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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF LABOR
AND TRAINING

Introduced By: Representatives Ucci, Walsh, Fellela, Carnevale, and O'Neill

Date Introduced: February 15, 2012

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-16.1-2 of the General Laws in Chapter 42-16.1 entitled
2 "Department of Labor and Training" is hereby amended to read as follows:

3 **42-16.1-2. Functions of director.** -- The director of labor and training shall:

4 (1) Have all the powers and duties formerly vested by law in the director of labor with
5 regard to factory inspectors and steam boiler inspectors, and such other duties as may be by law
6 conferred upon the department;

7 (2) Administer the labor laws of this state concerning women and children and be
8 responsible for satisfactory working conditions of women and children employed in industry in
9 this state by a division in the department which shall be known as the division of labor standards;

10 (3) Administer the act relating to state wage payment and wage collection;

11 (4) Have all of the powers and duties formerly vested in the director of the department of
12 labor and administer those responsibilities set forth in chapters 29 -- 38, inclusive, of title 28;

13 (5) Have all the powers and duties formerly vested by law in the director of employment
14 and training and administer those responsibilities set forth in chapters 39 -- 44, inclusive, of title
15 28 and chapter 102 of title 42.

16 (6) Provide to other requesting state departments or agencies any labor-related
17 information, records or documents, concerning employee misclassification, they deem necessary
18 in order to investigate suspected violations and/or enforce compliance with applicable law subject

1 to their jurisdiction, even if deemed confidential under applicable law, provided that
2 confidentiality of such materials shall be maintained by all state department to which the
3 materials are released and no such information shall be publicly disclosed, except to the extent
4 necessary to adjudicate a violation of applicable law.

5 SECTION 2. Section 44-1-2 of the General Laws in Chapter 44-1 entitled "State Tax
6 Officials" is hereby amended to read as follows:

7 **44-1-2. Powers and duties of tax administrator. --** The tax administrator is required:

8 (1) To assess and collect all taxes previously assessed by the division of state taxation in
9 the department of revenue and regulation, including the franchise tax on domestic corporations,
10 corporate excess tax, tax upon gross earnings of public service corporations, tax upon interest
11 bearing deposits in national banks, the inheritance tax, tax on gasoline and motor fuels, and tax on
12 the manufacture of alcoholic beverages;

13 (2) To assess and collect the taxes upon banks and insurance companies previously
14 administered by the division of banking and insurance in the department of revenue and
15 regulation, including the tax on foreign and domestic insurance companies, tax on foreign
16 building and loan associations, deposit tax on savings banks, and deposit tax on trust companies;

17 (3) To assess and collect the tax on pari-mutuel or auction mutuel betting, previously
18 administered by the division of horse racing in the department of revenue and regulation.

19 (4) [Deleted by P.L. 2006, ch. 246, art. 38, section 10_.

20 (5) To assess and collect the monthly surcharges that are collected by telecommunication
21 services providers pursuant to section 39-21.1-14 and are remitted to the division of taxation.

22 (6) To audit, assess and collect all unclaimed intangible and tangible property pursuant
23 to chapter 21.1 of title 33.

24 (7) To provide to other requesting state departments or agencies any tax information,
25 records or documents they deem necessary in order to investigate suspected misclassification
26 violations and/or enforce compliance with applicable law subject to their jurisdiction, even if
27 deemed confidential under applicable law; provided, that confidentiality of such materials shall
28 be maintained by all state department to which the materials are released and no such information
29 shall be publicly disclosed, except to the extent necessary to adjudicate a violation of applicable
30 law.

31 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 STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF LABOR
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- 1 This act would require the disclosure by state agencies of certain labor-related
- 2 information necessary to investigate certain violations pursuant to this chapter.
- 3 This act would take effect upon passage.

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