeting of the town of New Shoreham in accordance  
24 with section 12 of this act. The trust shall be obligated to pay debt  
25 service on all such debt to the extent funds are available and to  
26 reimburse the town for any town funds expended to pay such debt service.  
27 Whenever the town of New Shoreham shall have been required to  
28 pay over any sums of money to the trust, the trust shall be precluded  
29 from acquiring any additional property until the trust shall have  
30 repaid the town of New Shoreham in full for all sums paid to the trust  
31 hereunder and to reimburse the town for any town funds expended to pay  
32 such debt service.

1           g. Dispose of all or any portion of its real property or interests  
 2 therein held by it, whenever in the opinion of the trustees said  
 3 lands or properties have become unsuitable or have ceased to be used  
 4 for the purposes set forth in this act. Such disposition shall be  
 5 made only by a vote of the trustees in which at least four (4) members  
 6 vote in favor of such a disposition and further only after having been  
 7 approved by a two thirds (2/3) vote of an annual or special financial  
 8 town meeting of the town of New Shoreham. Nothing in this subsection  
 9 shall be construed to authorize the sale, lease or conveyance of lands  
 10 or improvements held by the trust as part of a charitable trust or acquired  
 11 by gift or devise for the public use, whether or not such gift or devise  
 12 is subject to a condition subsequent or reverter.

13           h. Otherwise do all things necessary for the performance of its  
 14 duties, the fulfillment of its obligation and the conduct of its business.

15           SECTION 6. The electors of the town of New Shoreham are hereby  
 16 authorized to levy a fee not to exceed five percent (5%) of the amount  
 17 of the purchase price upon real property transfers within said town in  
 18 accordance with Section 7 of this act. The amount of said fee shall  
 19 be adopted at an annual or special financial town meeting and shall  
 20 become effective on the first day of the next month which occurs at  
 21 least thirty (30) days after the vote adopting the fee. The fee, once  
 22 adopted, shall remain in effect unless the electors at an annual or  
 23 special financial town meeting amend the rate of or repeal said fee.  
 24 Said fee shall not be changed or repealed without notice of the proposed  
 25 change or repeal having been placed on the warrant for a financial  
 26 town meeting.

1-2           For the purposes of this chapter "purchase price" shall mean all  
 1-3 consideration paid or transferred by or on behalf of a buyer to a  
 1-4 seller or his nominee or for his benefit for the transfer of any real  
 1-5 property interests, and shall include, but not be limited to, all cash  
 1-6 or its equivalent so paid or transferred; all cash or other property  
 1-7 paid or transferred by or on behalf of the buyer to discharge or  
 1-8 reduce any obligation of the seller; the principal amount of all notes  
 1-9 or their equivalent, or other deferred payments, given or promised to  
 1-10 be given by or on behalf of the buyer to the seller or his nominee;  
 1-11 the outstanding balance of all obligations of the seller which are  
 1-12 assumed by the buyer or to which the real property interests transferred  
 1-13 remain subject after the transfer, determined at the time of

1-14 transfer, but excluding real estate taxes and other municipal liens or  
1-15 assessments which are not overdue at the time of transfer; and the  
1-16 fair market value, at the time of transfer, of any other consideration  
1-17 or thing of value paid or transferred by or on behalf of the purchaser,  
1-18 including, but not limited to, any property, goods or services  
1-19 paid, transferred or rendered in exchange for such real property  
1-20 interests.

21       SECTION 7. Whenever there is a transfer of real property situated  
22 in the town of New Shoreham on which there is imposed a tax under  
23 section 44-25-1 of the general laws, there is hereby imposed, in  
24 addition to said tax, a fee not to exceed the amount of five percent (5%)  
25 of the amount of the purchase price as adopted pursuant to section 6.  
26 The payment of the fee hereby imposed shall be made to the trust and  
27 shall be evidenced by a certificate, provided by the trust or its designee,  
28 indicating the fee has been paid or that the transfer is exempt  
29 from the fee, and stating the basis for the exemption. Said certificate  
30 shall be entered upon the land records at the same time of the  
31 recording of the land transfer to which it refers. The town clerk  
32 shall not record or register, or receive or accept for recording or  
33 registration, any deed, except a mortgage deed, to which has not been  
34 affixed such certificate, executed by the trust or its designee.  
35 Failure to comply with this requirement shall not affect the validity  
36 of any instrument. Said fee shall be the obligation of the buyer of  
37 real property. Any agreement between the buyer and the seller or any  
38 other person with reference to the allocation of the responsibility  
39 for bearing such fee shall not affect such liability of the buyer.

1-1       Notwithstanding the foregoing, whenever there is a conveyance of  
1-2 real property interests and a conveyance of personalty related thereto  
1-3 at or about the same time, the allocations of payments between real  
1-4 estate and personalty agreed to by the buyer and seller shall not  
1-5 determine the amount of the fee due pursuant to this section; instead,  
1-6 the trust may require payment of the fee referred to in this section  
1-7 based upon the then fair market value of the real property interests  
1-8 so conveyed as determined by the trust.

1-9       The fee authorized by this section and by section 6 shall also be  
1-10 imposed on the fair market value of real property interests held in  
1-11 the name of or otherwise owned by: (1) a corporation, when there is a

1-12 transfer by the controlling stockholders of their interest in the  
1-13 stock of the corporation; and (2) a partnership, when there is a  
1-14 change in composition of such partnership, either in one transaction  
1-15 or in a series of related transactions, which change in composition  
1-16 results in a transfer of capital interest in excess of fifty percent  
1-17 (50%) of the total capital interest within such partnership or results  
1-18 in a transfer of the ownership rights to profit interests in excess of  
1-19 fifty percent (50%) of the total profit interests within such  
1-20 partnership.

21       SECTION 8. At any time within seven (7) days following the  
22 issuance of the certificate of payment of the fee imposed by section 7,  
23 the buyer or his legal representative may return said certificate to  
24 the trust or its designee for cancellation, together with an affidavit  
25 signed under oath or under the pains and penalties of perjury that  
26 the transfer, with respect to which such certificate was issued, has  
27 not been consummated, and thereupon the fee paid with respect to such  
28 transfer shall be forthwith returned to the buyer or his legal  
29 representative.

30       SECTION 9. The following transfers of real property interests,  
31 in addition to those exempt under section 44-25-2 of the general laws,  
32 shall be exempt from the fee established by section 7. Except as  
33 otherwise provided, the buyer shall have the burden of proof that any  
34 transfer is exempt hereunder.

2-1       (1) The first two hundred thousand dollars (\$200,000) of the  
2-2 purchase price and fifty percent (50%) of the next four hundred  
2-3 thousand dollars (\$400,000) of the purchase price of the transfer  
2-4 made to a buyer who, and whose spouse at the time of transfer,  
2-5 has at no time prior to said transfer owned or possessed any real  
2-6 property interest either within or without the town of New Shoreham;  
2-7 provided that the buyer makes the real property interest which  
2-8 is the subject of the transfer the buyer's actual residence and  
2-9 domicile within three (3) years of the time of transfer, and provided  
2-10 further, that in the event of subsequent transfer within five (5) years  
2-11 of the date the buyer made the real property his/her actual residence  
2-12 and domicile as evidenced by the filing by the buyer with the land trust  
2-13 of a certificate of use and occupancy for the residence on the real  
2-14 property and an affidavit that it is his/her actual residence and  
2-15 domicile, other than the transfer of a mortgage to an institutional  
2-16 lender, the fee exempted shall become due, together with accumulated

2-17 interest and penalties, and in addition to any fee otherwise due as a  
2-18 result of the subsequent transfer. The buyer shall certify and covenant  
2-19 as to the foregoing, and the trust shall attach to the deed a certificate  
2-20 which shall recite the fact that there is running with the land a lien  
2-21 equal to the amount of the fee exempted plus accumulated interest and  
2-22 penalties until such time as all conditions of this section have been  
2-23 met.

2-24 This exemption shall remain in effect unless the electors at an annual  
2-25 or special town meeting amend the rate to increase said exemption.  
2-26 Said exemption shall not be increased without notice of the proposed  
2-27 change or repeal having been placed in the warrant for a financial  
2-28 town meeting.

1-1 (2) Transfers made to a corporation or a partnership at the time  
1-2 of its formation, pursuant to which transfer no gain or loss is  
1-3 recognized under the provisions of section three hundred and fifty-one  
1-4 of the Internal Revenue Code of 1986, as amended, provided, however,  
1-5 that such transfer shall be exempt only in the event that (1) with  
1-6 respect to a corporation, the transferor retains a controlling interest in  
1-7 such corporation after such formation and/or (2) with respect to a  
1-8 partnership, the transferor retains after such formation rights to  
1-9 capital interest in excess of fifty percent (50%) of the capital interest  
1-10 within such partnership or retains rights to profit interest within such  
1-11 partnership in excess of fifty percent (50%) of the total profit interest  
1-12 within such partnership.

1-13 (3) Transfers made to a stockholder of a corporation in liquidation  
1-14 of a corporation, and transfers made to a partner of a partnership  
1-15 in dissolution of a partnership; provided, however, such transfers  
1-16 shall be exempt only in the event that (1) with respect to a corporation,  
1-17 the transferee had, prior to the transfer, a controlling interest in such  
1-18 corporation and/or (2) with respect to a partnership, the transferee  
1-19 had, prior to the transfer, rights to capital interest in excess of fifty  
1-20 percent (50%) of the total capital interest within such partnership or  
1-21 had rights to profit interest within such partnership in excess of fifty  
1-22 percent (50%) of the total profit interest within such partnership.

2-1 (4) Transfer to a buyer pursuant to a program of affordable housing  
2-2 sponsored or endorsed by the town of New Shoreham; provided,  
2-3 however, that in the event a program of affordable housing sponsored

2-4 or endorsed by the town of New Shoreham includes both market priced  
 2-5 housing and affordable housing, only a buyer of affordable housing  
 2-6 units shall be entitled to the exception. This exception shall apply  
 2-7 only to a buyer who, and whose spouse at the time of the transfer, has  
 2-8 at no time prior to said transfer owned or possessed any real property  
 2-9 interest either within or without the town of New Shoreham; provided  
 2-10 that the buyer makes the real property interest which is the subject of  
 2-11 the transfer the buyer's actual residence and domicile within three (3)  
 2-12 years of the time of transfer, and provided further, that in the event of  
 2-13 subsequent transfer within five (5) years of the transfer exempted from  
 2-14 the fee under this section, other than the transfer of a mortgage to an  
 2-15 institutional lender, the fee exempted shall become due, together with  
 2-16 accumulated interest and penalties, and in addition to any fee otherwise  
 2-17 due as a result of the subsequent transfer. The buyer shall certify and  
 2-18 covenant as to the foregoing, and the trust shall attach to the deed a  
 2-19 certificate, which shall recite the fact that there is running with the  
 2-20 land a lien equal to the amount of the fee exempted plus accumulated  
 2-21 interest and penalties until such time as all conditions of this section  
 2-22 have been met.

2 SECTION 10. A buyer who fails to pay all or any portion of the  
 3 fee established by section 7 on or before the time when the same is  
 4 due shall be liable for the following additional payments in addition  
 5 to said fee:

6 a. Interest: The buyer shall pay interest on the unpaid amount of  
 7 the fee to be calculated from the time of transfer at a rate equal to  
 8 twelve percent (12%) per annum.

9 b. Penalties: Any person who, without fraud or willful intent to  
 10 defeat or evade a fee imposed by the act, fails to pay all or a portion  
 11 of the fee within thirty (30) days after the time of transfer,  
 12 shall pay a penalty equal to five percent (5%) of the outstanding fee  
 13 as determined by the trust for each month or portion thereof thereafter  
 14 that the fee is not paid in full; provided, however, that in no  
 15 event shall the amount of any penalty imposed hereunder exceed twenty-  
 16 five percent (25%) of the unpaid fee due at the time of transfer.  
 17 Whenever the trust determines that all or a portion of a fee due under  
 18 this act was unpaid due to fraud with intent to defeat or evade the  
 19 fee imposed by this act, a penalty equal to the amount of said fee as  
 20 determined by the trust shall be paid by the buyer in addition to said fee.

1           SECTION 11. All funds collected by virtue of said fee shall be  
2 deposited in a fund to be set up as a revolving or sinking account by  
3 the treasurer of the town of New Shoreham. Additional monies or other  
4 liquid assets received as voluntary contributions, grants or loans,  
5 funds appropriated to the trust by vote of a financial town meeting of  
6 the town of New Shoreham, or proceeds from disposal of real property  
7 or interests shall be deposited into said account. All expenses lawfully  
8 incurred by the trust in carrying out the provisions of this act  
9 shall be evidenced by proper vouchers and shall be paid by the treasurer  
10 of the town of New Shoreham only upon submission of warrants duly  
11 approved by the trust. The treasurer of the town of New Shoreham shall  
12 prudently invest available assets of the funds, and all income thereon  
13 shall accrue to the fund. Upon termination or dissolution of the  
14 trust, the title of all funds and other properties owned by the trust  
15 which remain after payment or making provision for payment of all  
16 bonds, notes and other obligations of the trust shall rest in the town  
17 of New Shoreham.

18           SECTION 12. (a) The town of New Shoreham is hereby empowered, in  
19 addition to authority previously granted, to issue bonds from time to  
20 time, upon the written request of the trust, under its corporate name  
21 and seal for the purpose of financing the activities of the trust  
22 under this act. The bonds of each issue may be issued in the form of  
23 serial bonds or term bonds or a combination thereof and shall be payable  
24 either by maturity of principal in the case of serial bonds or by  
25 mandatory serial redemption in the case of term bonds, in annual  
26 installments of principal, the first installment to be not later than  
27 five (5) years and the last installment no later than thirty (30)  
28 years after the date of the bonds. For each issue the amounts payable  
29 annually for principal and interest combined either (a) shall be as  
30 nearly equal from year to year as is practicable in the opinion of the  
31 officers authorized to issue the bonds, or (b) shall be arranged in  
32 accordance with a schedule providing for a more rapid amortization of  
33 principal, or (c) shall be arranged in annual installments of principal  
34 each of which does not exceed any prior installment by more than  
35 sixteen percent (16%) of the total principal amount of the issue.

36           (b) The bonds shall be signed by the town treasurer and by the  
37 president of the town council and shall be issued and sold in such  
38 amounts as the town council may authorize. The manner of sale,  
39 denominations, maturities, interest rates and other terms, conditions

1 and details of any bonds or notes issued under this act may be fixed by  
2 the proceedings of the town council authorizing the issue or by separate  
3 resolution of the town council or, to the extent provisions for  
4 these matters are not so made, they may be fixed by the officers  
5 authorized to sign the bonds or notes. The proceeds derived from the  
6 sale of the bonds shall be delivered to the treasurer to be deposited  
7 in the fund established by section 11 of this act, and such proceeds  
8 exclusive of premiums and accrued interest shall be expended (i) for  
9 the purchase of real property or interests therein by the trust or  
10 (ii) in payment of the principal of or interest on temporary notes  
11 issued under subsection (c) or (iii) in repayment of advances under  
12 subsection (d). No purchaser of any bonds or notes under this act  
13 shall be in any way responsible for the proper application of the  
14 proceeds derived from the sale thereof. The proceeds of bonds or notes  
15 issued under this act, any applicable federal or state assistance and  
16 the other moneys referred to in subsection (e) shall be deemed  
17 appropriated for the purposes of this act without further action than that  
18 required by this act.

19 (c) The town council may by resolution authorize the issue from  
20 time to time of interest bearing or discounted notes in anticipation  
21 of the issue of bonds or in anticipation of the receipt of federal or  
22 state aid for the purposes of this act. The amount of original notes  
23 issued in anticipation of bonds may not exceed the amount of bonds  
24 which may be issued under this act and the amount of original notes  
25 issued in anticipation of federal or state aid may not exceed the  
26 amount of available federal or state aid as estimated by the treasurer.  
27 Temporary notes issued hereunder shall be signed by the treasurer  
28 and by the president of the town council and shall be payable within  
29 five (5) years from their respective dates, but the principal of and  
30 interest on notes issued for a shorter period may be renewed or paid  
31 from time to time by the issue of other notes hereunder, provided the  
32 period from the date of an original note to the maturity of any note  
33 issued to renew or pay the same debt or the interest thereon shall not  
34 exceed five (5) years.

35 (d) Pending any authorization or issue of bonds hereunder or  
36 pending or in lieu of any authorization or issue of notes hereunder,  
37 the treasurer, with the approval of the town council, may, to the  
38 extent that bonds or notes may be issued hereunder, apply funds in the  
39 treasury of the town to the purposes specified in subsection (b), such

1 advances to be repaid without interest from the proceeds of bonds or  
2 notes subsequently issued or from the proceeds of applicable federal  
3 or state assistance or from other available funds.

4 (e) Any accrued interest received upon the sale of bonds or notes  
5 hereunder shall be applied to the payment of the first interest due  
6 thereon. Any premiums arising from the sale of bonds or notes  
7 hereunder shall, in the discretion of the treasurer, be applied to the  
8 cost of preparing, issuing and marketing bonds or notes hereunder to  
9 the extent not otherwise provided, to the payment of the cost of the  
10 acquisition of real property, to the payment of the principal of or  
11 interest on bonds or notes issued hereunder or to any one or more of  
12 the foregoing. The cost of preparing, issuing and marketing bonds or  
13 notes hereunder may also, in the discretion of the treasurer, be met  
14 from bond or note proceeds exclusive of premium and accrued interest  
15 or from other moneys available therefor.

16 (f) All bonds and notes issued under this act and the debts evidenced  
17 to the same extent as other debts lawfully contracted by it and shall  
18 be excepted from the operation of section 45-12-2 of the general laws.  
19 No such obligation shall at any time be included in the debt of the  
20 town for the purpose of ascertaining its borrowing capacity. The town  
21 shall annually appropriate a sum sufficient to pay the principal and  
22 interest coming due within the year on bonds and notes issued hereunder  
23 to the extent that moneys therefor are not otherwise provided by  
24 the trust. If such sum is not appropriated, it shall nevertheless be  
25 added to the annual tax levy. In order to provide such sum in each  
26 year and notwithstanding any provision of law to the contrary, all  
27 taxable property in the town shall be subject to ad valorem taxation  
28 by the town without limitation as to rate or amount.

29 (g) Any bonds or notes issued under the provisions of this act,  
30 if properly executed by officers of the town in office on the date of  
31 execution, shall be valid and binding according to their terms  
32 notwithstanding that before the delivery thereof and payment therefor  
33 any or all of such officers shall for any reason have ceased to hold  
34 office.

1           (h) The town, acting by resolution of the town council is authorized  
2 to apply for, contract for and expend any federal or state  
3 advanced or other grants or assistance which may be available for the  
4 purposes of this act, and any such expenditures may be in addition to  
5 other moneys provided in this act. To the extent of any inconsistency  
6 between any law of this state and any applicable federal law or  
7 regulation, the latter shall prevail. Federal and state advances, with  
8 interest where applicable, whether contracted for prior to or after  
9 the effective date of this act, may be repaid as project costs under  
10 subsection (b).

11           (i) Bonds and notes may be issued under this act without obtaining  
12 the approval of any governmental agency or the taking of any  
13 proceedings or the happening of any conditions except as specifically  
14 required by this act for such issue. In carrying out any project  
15 financed in whole or in part under this act, and in the levy and  
16 collection of fees or other charges permitted by law on account of any  
17 such project, all action shall be taken which is necessary to meet  
18 constitutional requirements whether or not such action is otherwise  
19 required by statute; but the validity of bonds and notes issued hereunder  
20 shall in no way depend upon the validity or occurrence of such  
21 action.

22           (j) Notwithstanding the foregoing provisions of this section, no  
23 bonds shall be issued in excess of amounts approved from time to time  
24 by vote of a majority of the electors present and voting on the question  
25 at an annual or special financial town meeting. A vote not to  
26 approve an amount of bonds hereunder shall not preclude any later vote  
27 to approve the same or a different amount.

28           SECTION 13. The trust and all its revenues, income, and real and  
29 personal property used by the trust for furtherance of its public purposes,  
30 shall be exempt from taxation and from betterments and special  
31 assessments, and the trust shall not be required to pay any tax,  
32 excise or assessment to the state or any of its political  
33 subdivisions.

34           SECTION 14. Nothing in this act shall affect the eligibility of  
35 the town to receive funds under the green acres land acquisition program  
36 created under chapter 4 of title 32 of the general laws or under  
37 any other state program.

1           SECTION 15. The provisions of this act are severable, and if any  
2 provision hereof shall be held invalid in any circumstances such  
3 invalidity shall not affect any other provisions or circumstances. This  
4 act shall be construed in all respects so as to meet all constitutional  
5 requirements. In carrying out the purposes and provisions of this  
6 act, all steps shall be taken which are necessary to meet constitutional  
7 requirements whether or not such steps are required by statute.

8           SECTION 16. This section shall take effect upon the passage of  
9 this act. The remainder of this act shall take effect upon its  
10 approval by a majority of those voting to approve the act at an annual  
11 or special financial town meeting of the town of New Shoreham.

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ES530

Amendment 1

1987 – S1275

Introduced By: Senators Gencarelli and Stewart  
Date Introduced: May 13, 1987  
Referred To: Senate Corporations

DL333

Amendment 2

2002 – S2843

Introduced By: Senator V. Susan Sosnowski  
Date Introduced: March 05, 2002  
Referred To: Senate Corporations

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