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 addi-
tional 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 sub-
division of the State.

COVERAGE

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 Hawksley_
    General Treasurer

Approved this _12th_ day of _Dec_, 1962.

Secretary of Health, Education and Welfare.

by _Thomas C. Parrott, Assistant Director_
    Bureau of Old-Age and Survivors Insurance

#42

OFFICE MEMORANDUM * UNITED STATES GOVERNMENT

To   :   Mr. Thomas C. Parrott   **Date:** December 11, 1962
            Assistant Director
                                           Refer to: 14:CP:C
From   :   Edward N. Watman, Chief
            Coverage Branch

Subject: Modification No. ___42___ , ___Rhode Island___

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

1	218(b)(5) Coverage Groups	Unknwon	No. of Employees
	218(d)(4) Coverage Groups		No. of Employees
	Other (See Remarks)		No. of Employees
1	Total No. of Coverage Groups	Unknown	Total No. of Employees Covered

Remarks:

      Cleared by the regional attorney.

Edward N. Watman

Edward N. Watman

Attachment (s) (5)

12-12-62

5010-106

UNITED STATES GOVERNMENT

Memorandum

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

DATE: November 20, 1963

Your reference: 14:CP:CC

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

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

GC:RA:I
DATE: December 5, 1962

TO: OASI Regional Representative

FROM: Office of the General Counsel
         Boston Regional Office

SUBJECT: State and Local Coverage - Rhode Island Modification No. 42

COMMENTS: Cleared for approval.

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 con-
ditions 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 per-
sonal 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

Arthur M. Menard
Regional Attorney

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.