

2010 -- S 2136

LC00037

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO TOWNS AND CITIES

Introduced By: Senator John J. Tassoni

Date Introduced: February 04, 2010

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 45-25-10 and 45-25-10.5 of the General Laws in Chapter 45-25
2 entitled "City Housing Authorities" are hereby amended to read as follows:

3 **45-25-10. Appointment and terms of commissioners -- Compensation, organization,**
4 **and personnel.** -- (a) An authority consists of ~~five (5)~~ seven (7) commissioners appointed by the
5 mayor and he or she shall designate the first chairperson; provided, that the housing authority of
6 the city of Providence consists of eleven (11) commissioners who are residents of the city of
7 Providence, and the housing authority of the city of Woonsocket shall consist of seven (7)
8 members, two (2) of whom shall be occupants of public housing. At all times three (3) of the
9 commissioners must be occupants of public housing, which commissioners shall be appointed
10 from a list of nominees chosen yearly by the occupants of public housing in open elections, each
11 housing project choosing three (3) nominees from among its occupants. Upon the determination
12 of the appointing authority that any commissioner has not been an occupant of public housing or
13 not a resident of the city of Providence for a period of six (6) consecutive months, the appointing
14 authority shall remove the commissioner and designate a person to fill the resultant vacancy;
15 provided, that the mayor choose the replacement from the list of nominees chosen yearly by the
16 occupants of public housing when appropriate. No commissioner may be a city or state official;
17 provided, that members of the housing authority of the city of Providence may serve on the city
18 council.

19 (b) The commissioners who are first appointed shall be designated by the mayor to serve

1 for terms of one, two (2), three (3), four (4), and five (5) years, respectively, from the date of their
2 appointment. Four (4) additional commissioners for the housing authority for the city of
3 Providence shall be designated by the mayor to serve terms of one, two (2), three (3), and four (4)
4 years, respectively, from the date of their appointment. The two (2) additional commissioners for
5 the city of Woonsocket shall be designated by the mayor to serve terms of one and two (2) years
6 respectively. Thereafter, the term of office shall be ~~five (5)~~ three (3) years; provided, that no
7 member of the house authority shall serve for more than three (3) consecutive three (3) year
8 terms. Two (2) additional commissioners for the housing authority of the city of Providence shall
9 be members of the city council elected by the city council from its councilmanic members to
10 serve for a term ending the first Monday in January, 1975, and, thereafter, elected for a term of
11 four (4) years. A commissioner shall hold office until his or her successor has been appointed, or
12 elected, and has qualified. Vacancies shall be filled for the unexpired term. Three (3)
13 commissioners constitute a quorum except that six (6) commissioners of the housing authority of
14 the city of Providence constitute a quorum.

15 (c) The mayor shall file with the city clerk a certificate of the appointment or
16 reappointment of any commissioner, and the certificate is conclusive evidence of the due and
17 proper appointment of the commissioner. A commissioner of the city of Providence shall only
18 receive twenty-five dollars (\$25.00) per meeting, but not in excess of twelve hundred dollars
19 (\$1,200) per year as compensation for his or her services, and the commissioner is entitled to the
20 necessary expenses including traveling expenses incurred in the discharge of his or her duties, the
21 compensation and expenses to be paid by the municipality of Providence; provided, that a
22 commissioner of the city of Pawtucket receives one thousand two hundred dollars (\$1,200) per
23 year and is entitled to the necessary expenses including traveling expenses incurred in the
24 discharge of his or her duties, to be paid by the city of Pawtucket; provided, that a commissioner
25 of the city of Central Falls receives twenty-five dollars (\$25.00) per meeting but not in excess of
26 five hundred dollars (\$500) per year as compensation for his or her services, and the
27 commissioner is entitled to the necessary expenses including traveling expenses incurred in the
28 discharge of his or her duties, to be paid by the city of Central Falls.

29 (d) Effective January 1, 1988, and thereafter, a commissioner of the city of Warwick
30 receives one thousand five hundred dollars (\$1,500) per year, and the chairperson of the Warwick
31 housing authority receives one thousand seven hundred dollars (\$1,700) per year for their services
32 to be paid by the city of Warwick.

33 (e) When the office of the first chairperson of the authority becomes vacant, the authority
34 shall select a chairperson from among its members. An authority shall select from its members a

1 vice chairperson, and it may employ a secretary (who shall be executive director), technical
2 experts, and other officers, agents, and employees, permanent and temporary, that it may require,
3 and shall determine their qualifications, duties, and compensation. An authority may call upon the
4 city solicitor or chief law officer of the city for legal services, as it may require, or it may employ
5 its own counsel and legal staff. An authority may delegate to one or more of its agents or
6 employees the powers or duties that it deems proper.

7 **45-25-10.5. City of Woonsocket housing authority.** -- Notwithstanding the provisions
8 of section 45-25-10, commencing January 1, 2002 the housing authority of the city of
9 Woonsocket is expanded in size from five (5) members to seven (7) members. The two (2)
10 additional members shall be residents of public housing facilities and/or recipients of the
11 authority's Section 8 tenant based program in the city of Woonsocket. Each shall be appointed for
12 a ~~four (4)~~ three (3) year term by the mayor, who shall make the appointments from a list of
13 interested residents of the public housing facilities and/or recipients of the authority's Section 8
14 tenant based program in the city of Woonsocket as submitted by the executive director. The
15 method of selection of the residents to the list shall be determined by the mayor. If any resident
16 commissioner no longer lives in public housing and/or is no longer a recipient of the authority's
17 Section 8 tenant based program in the city of Woonsocket, his or her office shall be deemed
18 vacated; provided, that no member of the housing authority shall serve more than three (3)
19 consecutive three (3) year terms.

20 SECTION 2. Chapter 45-25 of the General Laws entitled "City Housing Authorities" is
21 hereby amended by adding thereto the following section:

22 **45-25-10.6. City housing authorities.** – Notwithstanding the provisions of chapter 45-
23 25, commencing January 1, 2010, the house authorities of the cities of Central Falls, Newport,
24 Pawtucket and Warwick are expanded from five (5) members to seven (7) members. The two (2)
25 additional members shall be residents of public housing facilities in the cities of Central Falls,
26 Newport, Pawtucket and Warwick. Each shall be appointed for a three (3) years term by the
27 mayors who shall make the appointments from a list of persons nominated from the residents.
28 The residents of each public housing facility shall by election nominate two (2) residents of that
29 facility to the list every three (3) years, and the residents so elected to the housing authorities shall
30 each serve for three (3) years; provided, that no member of the housing authorities shall serve
31 more than three (3) consecutive three (3) year terms.

32 SECTION 3. Section 45-26-4 of the General Laws in Chapter 45-26 entitled "Town
33 Housing Authorities" is hereby amended to read as follows:

34 **45-26-4. Appointment, terms, and compensation of commissioner.** -- ~~(a)(1) When the~~

1 ~~town council adopts a resolution creating a town authority, the town council shall appoint five (5)~~
2 ~~persons as commissioners of the town authority; provided, however, that the town of Lincoln~~
3 ~~shall appoint seven (7) persons as commissioners of the town authority. The commissioners who~~
4 ~~are first appointed shall be designated to serve for terms of one, two (2), three (3), four (4), and~~
5 ~~five (5) years, respectively, from the date of their appointment, but, subsequently, commissioners~~
6 ~~shall be appointed for a term of office of five (5) years, except that all vacancies shall be filled for~~
7 ~~the unexpired term, those appointments to be made by the town council.~~

8 ~~(2) Provided, however, that the commission members of the town authority of the town~~
9 ~~of Lincoln must be residents of the town of Lincoln during the term of their appointment.~~
10 ~~Provided, further, that at least one of the commission members of a town authority must be a~~
11 ~~resident as well as a resident of a public housing facility during the term of their appointment. A~~
12 ~~public housing resident commissioner shall be appointed by the appointing authority from a list of~~
13 ~~nominees chosen in open election by the occupants of public housing. Upon the failure of the~~
14 ~~election process, there shall be a provision for an application process. Nothing in this subsection~~
15 ~~shall be construed as preventing the appointing authority from appointing more than one resident~~
16 ~~of public housing to the commission.~~

17 (1) Notwithstanding the provisions of chapter 45-26, commencing January 1, 2010, the
18 housing authorities of all towns located in the state are expanded from five (5) members to seven
19 (7) members. The two (2) additional members shall be residents of public housing facilities in the
20 towns. Each shall be appointed for a three (3) year term by the mayors or town administrators
21 who shall make the appointments from a list of persons nominated by the residents. The residents
22 of each public housing facility shall by election nominate two (2) residents of that facility to the
23 list every three (3) years, and the residents so elected to the housing authorities shall each serve
24 for three (3) years; provided, that no member of the housing authorities shall serve more than
25 three (3) consecutive three (3) year term.

26 ~~(3)~~ (2) ~~Provided, however that the commission members of the city housing authority of~~
27 ~~the city of Central Falls must be approved by a majority of the members of the Central Falls city~~
28 ~~council and must also be residents of the city of Central Falls during the term of their~~
29 ~~appointment to the housing authority.~~

30 (b) A commissioner of the town of North Providence shall receive twenty-five dollars
31 (\$25.00) per meeting but not in excess of five hundred dollars (\$500) per year as compensation
32 for his or her services; provided, that a commissioner of the town of Coventry shall only receive
33 twenty-five dollars (\$25.00) per attended meeting but not in excess of six hundred dollars (\$600)
34 per year as compensation for his or her services, provided, further, that the chairperson of the

1 Coventry housing authority shall receive thirty-five dollars (\$35.00) per attended meeting but not
2 in excess of eight hundred forty dollars (\$840) per year as compensation for his or her services.

3 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TOWNS AND CITIES

1 This act would increase the membership in all municipal housing authorities to seven (7)
2 members, and would further provide that no member of a housing authority shall serve more than
3 three (3) consecutive three (3) year terms.

4 This act would take effect upon passage.

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