

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 168

~~XXXXXX~~ Effective April 16, 1973

RESOLVED, that the City Solicitor is requested to appear before the 1973 Session of the General Assembly and Urge Passage of the accompanying Act in Amendment of and in Addition to Chapter 489 of the Public Laws of 1923, entitled, "An Act To Provide For the Retirement of the Employees of the City of Providence", as amended, (said Act concerns Benefits and Maximum Limits for Service of Elected Officials.)

IN CITY COUNCIL

APR 5 1973

READ and PASSED

Robert J. Rafter
.....
President
Vincent C. Caspi
.....
Clerk

Effective Without Signature

Vincent C. Caspi
.....
Clerk

Cornutimor *Joanetta*, *Cornutimor* *Lynch*,
Cornutimor *Bredlow* and *Cornutimor* *Pearlman*

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 19 73

AN ACT

IN AMENDMENT OF AND IN ADDITION TO CHAPTER 489 OF THE PUBLIC LAWS OF 1923 ENTITLED, "AN ACT TO PROVIDE FOR THE RETIREMENT OF THE EMPLOYEES OF THE CITY OF PROVIDENCE", AS AMENDED.

It is enacted by the General Assembly as follows:

SECTION 1. Subdivision (1) of Section 13 of said Chapter 489, as amended, is hereby further amended to read as follows:

(1) Persons who have served as Mayor, or City Councilmen, for at least ten full legislative years since January 1, 1941, or as Mayor, or City Councilmen, for at least eight full legislative years since January 1, 1961, hereinafter collectively referred to as elective officers, and who have reached the age of 52, or have served twenty consecutive years as an elective officer of said City of Providence prior to reaching such age, or have become totally and permanently disabled prior to reaching such age, whether or not such persons are now serving as elective officers or are serving as such at the time of attaining said age or becoming so disabled, shall be entitled to a retirement allowance as provided in this section.

SECTION II. Subdivision (2) of Section 13 of said Chapter 489, as amended, is hereby further amended to read as follows:

(2) Said retirement allowance shall be computed at the rate of One Hundred (\$100) Dollars per annum for each year, or fraction thereof, as an elective officer of said City of Providence from January 1, 1941 to September 30, 1968; and at the rate of One Hundred Fifty (\$150) Dollars per annum for a full year of service as an elective officer of said City of Providence from October 1, 1968, to September 30, 1969, and at the rate of Two Hundred

(\$200) Dollars per annum for each year, or fraction thereof, as an elective officer of said City of Providence from October 1, 1969 to September 30, 1971, and at the rate of Five Hundred (\$500) Dollars per annum for each year, or fraction thereof, as an elective officer of said City of Providence from September 30, 1971, and since any withdrawal of his contributions as provided in subdivision (6) of this section; provided, however, that the total number of full years of service for which an allowance shall be paid shall not exceed twenty years, except as provided in the last sentence of subdivision (6) of this section. Said retirement allowance shall include credit for each year or portion of any year served by said elected official on active duty with the United States Armed Forces which said credit shall be computed at the rate of Five Hundred (\$500) Dollars per annum for each full year or portion thereof of said military service provided however that said credit for military service shall only apply to those elected officials presently in office or who may be hereafter elected to office.

Any elective officer in office from January 1, 1971 may by written notice filed with the Retirement Board of the City of Providence prior to October 1, 1973, elect to pay to the Annuity Savings Fund in such a manner as shall be prescribed by said Board, an additional amount of One Hundred (\$100) Dollars per year for each full year, or fraction thereof, as an elective officer of said City of Providence from January 1, 1941 to September 30, 1973.

Upon such payment, anything to the contrary notwithstanding, such amount shall become part of his accumulated contribution and the period of service on account of which such payment was made shall be included in his retirement allowance at the rate of Five Hundred (\$500) Dollars per year; provided, however, that the total number of full years of service for which an allowance shall be paid shall not exceed twenty years, except as provided in the last sentence of subdivision (6) of this section.

SECTION III. Subdivision (6) of Section 13 of said Chapter 489, as amended, is hereby further amended to read as follows:

(6) Each elective officer of said City who is in Office on January 1, 1973, or who subsequent thereto becomes an elective officer, shall contribute Five Hundred (\$500) Dollars per annum of his compensation toward the cost of the benefits provided hereunder. Such contributions with accumulated interest may be withdrawn at any time prior to the commencement of payments hereunder, provided that upon such withdrawal all rights accrued under this section with respect to any service rendered prior to the date of such withdrawal shall terminate. Should a former elective officer elect not to withdraw such contributions with interest as above provided, no interest shall be credited to his contributions after four years shall have elapsed since he ceased to be an elective officer. Required contributions hereunder from elective officers shall cease after twenty years of service, and any contributions heretofore deducted for service in excess of twenty years prior to October 1, 1972, shall at the option of the elective officer concerned be refunded or applied toward the purchase of retirement benefits under the provisions hereof in excess of twenty years, anything herein to the contrary notwithstanding.

SECTION IV. The provisions of this Act shall be applicable to all persons who were elected officials for any period of time from January 1, 1971 to the date of passage of this Act.

SECTION V. In the event a person who was an elective official on and after January 1, 1971, shall decease and who

(a) served the required number of years necessary for benefits as an elective official under this Act but had not yet attained the age of 52 years, or

(b) was collecting benefits under the provisions of this Act;

then and in such events, upon the date of his death; a benefit of one-half of that amount to which said person would have been entitled under the provisions of the Pension Act had he survived

or he was collecting, will be paid to his surviving widow so long as said surviving widow shall remain sole and unmarried and said benefits shall cease immediately upon the death or remarriage of said surviving widow.

SECTION VI. This Act shall take effect upon its passage.

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 10, 1973

TO: Certain Members of the General Assembly

SUBJECT: RESOLUTION OF THE CITY COUNCIL NO. 168-EFFECTIVE APRIL 16, 1973

CONSIDERED BY: City Clerk Vincent Vespia

DISPOSITION:

I submit for your consideration a duly certified copy of the above noted Resolution together with accompanying related Act, the same being self-explanatory.

Received this date from City Clerk
Vincent Vespia

Bovolaqua 4-20-73
Speaker of the House
of Representatives

Gruda "
Representative

Kagon "
Representative

Sheffington "
Representative

Babin 4-11-73 mailed
Representative

4-20-73
Lieutenant Governor

Pertore "
Senator

Rodgers "
Senator

Hawkins "
Senator

City Clerk

April 11, 1973

Representative William Babin
Deputy Majority Leader
House of Representatives
State Capitol
Providence, Rhode Island

Dear Mr. Representative:

The accompanying copy of Resolution of the City Council No. 168, effective April 16, 1973, is transmitted to you by direction of the City Council.

I had delivered a copy to certain members of the General Assembly but did not see you and could not leave a copy for you. Please accept the enclosure accordingly.

Sincerely yours,

Vincent Vespia
City Clerk of Providence

VV:pb

Enclosure