

Rhode Island Housing and Mortgage Finance Corp.  
Suite 1420--40 Westminster St. Prov., R. I. 02903

"It is hereby agreed that the reports and payments made pursuant to the provisions of the Federal Insurance Contributions Act with respect to wages paid to employees of Rhode Island Housing and Mortgage Finance Corp. for the period 3/31/74 to 6/30/74, in which the services of such employees are covered under the agreement between the State of Rhode Island and the Department of Health, Education, and Welfare pursuant to Section 218 of the Social Security Act will be considered as having been paid pursuant to the agreement. It is understood, however, that the State is not relieved of its liabilities with respect to the preparation of any supplemental wage reports and payment of contributions for such periods in the event such wage reports or contributions are necessary to conform old-age, survivors, and disability coverage of services of the employees involved in the prior periods to the terms of this agreement, or, in the event any refund should be made of amounts paid as Federal Insurance Contributions Act taxes when the same amount is payable under this agreement."

"If any refund is made of the amounts paid as taxes under the Federal Insurance Contributions Act with respect to wages paid for services which are covered under this agreement, the State will repay such amounts upon receipt of notice from the Social Security Administration. Interest will be charged with respect to any payment not paid within the time prescribed by Regulations No. 4, Section 404.1255."

*Raymond H. Howesley*

TO RHODE ISLAND STATE SOCIAL SECURITY AGREEMENT

Whereas, the Secretary of Health, Education, and Welfare and the State of Rhode Island, acting through its representative designated to administer its responsibilities, entered into an agreement on December 20, 1951 for the purpose of extending coverage under the provisions of the Social Security Act, as amended, to the employees of the State and the political subdivisions of the State; and

Whereas, the Lime Rock Fire District INC., a political subdivision of the State, filed wage reports and contribution returns under the Federal Insurance Contributions Act beginning with the calendar quarter ending with 12/31/64 in the belief that such action would result in extending coverage under the provisions of the Social Security Act, as amended; and

Whereas, in furtherance of this belief the said political subdivision continued to file wage reports and make contribution payment under the Federal Insurance Contributions Act for each succeeding calendar quarter after the quarter ending with 12/31/64;

Whereas, the filing of such wage reports and contribution returns under the Federal Insurance Contributions Act was erroneous; and

Whereas, the political subdivision has established that services of its employees may be covered under the provisions of section 218 of the Social Security Act, as amended; and

Whereas, the political subdivision has followed the incorrect procedure in effectuating such coverage; and

Whereas, the State of Rhode Island and the Secretary of Health, Education, and Welfare desire to correct the above error in said agreement;

Now, Therefore, the Secretary of Health, Education and Welfare and the State of Rhode Island acting through its representative designated to administer its responsibilities under the above agreement hereby agree to and by this modification do add the above-named political subdivision to said agreement, with coverage effective as of October 1, 1964, the beginning of the period for which wage reports were first erroneously filed under the Federal Insurance Contributions Act.

Services Covered: Services of employees in all coverage groups (as defined in section 218(b)(5) of the Act)

Excluded Services: ~~xxx~~ As per States Federal Agreement of ~~xxx~~ December 20, 1951

Approved for the State of Rhode Island this 27th day of August, 1974.

Raymond H. Hawley  
General Treasurer

Approved this 27 day of November, 1974.

Secretary of Health, Education, and Welfare

By: Abraham J. Teitler  
Abraham J. Teitler, Director  
Division of Coverage  
Bureau of Retirement and Survivors Insurance  
Social Security Administration

Sec. 7. Said taxable inhabitants qualified to vote as aforesaid shall have the power to enact by-laws prescribing the duties of the chief and board of engineers of said district; and of the inhabitants of said district in time of conflagration and to enforce obedience to the commands of the chief and or the board of engineers for suppressing disorder and tumult, guarding or removing property, or rendering other services in time of fire; and for breach of any such by-law, may provide a penalty not exceeding a fine of one hundred dollars (\$100.00), to be recovered for the use of said district which penalty may be enforced by prosecution on complaint and warrant before the district court of this state sitting at Westerly within Washington county.

Sec. 8. There shall be a special meeting of the people of said town of Charlestown owning property within the area of said district who are qualified to vote as hereinbefore provided to be held on July 13, 1974 at 8:00 A.M. at the town hall in Charlestown and closing at 4:00 P.M. at which meeting there shall be submitted the following question:

"Shall an act passed by the general assembly at the January session, A.D. 1974 entitled 'An act to incorporate the Charlestown fire district' be approved?"  
The town clerk of the town of Charlestown shall after the said meeting forward to the secretary of state of Rhode Island the result of said vote upon the question submitted.

The moderator of the town of Charlestown shall preside at said special meeting; and the board of canvassers of the town of Charlestown shall prepare the voting list for said special meeting. The town clerk of the town of Charlestown shall call and warn said special meeting the same as town meetings are called and warned, and in said call conditionally call and warn the first annual meeting of said district.

Sec. 9. If said question submitted as aforesaid in section 8 of this act shall be approved, the first annual meeting of said district shall be held at the town hall in said Charlestown on July 20, 1974, at 7:00 P.M.; and the moderator of said town of Charlestown shall preside at said meeting until district officers for said district are elected and qualified, and the town clerk of said town of Charlestown shall act as the clerk of said meeting.

Sec. 10. All meetings of said district shall be called and warned in the same manner as town meetings of the town of Charlestown are called and warned; and ten (10) eligible voters shall constitute a quorum.

Sec. 11. This section and section 8 of this act shall take effect upon the passage of this act and the remaining portions of this act shall take effect when a majority of those voting on the question so provided in section 8 shall have voted in the affirmative.

power at any annual meeting of said district to make annual appropriations for purchasing fire apparatus and other equipment used to fight fires, land and buildings for keeping the same, making cisterns and reservoirs and other arrangements for water supply, and such other appropriations of money for such purpose as may be necessary to adequately protect the inhabitants and property in said district from the hazards of fire, said appropriations not to exceed a total for any one year of one-fifth of one per cent of the ratable assessed property within said district. And said taxable inhabitants of said Charlestown fire district qualified to vote as aforesaid at each annual meeting of said district shall order the assessment and levy and collection of taxes on all persons and corporations and their property, real and tangible personal, within said district and the collection of said taxes and said taxes, so ordered, shall constitute a lien on said property for a period of three years from the time of the assessment of the same by the assessors of said district; and said taxes so ordered shall be assessed by said assessors according to the last valuation made by the assessor of taxes of the town of Charlestown previous to the assessment of said district adding however any taxable property which may have been omitted by said town assessors or afterwards acquired: and in assessing and collecting said taxes ordered by said district, such proceedings shall be had by the officers of said district, as near as may be, as are required to be had by the corresponding officers of towns in this state in assessing and collecting town taxes; and every vote of any said district meetings ordering a tax shall prescribe the date when said assessment shall be made and when said taxes are due and payable; and the rate of any of said taxes shall not exceed twenty cents (20¢) for each one hundred dollars (\$100.) of assessed valuation of the property so assessed, but may provide a penalty of not exceeding 8% per annum on all taxes not paid when due; provided, however, that no bill shall be sent which is under a minimum charge of \$1.00.

Sec. 6. Said Charlestown fire district shall have power to borrow money and issue its promissory notes for the same, but said borrowings or debt outstanding at any one time shall not exceed the sum of fifty thousand dollars (\$50,000.); and said borrowings shall be authorized at any annual or special meeting of said district and shall provide the maturities of any borrowing and the officer or officers of said district who shall issue and sign any promissory note or notes of said district and the rate of interest on any such note or notes.

74-H 5619 A  
 APPS 514  
 May 10, 1974

AN ACT to Incorporate the Charlestown Fire District.

It is enacted by the General Assembly as follows:

Section 1. The Charlestown fire district shall start at the intersection of the Charlestown-Westerly town line and the Buckeye Brook road, so-called, thence easterly, northerly, and easterly along the northerly line of said Buckeye Brook road to the intersection of the northerly line of Buckeye Brook road and the easterly line of Governor Green trail, so-called; thence southerly along the easterly line of Governor Green trail to the northerly shore of Watchaug Pond; thence easterly, northeasterly, northerly, southerly and westerly along the shore of Watchaug Pond to an intersection of a stone wall near the southerly point of Watchaug Pond; thence, southeasterly along said wall and a continuation thereof to the shoreline of Block Island Sound, thence easterly along said shore line of the Block Island Sound to the intersection of the Charlestown-South Kingstown town line as already established; thence, northeasterly along the said Charlestown-South Kingstown line to the shore of the Great Swamp; thence westerly, along the south shore of said swamp, to the Pawcatuck River; thence westerly along the center line of said river which is the boundary line of the towns of Charlestown-Richmond and Charlestown-Hopkinton; thence westerly to the intersection of the Charlestown-Richmond and Charlestown-Westerly town lines; thence southerly along the Charlestown-Westerly line to the point and place of beginning.

Sec. 2. Every eligible voter shall have the right to vote at all meetings of said district, provided, such person has paid all taxes he or she owes said district eight (8) days before said meeting.

Sec. 3. The annual meeting of said district shall be holden on the second Saturday of July in each year at 7:00 P.M. Said meeting may be called by the district clerk on seven (7) days notice posted in three or more public places in the district before the meeting.

Sec. 4. The qualified taxable inhabitants of said Charlestown fire district at each annual meeting and at any other meeting when vacancies occur, shall elect officers of said district to serve for one year or until the next annual meeting of said district and until others be chosen in their stead which officers shall consist of a moderator, clerk, treasurer, a board of three canvassers, three assessors and a collector of taxes, whose duties and powers within said district shall be such as like officers of towns in this state have in their respective towns. They shall also elect a chief and a board consisting of four (4) engineers whose duties shall be the care, management and control of all property and equipment owned by the district which is used for the prevention or extinguishment of fires.

Sec. 5. Since taxable inhabitants of said Charlestown fire district qualified to vote as aforesaid, shall have

# MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
OFFICE OF THE SECRETARY  
REGION I

TO : Regional Commissioner, SSA

DATE: October 18, 1974

FROM : Office of the General Counsel  
Boston Regional Office

SUBJECT: State and Local Coverage - Rhode Island Modification No. 91 Rhode Island  
Housing and Mortgage Finance Corporation

Cleared for Approval

With regard to the inclusion of the Rhode Island Housing and Mortgage Finance Corporation, we have now received the statutory materials we requested. "An Act creating the Rhode Island Housing and Mortgage Finance Corporation," Chapter 266, P.L. 1973, State of Rhode Island, states in section 42-55-4 that the subject corporation is a public corporation of the state, exercising governmental functions not having a distinct legal existence and not constituting a department of the state government. It has politic and corporate powers, vested in seven commissioners, and has authority, rights, privileges and titles necessary to accomplish its purposes. The corporation has the power to: Sue and be sued; have an official seal; adopt, amend and repeal by-laws, rules and regulations; execute contracts; hold and convey real and personal property; and hire and supervise employees and control their compensation.

The Rhode Island Housing and Mortgage Finance Corporation has been explicitly designated as a separate political and corporate body by the Act creating it; possessing all the powers characteristic of a political subdivision, it thereby constitutes a separate juristic entity.

Based on the foregoing, our opinion is that the Rhode Island Housing and Mortgage Finance Corporation is a separate "political subdivision" within the meaning of Social Security Act Section 218.

Samuel C. Fish  
Regional Attorney

By

*George Eng*

George Eng  
Assistant Regional Attorney

# MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
SOCIAL SECURITY ADMINISTRATION

CV 5-13

TO : Mr. Abraham J. Teitler, Director  
Division of Coverage

DATE: October 31, 1974

REFER TO: IRI-451

FROM : Harry Stahmer, Chief  
Contract Coverage Branch

SUBJECT: Modification No. 91, Rhode Island

Enclosed is the above identified modification and supporting documents for necessary action.

<u>1*</u>	218(b)(5) coverage groups	<u>unknown</u>	No. of Employees
	218(d)(4) coverage groups		No. of Employees
	Other (See Remarks)		No. of Employees
<u>1</u>	Total No. of coverage groups	<u>unknown</u>	Total No. of Employees Covered

Remarks:

\* Error Modification extends coverage to all (b)(5) coverage groups of 1 political subdivision that has erroneously reported under FICA procedures. (Transfer has been requested for quarters ending March 31, 1974 and June 30, 1974.

*(Signature)*  
Harry Stahmer

CButler/HStahmer:gcb 10-31-74

*(Handwritten)*  
CButler 10/31/74

TO RHODE ISLAND STATE SOCIAL SECURITY AGREEMENT

Whereas, the Secretary of Health, Education, and Welfare and the State of Rhode Island, acting through its representative designated to administer its responsibilities, entered into an agreement on December 20, 1951 for the purpose of extending coverage under the provisions of the Social Security Act, as amended, to the employees of the State and the political subdivisions of the State; and

Whereas, the Rhode Island Housing and Mortgage Finance Corp., a political subdivision of the State, filed wage reports and contribution returns under the Federal Insurance Contributions Act beginning with the calendar quarter ending with 3/31/74 in the belief that such action would result in extending coverage under the provisions of the Social Security Act, as amended; and

Whereas, in furtherance of this belief the said political subdivision continued to file wage reports and make contribution payment under the Federal Insurance Contributions Act for each succeeding calendar quarter after the quarter ending with 3/31/74;

Whereas, the filing of such wage reports and contribution returns under the Federal Insurance Contributions Act was erroneous; and

Whereas, the political subdivision has established that services of its employees may be covered under the provisions of section 218 of the Social Security Act, as amended; and

Whereas, the political subdivision has followed the incorrect procedure in effectuating such coverage; and

Whereas, the State of Rhode Island and the Secretary of Health, Education, and Welfare desire to correct the above error in said agreement;

Now, Therefore, the Secretary of Health, Education and Welfare and the State of Rhode Island acting through its representative designated to administer its responsibilities under the above agreement hereby agree to and by this modification do add the above-named political subdivision to said agreement, with coverage effective as of January 1, 1974, the beginning of the period for which wage reports were first erroneously filed under the Federal Insurance Contributions Act.

Services Covered: Services of employees in all coverage groups (as defined in section 218(b)(5) of the Act)

Excluded Services: None

Approved for the State of Rhode Island this 27th day of August, 1974.

Raymond H. Hawkesley  
General Treasurer

Approved this 7 day of November, 1974.

Secretary of Health, Education, and Welfare

By: Abraham J. Teitler

Abraham J. Teitler, Director  
Division of Coverage  
Bureau of Retirement and Survivors Insurance  
Social Security Administration



Hugh F. McKenna, Director  
Bureau of Retirement and Survivors Insurance

October 22, 1974  
ICF-RI

Vincent G. Gavin  
Acting Regional Commissioner

State and Local - Rhode Island Modifications No. 90 and No. 91

We are enclosing for your approval five copies of Modifications No. 90 and No. 91 submitted by the State of Rhode Island in connection with the Federal-State agreement under Section 218 of the Social Security Act.

These Modifications were personally delivered to the Providence, Rhode Island District Office on August 27, 1974, rather than being received by mail. Upon receipt, all copies were immediately date-stamped. The State has requested August 27, 1974, as the designated date for existence of employment relationship.

These Modifications have been reviewed by this office and cleared for approval by the Regional Attorney.

Enclosures