

2012 -- S 2975

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LC02599  
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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 ALTON VILLAGE WATER DISTRICT

Introduced By: Senators Maher, and Algiere

Date Introduced: May 17, 2012

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 4 and 32 of Chapter 111 of the 2010 Public Law entitled “An Act  
2 Relating to Alton Village Water District” are hereby amended as follows:

3           SECTION 4. Officers constituting board — Powers — Bylaws — Elections. — (a) The  
4 electors of the district shall at each annual meeting elect officers to serve until the next  
5 succeeding first Monday in May and until their successors are elected and qualified, and the  
6 offices shall consist of a moderator, clerk, treasurer, one (1) assessor, and a collector of taxes,  
7 whose duties and powers are within the district, as like officers proper for a district. The officers  
8 constitute the board, and the duties of the board are prescribed in this chapter. Any vacancy that  
9 may occur in any of the aforementioned offices between annual meetings shall be filled by some  
10 person to be chosen by the other members of the board to hold the office until the next annual  
11 meeting. The electors of the district may, at any meeting, adopt and ordain bylaws, and, from  
12 time to time, rescind or amend the bylaws, as they deem necessary and proper for the purposes of  
13 this chapter and not repugnant to it and not inconsistent with any other law; provided, that no  
14 greater penalty is ~~inflicted~~ imposed by the board than is prescribed in Section 12; and provided,  
15 further, that the electors may appoint committees they deem necessary, and may fix the  
16 compensation of all officers, agents, employees, and committees of the district.

17           (b) The electors of the district shall elect officers at each regular meeting held on the first  
18 Monday in May or at such intervals and on such dates as a majority of the electors present at a  
19 regular meeting shall determine, provided that regular elections shall be held not less than once

1 every four (4) years. Such officers shall consist of a moderator, clerk, one (1) assessor, one (1)  
2 collector of taxes, and one (1) additional member, whose duties and powers are within the district,  
3 as like officers proper for a district. These enumerated officers shall constitute the board, and the  
4 duties of the board are prescribed in this chapter. At the first meeting of the district, the moderator  
5 and one (1) additional member shall be elected for a term ending the first Monday in May, ~~2013~~  
6 2016, two (2) members shall be elected for a term ending the first Monday in May, ~~2012~~ 2015  
7 and one (1) member shall be elected for a term ending the first Monday in May, ~~2011~~ 2014.  
8 Thereafter, members of the board shall be elected for a term of office of three (3) years, or such  
9 other term as a majority of electors present at a regular meeting shall determine in order to  
10 conform with any changes to the frequency of elective meetings approved by the electors in  
11 conformity with this paragraph (a). Any vacancy that may occur in any of the aforementioned offices  
12 between regular meetings shall be filled by some person to be chosen by the other members of the  
13 board to hold the office until the next regular meeting. The electors of the district may, at any  
14 meeting, adopt and ordain bylaws, and, from time to time, rescind or amend the bylaws, as they  
15 deem necessary and proper for the purposes of this chapter and not repugnant to it and not  
16 inconsistent with any other law; and provided that the electors may appoint committees they  
17 deem necessary, and may fix the compensation of all agents, employees, and committees of the  
18 district.

19 (c) For a person to become a candidate at any election under this section, that person  
20 must be a resident of the district and secure the signatures of at least five (5) registered voters in  
21 the district. The water district petition must be filed in the office of the clerk of the district not  
22 later than 4:00 p.m. on the tenth day prior to the election, and the clerk shall certify as to whether  
23 a sufficient number of signers have affixed their signatures to the petition.

24 (d) The general election laws shall govern elections under this section so far as applicable  
25 and consistent with the provisions of this chapter. Paper ballots may be used for the elections and  
26 the elections shall be at the expense of the district. The ballots shall contain no designation of  
27 party or political principle and there shall be no primaries or other preliminary election.

28 (e) All elections shall be at large. No vacancy in the membership of the board shall  
29 impair the right of a quorum to exercise the powers of the district. Three (3) members of the  
30 board shall constitute a quorum and the affirmative vote of three members shall be necessary for  
31 any action taken by vote of the board. Any such action shall take effect immediately unless  
32 otherwise provided and need not be published or posted.

33 SECTION 32. The first meeting shall be called by any five (5) qualified electors of the  
34 district for purposes of this Section 32 and shall be held at such time and place as is specified in

1 the notice of the call of the meeting, provided that said date shall occur not later than ~~twelve~~  
2 ~~months from the date of the passage of this act~~ [June 30, 2013](#). A vote by ballot shall be taken at  
3 said first meeting upon the proposition, "Shall the Alton Village Water District be established  
4 according to the act of incorporation passed by the general assembly of the state?" If a majority of  
5 the persons so voting shall vote in the affirmative then said Alton Village Water District shall be  
6 established according to the provisions of this act, but if a majority of the persons so voting shall  
7 vote in the negative, then this act shall become null and void. Said first meeting shall be  
8 organized by the election of a moderator, a clerk, and a committee of three (3) persons, qualified  
9 electors in the district for purposes of this Section 32, who shall act at the meeting as a board of  
10 canvassers. Said board of canvassers shall be provided by the board of canvassers of the town of  
11 Richmond with lists of the persons who are registered voters within the district and such persons  
12 shall be the qualified electors of the district for the purposes of this Section 32. The name of any  
13 person whose right to vote at said meeting is challenged shall be referred by the moderator to the  
14 committee who shall forthwith determine the question as to whether said person is qualified to  
15 vote and take part in the proceedings of the meeting and shall so report forthwith to said  
16 moderator. At said meeting said district after acceptance of the act may proceed to adopt bylaws  
17 and effect a permanent organization or it may adjourn to a date determined by vote.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ALTON VILLAGE WATER DISTRICT

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- 1           This act would update the public law which created the Alton Village Water District in
- 2 order to prepare it for voter ratification.
- 3           This act would take effect upon passage.

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