

RESOLUTION OF THE CITY COUNCIL

No. 201

Approved March 27, 1998

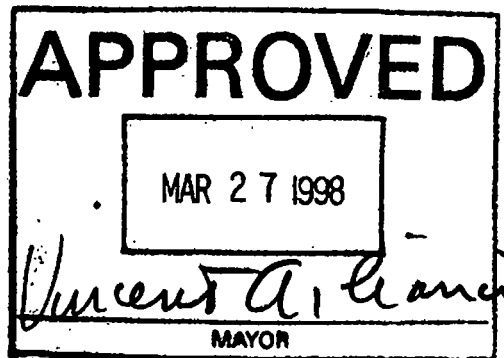
STATE OF RHODE ISLAND
CITY OF PROVIDENCE
RECEIVED 10:00 AM
MAY 12 1998

RESOLVED, That the City Council hereby endorses and urges passage by the General Assembly of House Bill 98-H 7965 and Senate Bill 98-S 2610 relating to recording fees, in substantially the form attached.

IN CITY COUNCIL
MAR 19 1998
READ AND PASSED

ACTING PRES.

CLERK



IN CITY COUNCIL
MAR 5 1998
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION

Michael R. Clement CLERK
2000

THE COMMITTEE ON

State Legislation
Recommends passage
Richard A. Puccio
3-10-98 Clerk

Council President Fargnoli

LC02115

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1998

98-H 7965

A N A C T

RELATING TO TAXATION

98-H 7965

Introduced By: Rep. Paul E. Moura

Date Introduced: February 3, 1998

Referred To: Committee on Corporations

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Section 44-25-7 of the General Laws in Chapter 44-25 entitled "Real Estate
2 Conveyance Tax" is hereby amended to read as follows:
3 44-25-7. General collection powers. -- The tax administrator shall receive and collect
4 any tax imposed under this chapter in the manner and with the powers as are prescribed for, and
5 given to collectors of taxes, ~~by chapters 7, 8 and 9 of this title, as amended.~~
6 SECTION 2. This act shall take effect upon passage.

LC02115

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N A C T

RELATING TO TAXATION

- 1 This act would delete certain limitations on the methods the tax administrator may use to
2 collect taxes.
3 This act would take effect upon passage.

LC02116

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

98-S 2610

JANUARY SESSION, A.D. 1998

JOINT RESOLUTION

RELATING TO TAXATION

98-S 2610

Introduced By: Senators Walton and Goodwin

Date Introduced: February 5, 1998

Referred To: Senate Committee on Finance

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Section 44-25-7 of the General Laws in Chapter 44-25 entitled "Real Estate
- 2 Conveyance Tax" is hereby amended to read as follows:
- 3 44-25-7. General collection powers. -- The tax administrator shall receive and collect
- 4 any tax imposed under this chapter in the manner and with the powers as are prescribed for, and
- 5 given to collectors of taxes, ~~by chapters 7, 8 and 9 of this title, as amended.~~
- 6 SECTION 2. This act shall take effect upon passage.

LC02116

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

JOINT RESOLUTION

RELATING TO TAXATION

- 1 This act would delete certain limitations on the methods the tax administrator may use to
- 2 collect taxes.
- 3 This act would take effect upon passage.

RESOLUTION OF THE CITY COUNCIL

No. 202

Approved March 27, 1998

RESOLVED, That the City Council hereby endorses and urges passage by the General Assembly of House Bill 98-H 7830 and Senate Bill 98-S 2617 relating to franchise fees, in substantially the form attached.

IN CITY COUNCIL
MAR 19 1998
READ AND PASSED
[Signature]
ACTING PRES.
[Signature]
CLERK
[Signature]

APPROVED
MAR 27 1998
[Signature]
MAYOR

FILED
IN CITY COUNCIL
MAR 5 1998
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION

Michael R. Clement CLERK
gma

THE COMMITTEE ON

State Legislation
Recommends Passage
Brian A. Quinn
3-10-98

Council President Jargosz

LC02549

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

98-H 7830

JANUARY SESSION, A.D. 1998

A N A C T

RELATING TO FRANCHISES

98-H 7830

Introduced By: Reps. Cicilline, Moura, Ajello,
Costantino and Fox

Date Introduced: February 3, 1998

Referred To: Committee on Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 39-17-2 and 39-17-3 of the General Laws in Chapter 39-17
2 entitled "Franchises" are hereby amended to read as follows:
3 ~~39-17-2. Purposes for which permitted -- Duration -- Protection of existing~~
4 ~~businesses -- Landowner's rights. --~~ Any grants, whether by ordinance or by contract, may
5 confer upon any corporation created by the general assembly for the purpose of distributing
6 water, or for the purpose of producing, selling, and distributing currents of electricity ~~to be used~~
7 ~~for light, heat, or motive power~~, or for the purpose of manufacturing, selling, and distributing
8 illuminating or heating gas, or for the purpose of operating street railways by any motive power,
9 or for the purpose of ~~operating~~ telephones, telecommunications and related service, and
10 providing cable services; the ~~exclusive~~ right, for a time not exceeding twenty-five (25) years, to
11 erect, lay, construct, and maintain for the purposes for which the corporation is created, poles,
12 wires, pipes, conduits, rails, or cables, with necessary and convenient appurtenances as may be
13 required for the conduct of the business of the corporation, in, over or under the streets of the
14 town or city; provided, however, that no grant of ~~exclusive~~ rights or franchises for any of the
15 purposes described in this section shall be made by any city or town wherein, at the time a
16 corporation created for the same purpose, or a person duly authorized by law to use the streets
17 for such purpose, shall be in actual use and enjoyment of the rights, except to the corporation or
18 person already carrying on business in the city or town; and provided, further, that whenever in

98-H 7830

1 any city or town more than one corporation shall at the time be in actual use and enjoyment of
2 portions of the streets and highways for any of the purposes described in this section, no
3 exclusive right or franchise shall be granted to either without the consent of the other; and
4 provided, further, that no grant shall prevent any town or city from permitting any person or
5 corporation to use streets or highways for any of the purposes described in this section in order to
6 connect and serve any two (2) or more estates owned by the person or corporation.

7 39-17-3. Franchise tax payable to city or town. — Every corporation which shall
8 accept exclusive rights or franchises granted by ordinance or contract under the provisions of this
9 chapter, shall make and render to the treasurer of the town or city granting the same, on or before
10 the thirtieth day of January, April, July, and October in every year, returns, verified by the oath
11 of its president or treasurer, of the gross earnings of the corporation within the town or city for
12 the period of three (3) months next preceding the first day of January, April, July, and October in
13 the same year, and shall at the time pay to the town or city treasurer, in full payment for the
14 rights and franchises granted under this chapter, a special tax upon the gross earnings at a rate
15 not exceeding three percent (3%) upon the gross earnings of the corporation within the town or
16 city in that year.

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

=====
LC02549
=====

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

1 This act would permit cities and towns to grant franchises to cable companies.
2 This act would take effect upon passage.

2

=====

LC02552

=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

98-S 2617

JANUARY SESSION, A.D. 1998

AN ACT

RELATING TO FRANCHISES

98-S 2617

Introduced By: Senators Goodwin, Walton, and Perry

Date Introduced: February 5, 1998

Referred To: Senate Committee on Corporations

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Sections 39-17-2 and 39-17-3 of the General Laws in Chapter 39-17
- 2 entitled "Franchises" are hereby amended to read as follows:
- 3 39-17-2. Purposes for which permitted -- Duration -- Protection of existing
- 4 businesses -- Landowner's rights. -- Any grants, whether by ordinance or by contract, may
- 5 confer upon any corporation created by the general assembly for the purpose of distributing
- 6 water, or for the purpose of producing, selling, and distributing currents of electricity ~~to be used~~
- 7 ~~for light, heat, or motive power~~, or for the purpose of manufacturing, selling, and distributing
- 8 illuminating or heating gas, or for the purpose of operating street railways by any motive power,
- 9 or for the purpose of operating telephones, telecommunications and related service, and
- 10 providing cable services; the ~~exclusive~~ right, for a time not exceeding twenty-five (25) years, to
- 11 erect, lay, construct, and maintain for the purposes for which the corporation is created, poles,
- 12 wires, pipes, conduits, rails, or cables, with necessary and convenient appurtenances as may be
- 13 required for the conduct of the business of the corporation, in, over or under the streets of the
- 14 town or city; provided, however, that no grant of ~~exclusive~~ rights or franchises for any of the
- 15 purposes described in this section shall be made by any city or town wherein, at the time a
- 16 corporation created for the same purpose, or a person duly authorized by law to use the streets
- 17 for such purpose, shall be in actual use and enjoyment of the rights, except to the corporation or
- 18 person already carrying on business in the city or town; and provided, further, that whenever in

98-S 2617

1 any city or town more than one corporation shall at the time be in actual use and enjoyment of
2 portions of the streets and highways for any of the purposes described in this section, no
3 exclusive right or franchise shall be granted to either without the consent of the other; and
4 provided, further, that no grant shall prevent any town or city from permitting any person or
5 corporation to use streets or highways for any of the purposes described in this section in order to
6 connect and serve any two (2) or more estates owned by the person or corporation.

7 39-17-3. Franchise tax payable to city or town. -- Every corporation which shall
8 accept exclusive rights or franchises granted by ordinance or contract under the provisions of this
9 chapter, shall make and render to the treasurer of the town or city granting the same, on or before
10 the thirtieth day of January, April, July, and October in every year, returns, verified by the oath
11 of its president or treasurer, of the gross earnings of the corporation within the town or city for
12 the period of three (3) months next preceding the first day of January, April, July, and October in
13 the same year, and shall at the time pay to the town or city treasurer, in full payment for the
14 rights and franchises granted under this chapter, a special tax upon the gross earnings at a rate
15 not exceeding three percent (3%) upon the gross earnings of the corporation within the town or
16 city in that year.

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

=====

LC02552

=====

EXPLANATION BY THE LEGISLATIVE COUNCIL OF

A N A C T RELATING TO FRANCHISES

- 1 This act would permit cities and towns to grant franchises to cable companies.
2 This act would take effect upon passage.