

2014 -- H 8318

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LC005915
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO AUTHORIZING THE TOWN OF LINCOLN TO ESTABLISH THAT THE
LINCOLN WATER COMMISSION IS A DEPARTMENT OF THE TOWN

Introduced By: Representatives O`Grady, Ackerman, and Costantino

Date Introduced: June 12, 2014

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. The Lincoln Town Council is hereby authorized to place on the ballot in the
2 town of Lincoln, by resolution, an amendment to the Lincoln Home Rule Charter to establish that
3 the Town of Lincoln Water Commission is a department of the town.

4 SECTION 2. The question of the approval of this act shall be submitted to the electors of
5 the town of Lincoln at the next general election after passage of the aforementioned Lincoln
6 Town Council resolution. If a special town-wide election or a special state election, in either case
7 other than a primary, is called for a date earlier than the date of such general election, but after
8 passage of said resolution, the town administrator may direct that the question of the approval of
9 this act be submitted at such special election. The question shall be submitted in substantially the
10 following form: "Shall Article XIII, Section C13-1 of the Home Rule Charter of the Town of
11 Lincoln, entitled "Board of Water Commissioners" be amended as follows:

12 "There is established a Board of Water Commissioners which shall be a department of
13 the Town, consisting of five members who shall be qualified electors and residents of their
14 respective voting districts, and who shall hereafter except as otherwise stated below be elected at
15 the election held on the first Tuesday following the first Monday in November of even-numbered
16 years. Members of the Board shall hold no other public office or employment in the service of
17 any Town or of any state or federal government except that of Notary Public, Justice of the Peace,
18 or member of the National Guard or Air, Military or Naval Reserve. If a member of the Board

1 shall cease to possess any of these qualifications, his/her office shall immediately become vacant.
2 Each Commissioner unless otherwise stated below shall serve for a term of four years and until a
3 successor is elected and qualified. Two members shall be elected in June 1997, who shall be
4 elected to serve until December of 2000; three members shall be elected in June 1999, who shall
5 be elected to serve until the first Tuesday of January of 2003; thereafter all terms and elections
6 shall proceed as stated above.

7 "Shall Section Article XIII, C13-5(3) of the Home Rule Charter of the Town of Lincoln,
8 entitled "Board of Water Commissioners" be amended as follows:

9 To employ and fix the compensation of such attorneys for the sole purpose of legal
10 matters arising from the operation of the water system, as well as engineers, surveyors, draftsmen,
11 clerks, a superintendent and other employees as may be necessary for the efficient performance of
12 its duties hereunder." and the warning for the election shall contain the question to be submitted.
13 From the time the election is warned and until it is held, it shall be the duty of the Lincoln Town
14 Clerk to keep a copy of the act available at his or her office for public inspection, but the validity
15 of the election shall not be affected by this requirement. To the extent of any inconsistency
16 between this act and any law of special applicability to the city, this act shall prevail.

17 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO AUTHORIZING THE TOWN OF LINCOLN TO ESTABLISH THAT THE
LINCOLN WATER COMMISSION IS A DEPARTMENT OF THE TOWN

- 1 This act authorizes the town of Lincoln to establish the Lincoln Water Commission as a
- 2 department of the town.
- 3 This act would take effect upon passage.

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