

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 234

EFFECTIVE ~~Approved~~ May 16, 2004

RECEIVED
CITY COUNCIL
MAY 16 2004
CITY CLERK

RESOLVED, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2480, Relative to Criminal Offenses – Public Utilities.

IN CITY COUNCIL
MAY 6 2004
READ AND PASSED

[Signature]
PRES.
[Signature]
CLERK

Effective without the
Mayor's Signature:

[Signature]
Michael R. Clement
City Clerk

IN CITY COUNCIL
APR 1 2004
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION

Michael K. Went
CLERK

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval

Chris Burt
April 21, 2004
CLERK

Councilman Mancini and Councilman Urdueca (By Request)

LC02353

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2004

A N A C T

RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES

Introduced By: Senator Maryellen Goodwin

Date Introduced: February 11, 2004

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-35-6 and 11-35-7 of the General Laws in Chapter 11-35
2 entitled "Public Utilities" are hereby amended to read as follows:
3 11-35-6. ~~Interference with gas or electric or water meters.~~ -- Interference with gas or
4 electric or water meters or fire hydrants. -- Every person who shall willfully or fraudulently
5 injure or shall knowingly suffer to be injured any wire, meter, pipe, or fittings or fire hydrants
6 connected with or belonging to any electric company or gaslight company or connected with or
7 belonging to the waterworks of any corporation in this state supplying water at a stipulated rate of
8 payment, or shall willfully tamper or meddle with any other of the appliances or appurtenances
9 including fire hydrants connected with or belonging to any electric company or gaslight company
10 or to the waterworks of a corporation in a manner as to cause loss or damage to the company or
11 corporation, or who shall willfully or fraudulently prevent any meter used for registering the
12 quantity of electricity, gas, or water supplied through it from duly registering the quantity so
13 passing through it, or alter the index of any meter or in any way hinder or interfere with its proper
14 action or just registration, or shall fraudulently use the electricity or fraudulently burn the gas of
15 the company or fraudulently use the water passing through the wire, meter, pipe, fittings, or other
16 of the appliances or appurtenances connected with or belonging to the electric company or gas
17 company or to the waterworks of the corporation, or willfully waste electricity, gas, or water,
18 shall be deemed guilty of a ~~misdemeanor~~ felony and shall be imprisoned not exceeding ~~one year~~
19 two (2) years or be fined not exceeding ~~one thousand dollars (\$1,000)~~ five thousand dollars

1 (\$5,000). In any prosecution under this section proof that any wire, meter, pipe, or fittings or fire
2 hydrants have been injured, or that any meter has been prevented from duly registering the
3 quantity of electricity, gas, or water supplied through it, while on the premises occupied by the
4 defendant, shall be prima facie evidence that the defendant caused the injury or prevented the
5 meter from duly registering the quantity of electricity, gas, or water supplied through it, willfully
6 and fraudulently and with intent to injure or defraud.

7 **11-35-7. Bypassing meters -- Use of electricity, gas or water with intent to defraud. -**

8 - Every person who, with intent to injure or defraud any gaslight company or any electric
9 company, or corporation supplying water in this state at a stipulated rate of payment, shall make
10 or cause to be made any wire, pipe, tube, or other instrument or contrivance, and connect it or
11 cause it to be connected with any main, service pipe, or other pipe, appliance, or appurtenance
12 used for or in connection with the works or apparatus employed for conducting or supplying
13 electricity, illuminating gas, or water, in any manner that is calculated to supply electricity, gas,
14 or water to any burner, orifice, faucet, or other outlet whatsoever, without the electricity, gas, or
15 water passing through a meter provided or used for measuring or registering its quantity so
16 passing through, or without the consent of the company or corporation to the connections, or who
17 shall otherwise use any electricity, gas, or water with the intent to defraud the company or
18 corporation of payment, shall be deemed guilty of a ~~misdeemeanor~~ felony and shall be imprisoned
19 not exceeding ~~one year~~ two (2) years or be fined not exceeding ~~one thousand dollars (\$1,000)~~
20 five thousand dollars (\$5,000). In any prosecution under this section, proof that any of the acts
21 specified in this section were done on or about the premises occupied by the defendant, or proof
22 of the presence on or about the premises, of any device which affects the diversion of electricity,
23 gas, or water without it being measured or registered by the meter provided, shall be prima facie
24 evidence that the defendant committed the acts, or aided or abetted in their commission,
25 maliciously and with intent to injure or defraud.

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

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LC02353
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES

- 1 This act would change the penalty for interfering with or bypassing certain utility meters
- 2 and fire hydrants from a misdemeanor to a felony.
- 3 This act would take effect upon passage.

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LC02353
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ROBERT A. WALSH, JR.
Chairman

JOEL D. LANDRY, II
Vice Chairman

ALEXANDER D. PRIGNANO
Ex-Officio

CARISSA R. RICHARD
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor

ROBERT J. KILDUFF, P.E., ESQ.
Chief Engineer & General Manager

JOSEPH DE LUCA
City Councilman

PETER S. MANCINI
City Councilman

JOSEPH D. CATALDI
Member

ANNE T. QUINTERNO
Member

RESOLUTION OF THE PROVIDENCE WATER SUPPLY BOARD

WHEREAS, the City of Providence Water Supply Board is an agency of the City of Providence, Rhode Island and owns and operates a water supply system; and

WHEREAS, the Board has reviewed and discussed the proposed legislation 2004 - S 2480 entitled "An Act Relating to Criminal Offenses - Public Utilities," which was introduced in the State of Rhode Island General Assembly on February 11, 2004 and referred to the Senate Committee on Judiciary.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board voted to authorize the Chief Engineer and General Manager to send written confirmation to Senator Maryellen Goodwin, sponsor of the legislation, regarding the support of the Providence Water Supply Board in the passage of 2004 - S 2480.
2. This resolution shall take effect upon passage.

Approved at a meeting of the City of Providence Water Supply Board, as held on February 18, 2004 by unanimous vote of the members of the Providence Water Supply Board present.


Robert A. Walsh, Jr., Chairman
Providence Water Supply Board


Carissa R. Richard, Secretary
Providence Water Supply Board

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