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Office Memorandum • UNITED STATES GOVERNMENT RI

TO : Office of General Counsel

FROM : Division of Claims Policy

SUBJECT: Modification No. 22, Rhode Island

14:CP:C

DATE: September 13, 1955

Enclosed is the above identified modification and supporting documents for your clearance and/or comments.

_____ 218(b)(5) Coverage Groups	_____ No. of Employees
_____ 218(d)(4) Coverage Groups	_____ No. of Employees
<u>1</u> Other (See Remarks)	<u>unk.</u> No. of Employees
<u>1</u> Total No. of Coverage Groups	<u>unk.</u> Total No. of Employees Covered

Remarks: This modification amends the original agreement between the State of Rhode Island and the Secretary to conform to the 1954 Amendments to the Act. In a letter dated July 22, 1955, the State authorized us to change a citation of the Act in the agreement from Section 218(b)(4) to Section 218(d)(4).

Part (b)(5) of the agreement has also been changed to provide for the coverage of agricultural labor and student services beginning January 1, 1955. In a memorandum dated July 27, 1955, the regional representative at Boston advised that under the present Rhode Island enabling legislation there is no provision for the exclusion of agricultural labor. In a letter dated August 31, 1955, the State agency authorized the addition of the phrase "after December 31, 1954" at the end of the parenthetical phrase in Part (b)(5) in accordance with a suggestion from the Office of the General Counsel.

E.T.B.
Ewell T. Bartlett
Assistant Director

Enclosures (5)

TO: Division of Claims Policy

FROM: Office of General Counsel

SUBJECT: Modification No. 22, Rhode Island

The modification is (~~is not~~) cleared.

Remarks:

H.P.P.
Harold P. Packer
Assistant General Counsel # 22

TO RHODE ISLAND STATE SOCIAL SECURITY AGREEMENT

The Secretary of Health, Education, and Welfare and the State of Rhode Island, acting through its representative designated to administer its responsibilities under the agreement of December 20, 1951, hereby accept the following amendments to said agreement:

1. The title, the opening paragraph, and subdivision (a), (b), and (c) of said agreement (i.e., the entire agreement through subdivision (c) thereof) are amended to read:

A G R E E M E N T

Between the Secretary of Health, Education, and Welfare and the State of Rhode Island, for the Purpose of Extending Coverage under Title II of the Federal Social Security Act to Employees of the State and Political Subdivisions of the State.

The Secretary of Health, Education, and Welfare, hereinafter called the Secretary, and the State of Rhode Island hereby agree, in accordance with the terms and conditions stated in this agreement, to extend, in conformity with section 218 of Title II of the Federal Social Security Act, the Old-Age and Survivors' Insurance Provisions of such Act to services performed by individuals as employees of the State and as employees of those political subdivisions of the State listed in the appendix attached hereto, and made a part hereof, except services expressly excluded from this agreement. Benefits will be provided for employees whose services are covered by this agreement, and for their dependents and survivors, on the same basis as if such services constituted employment within the meaning of Title II of the Federal Social Security Act.

(a) Definitions.

For the purposes of this agreement ---

- (1) The term "political subdivision" includes an instrumentality of (i) the State, (ii) one or more political subdivisions of the State, or (iii) the State and one or more of its political subdivisions, but does not include a joint instrumentality of this and any other State or States.
- (2) The term "employee" means an employee as defined in section 210 (k) of the Federal Social Security Act and shall include an officer of the State or of a political subdivision thereof.
- (3) The term "retirement system" means a pension, annuity, retirement, or similar fund or system established by the State or by a political subdivision thereof.
- (4) A "coverage group" means a coverage group as defined in section 218 (b) (5) of the Federal Social Security Act, and for the purpose of section 218 (c) of the Federal Social Security Act only, the term "coverage group" shall also mean a coverage group as defined in section 218 (d) (4) of the Federal Social Security Act.

(b) Services Covered.

This agreement includes all services performed by individuals as employees of the State and as employees of those political subdivisions listed in the appendix attached hereto, except:

- (1) (i) Any service performed by an employee in a policeman's or fireman's position which, on the date this agreement is made applicable to the coverage group (as defined in section 218 (b) (5) of the Federal Social Security Act) to which he belongs, is covered by a retirement system, and

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(ii) Any service performed in a position which is not a policeman's or fireman's position and which, on September 1, 1954, or on the date this agreement is made applicable to such coverage group (as defined in section 218 (b) (5) of the Federal Social Security Act), is covered by a retirement system other than - -

(a) Service performed by an employee in a position which is included in a separate coverage group established by section 218 ~~(b) (5)~~ of the Federal Social Security Act; or

(d)(4)
(letter date)
7/22/55
pdr
8-8-55

(b) Service performed by an individual as a member of a coverage group (as defined in section 218 (b) (5) of the Act) with respect to which this agreement is in effect, in a position covered by a retirement system, if the individual performing such service was ineligible to become a member of such retirement system on the date the agreement was made applicable to such coverage group (or, if later, the date on which such individual first occupied such position).

(2) Service performed by an employee who is employed to relieve him from unemployment

(3) Service performed in a hospital, home or other institution by an inmate thereof.

(4) Covered transportation service (as defined in section 210 (2) of the Federal Social Security Act).

(5) Service (other than agricultural labor or service performed by a student) ~~excluded from employment by any provisions of section 210 (a) of the Federal Social Security Act, other than paragraph (7) of such section~~ ~~AND~~ (AFTER DECEMBER 31, 1954)

(6) Service in a position the compensation for which is on a fee basis. (PER STATE LETN DATED 8-31-55)

pdr
9-9-55

(c) Contributions by the State

The State will pay to the Secretary of the Treasury, at such time or times as the Secretary of Health, Education, and Welfare may by regulation prescribe, amounts equivalent to the sum of the taxes which would be imposed under the Federal Insurance Contributions Act if the services of employees covered by this agreement constituted employment as defined in such Act.

2. Subdivisions (d), (f), (g) and (h) of said agreement are amended by changing the term "Administrator" wherever it appears in such subdivisions to read:

"Secretary."

3. Subdivision (e) of said agreement is amended by changing the term "cities and towns" wherever it appears in such subdivision to read:

"political subdivisions."

4. Subdivision (i) of said agreement (relating to the effective date) is amended to read:

(i) Effective date

This agreement shall be effective as of January 1, 1951, but shall be effective with respect to any coverage group, political subdivision, or services listed in the appendix thereto on the date indicated in such appendix with respect to such coverage group, political subdivision, or ser-

Approved for the State of Rhode Island this 28TH day of
June, 1955.

by Raymond H. Howley
GENERAL TREASURER

Approved this 19 day of September 1955.

Secretary of Health, Education, and Welfare

by Robert M. Ball
Robert M. Ball, Deputy Director
Bureau of Old-Age and Survivors Insurance



MAIL ROOM

SEP 1 11 47 AM '55
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
TREASURY DEPARTMENT
STATE HOUSE
PROVIDENCE 2
BOSTON, MASS.

RAYMOND H. HAWKSLEY
GENERAL TREASURER

August 31, 1955

S. R. GAMACHE
DEPUTY GENERAL TREASURER

Mr. John R. Campbell, Jr., Representative
U. S. Department Health, Education and Welfare,
Bureau of Old Age and Survivors Insurance,
Regional Office,
120 Boylston Street
Boston, Massachusetts

Dear Mr. Campbell:

In accordance with our recent conversation, we agree that the words "after December 31, 1954" should be inserted at the end of the parenthetical phrase in Part (b) (5) of proposed Modification No. 22 to the Rhode Island agreement for State and local coverage.

With kind regards.

Sincerely yours,

Raymond H. Hawksley
Raymond H. Hawksley,
General Treasurer
State of Rhode Island

RHH/hg

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RR

REGION 1-025
SEP 1 1955

RAYMOND H. HAWKSEY
GENERAL TREASURER



SARTO R. GAMACHE
DEPUTY GENERAL TREASURER

JUL 25 9 23 AM '55

3057
State of Rhode Island and Providence Plantations
TREASURY DEPARTMENT
OFFICE OF THE GENERAL TREASURER
PROVIDENCE

July 22, 1955

Mr. John R. Campbell, Jr.
Regional Representative
Bureau of Old Age and Survivors
Insurance
120 Boylston Street
Boston 16, Massachusetts

Dear Mr. Campbell:

I am answering your letter of July 20 to Pav. because he is now in Maine on vacation.

I wish to advise that it will be allright to make the change requested for the State modification.

With best regards, I am

Yours very truly,

S. R. Gamache
DEPUTY GENERAL TREASURER

SRG:rs

SECTION 1-181
JUL 27 1955

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COPY

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
120 Boylston Street
Boston 16, Massachusetts

22 4
July 20, 1955

Mr. Raymond H. Hawksley
General Treasurer
Treasury Department
State House
Providence 2, Rhode Island

Dear Mr. Hawksley:

On page 2 of the agreement with the State of Rhode Island, item (a) reads "section 218 (b) (4)." This appears to be a typographical error and should read "section 218 (d) (4)."

We have been requested by our central office to secure written authorization to make this change in the agreement.

Thanking you in advance for this and many kind favors.

Sincerely yours,

John R. Campbell, Jr.
Regional Representative
Bureau of Old-Age and
Survivors Insurance

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