MODIFICATION NO. 42

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 as additional coverage groups (as defined in Section 218 (b) (5) of the Act), under said Agreement and Acknowledge full applicability of the terms of said agreement to all such coverage groups of the following political subdivision of the State.

COVEREAGE
Johnston Sanitary District

NAME
Treasurer
Johnston Sanitary District
1419 Atwood Avenue
Johnston, Rhode Island

The effective date for coverage of these groups shall be January 1, 1963.

Approved for the State of Rhode Island this Twenty first day of November, 1962.

by
Raymond H. Landesby
General Treasurer

Approved this 12th day of November, 1962.

Secretary of Health, Education and Welfare.

by
Thomas C. Parrott, Assistant Director
Bureau of Old-Age and Survivors Insurance
OFFICE MEMORANDUM # UNITED STATES GOVERNMENT

To: Mr. Thomas C. Parrott
   Assistant Director

From: Edward N. Watman, Chief
      Coverage Branch

Subject: Modification No. 42, Rhode Island

Date: December 11, 1962
Refer to: 14:CP:C

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

1 218(b)(5) Coverage Groups Unknown No. of Employees

2 218(d)(4) Coverage Groups Unknown No. of Employees

Other (See Remarks) Unknown No. of Employees

1 Total No. of Coverage Groups Unknown Total No. of Employees Covered

Remarks:

Cleared by the regional attorney.

Edward N. Watman

Attachment(s) (5)

12/12/62
United States Government

Memorandum

Hugh F. McKenna, Director
Division of Field Operations
ATTN: Division of Claims Policy

E. F. O'Day
Acting Social Security Regional Representative
Boston Regional Office

DATE: November 20, 1963

Your reference: 14:CP:CC

SUBJECT: State and local coverage - Rhode Island - Modification 42 -
Your memorandum dated October 4, 1963

Enclosed is the copy of Modification No. 42 which was in the files
of the State Administrator. It would appear that this is not the
original you are looking for. It is, however, the only one received
by the State.

Enclosure

DCP NOV 27, 1963
The statutory provisions under which the Johnston Sanitary District, proposed for coverage in the subject modification, exists and operates are set forth in Chapter 3218 of the Public Laws of Rhode Island, 1953, as amended by Chapter 3310 of the Public Laws, 1954; Chapter 3720 of Public Laws, 1956; and Chapters 199 and 201 of Public Laws, 1958.

These provisions provide, inter alia, for the creation in the town of Johnston, Rhode Island, within the boundaries specified, of the Johnston Sanitary District and its governing body, the Johnston Sanitary Board (sections 2 and 4). The Johnston Sanitary District is divided into four voting districts from which members of the Sanitary Board and other officials are elected in accordance with specified procedures (sections 3 and 4). The Sanitary Board is endowed with extensive powers including the construction and maintenance of a sewage disposal system within the district; entrance into an agreement with the State or any political subdivision thereof for treatment and disposal of sewage; adoption of by-laws including rules and regulations for the rates and conditions upon which service shall be supplied; adoption of an official seal; issuance of bonds in the manner provided; acquisition in the name of the district by purchase, condemnation or otherwise of real property for sewage purposes; acquisition by purchase, condemnation or otherwise of easements in land and personal property; holding and disposition of all real and personal property under its control; entrance into contracts and agreements; employment of employees and agents and the authority to fix their compensation; exercise of jurisdiction and control over sewage treatment plant and operation thereof; entrance upon any lands, rivers, etc. for purposes of surveys, etc.; restraining and enjoining of any individual from disposing of any sewage which would contribute to pollution within the district; acceptance of loans and

(Cont'd. on page 2)
grants; other necessary and convenient powers (section 5). In addition, the Sanitary Board is authorized to fix and revise a schedule of sewer service charges for the services furnished by the district against realty involved, which rates are not subject to review by any other political subdivision of the State (section 8). The relevant statutory materials further set forth the methods and procedures by which the Sanitary Board is to finance the construction and operation of the district through, inter alia, issuance of bonds, levying and collection of special assessments, imposition and apportionment of liens against realty involved, all in accordance with specified procedures (section 7, et seq.). These statutory provisions were designated to take effect upon an affirmative vote held in an election in accordance with the specified procedures (section 15, Chapter 3218, 1953). It appears that this election was held and that the statutory provisions were approved (section 15, Chapter 3210, 1954).

In light of the foregoing statutory provisions, we believe that the Johnston Sanitary District as operated by its Board in accordance with the independent and extensive powers conferred upon the Board, is a separate juristic entity entitled to separate coverage under the State's agreement.