

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 394

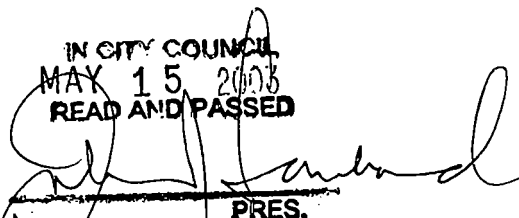
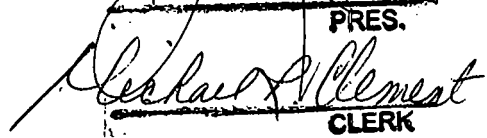
Approved May 27, 2003

RESOLVED, That the Members of the Providence City Council

hereby Endorse and Urge Passage by the General Assembly of 2003-H 5646 –

Relative to An Act Relating to Public Officers and Employees – Election Workers,

in substantially the form attached.

IN CITY COUNCIL
MAY 15 2003
READ AND PASSED

PRES.

CLERK

APPROVED

MAYOR 5/27/03

IN CITY COUNCIL
MAR 20 2003

FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION

Michael X. West
CLERK

Specimen
THE COMMITTEE ON

State Legislation

Recommends - Be Continued

Ann M. Stiles

4-7-03

CLERK

THE COMMITTEE ON

State Legislation

Recommends Be Approved

Charles B. Hester

4/30/03

CLERK

Council President Lombardi (By Request)

LC02212

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2003

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES- ELECTION WORKERS

Introduced By: Representative Gordon D. Fox

Date Introduced: February 11, 2003

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-7-2 of the General Laws in Chapter 36-7 entitled "Federal Old-
2 Age and Survivors' Insurance" is hereby amended to read as follows:

3 36-7-2. Definitions. -- For the purposes of sections 36-7-1 -- 36-7-31 and 36-7-35, the
4 following terms shall have the meanings indicated unless different meanings are clearly expressed
5 or required by the context:

6 (1) "Agency of the state" shall mean:

7 (i) All departments, divisions, agencies, and instrumentalities of the state which are not
8 juristic entities, legally separate and distinct from the state;

9 (ii) Civilian employees of the Rhode Island national guard; or

10 (iii) Any instrumentality of the state such as fire districts, water districts, water
11 authorities, sewer commissions and authorities, housing authorities, or other instrumentality of
12 the state which are a juristic entity and legally separate and distinct from the state and if the
13 employees of the instrumentality are not by virtue of their relation to juristic entity employees of
14 the state. Without limiting the generality of the foregoing, examples of those agencies would be
15 the Kent County water authority, the Providence housing authority, the Blackstone Valley sewer
16 district commission, and other like instrumentalities of the state.

17 (2) "City or town" shall mean:

18 (i) Any city or town of the state of Rhode Island, inclusive of any department, division,
19 agency, board, commission, or bureau thereof;

1 (ii) Any instrumentality of a city or town which is a juristic entity and legally separate
2 and distinct from the city or town and if its employees are not by virtue of their relation to the
3 juristic entity employees of the city or town; or

4 (iii) Any instrumentality of two or more citizens and/or towns which is a juristic entity as
5 provided in subdivision (ii) hereof.

6 (3) "Coverage group" shall mean:

7 (i) All employees of the state other than those engaged in performing service in
8 connection with a proprietary function;

9 (ii) All employees of a city or town other than those engaged in performing service in
10 connection with a single proprietary function;

11 (iii) All employees of the state engaged in performing service in connection with a single
12 proprietary function;

13 (iv) All employees of an agency of the state;

14 (v) All employees of a city or town of the state engaged in performing service in
15 connection with a single proprietary function. If under the preceding sentence an employee would
16 be included in more than one coverage group by reason of the fact that he or she performs service
17 in connection with two (2) or more proprietary functions or in connection with both a proprietary
18 function and a nonproprietary function, he or she shall be included in only one coverage group.
19 The determination of the coverage group in which the employee shall be included shall be made
20 in such manner as may be specified in the agreement. Members of retirement systems shall
21 constitute separate coverage groups as provided in section 36-7-10.

22 (4) "Employee" shall mean any officer or employee of any city, town, or agency of the
23 state receiving salaries or wages for employment.

24 (5) "Employment" shall mean any service performed by an employee for wages as a
25 member of a coverage group as herein defined, including service of an emergency nature, service
26 in any class or classes of elective positions and service in part-time positions, but excluding the
27 following:

28 (i) Service in a position the compensation for which is on a fee basis;

29 (ii) Service performed by election officials or election workers for ~~each calendar quarter~~
30 year 2003 in which the remuneration paid for that service is less than ~~fifty dollars (\$50.00)~~ one
31 thousand two hundred fifty dollars (\$1,250), and for each calendar year after 2003 in which the
32 remuneration paid is less than the adjusted amount in accordance with section 218(c)(8)(B) of the
33 Social Security Act;

34 (iii) Service which under the federal Social Security Act may not be included in an

1 agreement between the state and the secretary entered into under this chapter;

2 (iv) (A) Service which, in the absence of an agreement entered into under sections 36-7-
3 1 -- 36-7-31, would constitute "employment" as defined in the federal Social Security Act.
4 Service which under the federal Social Security Act may be included in an agreement only upon
5 certification by the governor in accordance with section 218(d)(3) of the federal Social Security
6 Act, 42 U.S.C. section 418(d)(3), shall be included in the term "employment" if and when the
7 governor issues, with respect to that service, a certificate to the secretary, pursuant to section 36-
8 7-19.

9 (B) Notwithstanding any of the foregoing, if pursuant to section 141 of P.L. 92-603, 42
10 U.S.C. section 418, the state agreement with the federal government referred to in section 36-7-3
11 is modified appropriately at any time prior to January 1, 1974, the term "employment" with
12 respect to any coverage group specified in the modification shall, effective after the effective date
13 specified in the modification, include services in designated part-time positions but not services
14 performed in the employ of a school, college, or university by a student who is enrolled and
15 regularly attending classes at that school, college, or university.

16 (6) "Federal Insurance Contributions Act" shall mean subchapter A of chapter 9 of the
17 federal Internal Revenue Code of 1939, subchapters A and B of chapter 21 of the federal Internal
18 Revenue Code of 1954, and subchapters A and B of chapter 21 of the federal Internal Revenue
19 Code of 1986 as those codes have been and may from time to time be amended; and the term
20 "employee tax" shall mean the tax imposed by section 1400 of the code of 1939, section 3101 of
21 the code of 1954, and section 3101 of the code of 1986.

22 (7) "Federal Social Security Act", 42 U.S.C. section 301 et seq., shall mean the act of
23 congress approved August 14, 1935, officially cited as the "Social Security Act", including any
24 amendments thereto, and any regulations, directives, or requirements interpretative or
25 implementive thereof.

26 (8) "Part-time employment" shall mean any employment by those who work on a
27 regularly scheduled basis regardless of hours.

28 (9) "Retirement board" shall mean the retirement board as provided in chapter 8 of this
29 title.

30 (10) "Secretary", except when used in the title "secretary of the treasury", shall mean the
31 secretary of health and human services and any individual to whom the secretary of health and
32 human services has delegated any of his or her functions under the federal Social Security Act, 42
33 U.S.C. section 301 et seq., with respect to coverage under that act of employees of states and their
34 political subdivisions.

1 (11) "Sick pay" shall mean the amount of any payment (including any amount paid by an
2 employer for insurance or annuities, or into a fund to provide for any sick pay) made to, or on
3 behalf of, an employee or any of his or her dependents under a plan or system established by an
4 employer which makes provision for his employees generally (or for his or her employees
5 generally and their dependents) or for a class or classes of his employees (or for a class or classes
6 of his employees and their dependents), on account of sickness or accident disability.

7 (12) "State" shall mean the state of Rhode Island.

8 (13) "Wages" or "salaries" shall mean all compensation received by an employee for
9 employment as defined herein, including the cash value of all remuneration received by an
10 employee in any medium other than cash, except that this term shall not include that part of the
11 remuneration which, even if it were for "employment" within the meaning of the Federal
12 Insurance Contributions Act, 26 U.S.C. section 3101 et seq., would not constitute "wages" within
13 the meaning of that act.

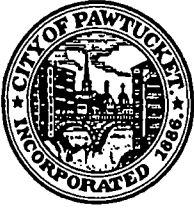
14 SECTION 2. This act shall take effect upon passage and shall apply retroactively to
15 January 1, 2003.

=====
LC02212
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO PUBLIC OFFICERS AND EMPLOYEES- ELECTION WORKERS

- 1 This act would allow the current remuneration exemption for election workers to be
- 2 raised to the amount allowed by Social Security.
- 3 This act would take effect upon passage and would apply retroactive to January 1, 2003.

LC02212



CITY OF PAWTUCKET

CITY HALL
137 ROOSEVELT AVENUE
PAWTUCKET, RHODE ISLAND 02860

DEPARTMENT OF THE BOARD OF CANVASSERS AND REGISTRATION

JAMES E. DOYLE
MAYOR

DAWN M. McCORMICK
REGISTRAR

BOARD MEMBERS
EDWARD B. MEDEIROS
CHAIRMAN

CHARLOTTE M. TAVARES
CLERK

JOHN P. BEAGAN
MEMBER

February 25, 2003

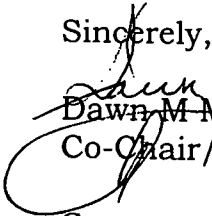
To all Canvassing Authorities:

Enclosed find a copy of the House Bill 5646 sponsored by Representative Gordon D. Fox relating to "Election Workers".

It is very important that we contact our local delegations in support of this legislation as it impacts all of our budgets.

If you need to speak to me regarding the enclosed, call me anytime.

Sincerely,


Dawn M. McCormick, Registrar
Co-Chair/Legislative Committee

Cc: Ann Irons, Town Clerk, President, RITCCA
Cc: Betty Crowley, City Clerk/Central Falls
Co-Chair/Legislative Committee
Cc: Cheryl Chorney, Town Clerk/ Tiverton
Cc: Arlene Kalooski, Town Clerk/Jamestown
Cc: Michael Clement, City Clerk/ Providence ✓
Enc.



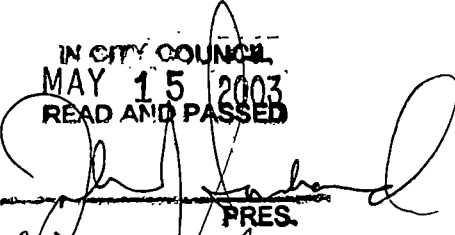
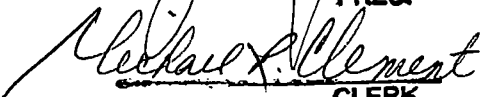
THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 395

Approved May 27, 2003

RESOLVED, That the Members of the Providence City Council
hereby Oppose Passage by the General Assembly of House Bill 2003-H 5544 –
Relative to An Act Relating to Cities and Towns – Residency.

IN CITY COUNCIL
MAY 15 2003
READ AND PASSED

PRES.

CLERK

APPROVED

MAYOR 5/27/03

IN CITY COUNCIL
APR 14 2003
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
Michael Clement CLERK

THE COMMITTEE ON
State Legislation
Recommendation Be approved
Claire Bestman
4/30/03 CLERK

and Councilwoman Young
Councilman Aponte, Council President Lombardi, Councilmen Allen, Butler, Hassett, Luna,

LC00798

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2003

A N A C T

RELATING TO CITIES AND TOWNS -- RESIDENCY

Introduced By: Representatives Moura, Smith, Landroche, and Montanaro

Date Introduced: February 11, 2003

Referred To: House Corporations

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Section 45-2-15 of the General Laws in Chapter 45-2 entitled "General
2 Powers" is hereby amended to read as follows:
- 3 **45-2-15. Police officers and fire fighters.** -- No city or town shall require that an
4 individual reside within the city or town as a condition for appointment or continued employment
5 in its police or fire department; ~~provided, that the provisions of this section shall not apply to the~~
6 ~~city of Providence.~~
- 7 SECTION 2. This act shall take effect upon passage.

LC00798

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CITIES AND TOWNS -- RESIDENCY

- 1 This act would eliminate residency requirements for police officers and fire fighters in
2 the city of Providence.
3 This act would take effect upon passage.

LC00798

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 396

Approved May 27, 2003

RESOLVED, That the Members of the Providence City Council
hereby Endorse and Urge Passage by the General Assembly of House Bill 2003-H
6313, Relative to An Act Relating to State Funding of Municipal Parks used by
non-residents.

IN CITY COUNCIL
MAY 15 2003
READ AND PASSED

PRES.

CLERK

APPROVED

MAYOR

5/27/03

IN CITY COUNCIL
APR 22 2003
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION

Richard R. Clement CLERK

THE COMMITTEE ON

State Legislation
Recommendation Be Approved
Charles Bestard
4/30/03 CLERK

Councilman Aponte (By Request)

LC02925

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2003

A N A C T

RELATING TO STATE FUNDING OF MUNICIPAL PARKS USED BY NONRESIDENTS

Introduced By: Representatives DeSimone, Moura, Smith, and Fox

Date Introduced: April 10, 2003

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-13 of the General Laws entitled "State Aid" is hereby amended

2 by adding thereto the following section:

3 **45-13-9.1. Reimbursement to cities and towns for general use of local open spaces. --**

4 Any municipal park or open space that can document usage by nonresidents of that city or town

5 in excess of fifty percent (50%) shall be entitled to a state appropriation in an amount equal to the

6 amounts set forth in section 45-13-5.1 of the general laws of the state of Rhode Island of the

7 budget of said park, including, but not limited to, capital improvements, operations and

8 maintenance. Said funds must only be utilized for capital improvements and operations for the

9 municipal park or open space.

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

LC02925

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE FUNDING OF MUNICIPAL PARKS USED BY NONRESIDENTS

- 1 This act would require state aid to cities and towns if they can document usage of open
- 2 spaces within their limits of more than fifty percent by nonresidents.
- 3 This act would take effect upon passage.

LC02925

PROVIDENCE LEGISLATIVE PACKAGE

SUMMARY SHEET

An Act Relating To: State Funding of Municipal Parks Used By Non-Residents

Amends: R.I.G.L. Chapter 45-13, by adding § 45-13-9.1

Summary: This act would require the state to fund annually an amount equal to the percentage set forth as PILOT (currently 27%) of the budget of a city owned park or open space if that park or open space draws over 50% of its visitors from outside of the city. The funds received by the city may only be used for capital improvements or operations of the park or open space.