

2024 -- S 3095

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO INCORPORATE THE BONNET SHORES FIRE DISTRICT

Introduced By: Senator Alana DiMario

Date Introduced: May 28, 2024

Referred To: Senate Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 2, Section 3, Section 6, and Section 9 of "AN ACT TO
2 INCORPORATE THE BONNET SHORES FIRE DISTRICT", as passed at the January session
3 A.D. 1932, and as amended, are hereby further amended to read as follows:

4 "~~SECTION 2. Every firm, corporation, unincorporated association and every person,~~
5 ~~irrespective of sex, of the age of eighteen years, who is possessed in his or her own right of real~~
6 ~~estate in said district of the value of one Four Hundred (\$400) Dollars over and above all~~
7 ~~encumbrances, being an estate in fee simple, fee tail, for the life of any person, or an estate in~~
8 ~~reversion or remainder, the conveyance of which estate shall if by deed, have been recorded at least~~
9 ~~ninety (90) days, shall thereafter have a right to vote at all meetings of the corporation. Any such~~
10 ~~firm, corporation or unincorporated association having title to real estate as aforesaid, shall be~~
11 ~~entitled to cast one (1) vote through its duly authorized representative for such purposes. The duly~~
12 ~~authorized representative shall present to the Clerk before casting its vote and obtaining a ballot,~~
13 ~~an authorization by the firm, corporation or unincorporated association, which authorization shall~~
14 ~~be notarized and clearly identify the person authorized to vote on behalf of said firm, corporation~~
15 ~~or unincorporated association holding title to real estate.~~

16 Every person or firm qualified to vote as aforesaid shall vote in person, except that a person
17 in common ownership to real estate may vote as the proxy of the other person who has been verified
18 as being in common ownership in said real estate, provided that such proxy shall be in writing and
19 filed with the Clerk at the meeting at which such proxy shall be used. The proxy shall be in a form

1 ~~to be furnished by the Clerk or otherwise approved by the Clerk. All voting shall be by ballot,~~
2 ~~unless waived by unanimous consent of those present at the meeting and qualified to vote, and the~~
3 ~~action of a majority at any meeting at which a quorum is present shall bind the District.~~

4 (A) All persons who reside in the Bonnet Shores Fire District, and who are duly registered
5 with and eligible to vote in general or special elections in, the Town of Narragansett, shall have the
6 right to vote for all offices to be elected and on all questions submitted to the electors of the Bonnet
7 Shores Fire District.

8 (B) All persons qualified to vote in the Bonnet Shores Fire District elections who wish to
9 vote shall vote in person, or personally by such other means as may be approved by the Bonnet
10 Shores Fire District Council. No person may cast a ballot on behalf of another person.

11 (C) Nothing in this section shall bar the Bonnet Shores Fire District council from
12 establishing methods to allow qualified Bonnet Shores Fire District voters, as defined in this
13 section, to cast their ballots prior to the date of a Bonnet Shores Fire District election or to cast their
14 ballots while absent from the Bonnet Shores Fire District provided that:

15 (1) No such method may expand or alter the voter qualifications imposed in this section
16 and;

17 (2) No such method may permit a voter to cast a ballot on behalf of another.

18 SECTION 3. The first meeting of the district shall be held at some convenient place within
19 the district on the second Wednesday in May, 1932, at 7 o'clock P.M., eastern standard time (or 8
20 o'clock P.M. daylight saving time). The annual meeting of the district (if established) to be held in
21 1933 shall be held on the second Wednesday in May in that year, and thereafter the annual and
22 special meetings of the district shall be held in said Town of Narragansett at such time as shall be
23 specified in the by-laws of the district. Notice of the first meeting shall be given by two or more of
24 the persons qualified to vote within the district and said notice shall state the time and place of
25 meeting and shall be published in some newspaper published in the city of Providence, once a week
26 for two successive weeks, the last publication to be at least five days next before the date of said
27 first meeting. Notice of subsequent annual meetings of the district shall be given in a manner as
28 prescribed in the by-laws of the district. A quorum at the first meeting of the district and at any
29 subsequent meeting, whether annual or special, shall consist of at least fifty voters qualified as
30 aforesaid, present in person, ~~or by proxy (as to those cases where voting by proxy is permitted in~~
31 ~~accordance with the provisions of Sec. 2 hereof).~~ All voting shall be by ballot unless waived by
32 unanimous consent of those present at the meeting, and qualified to vote, and the action of a
33 majority at any meeting at which a quorum is present shall bind the district. This act shall take
34 effect upon its passage and all acts or parts of acts inconsistent herewith are hereby repealed.

1 SECTION 6. The district may elect a clerk, three assessors of taxes, one or more elections
2 canvassers, a collector of taxes, a district council ~~or~~ of not less than three and no more than seven
3 qualified voters, one or more fire wardens, one or more police officers and such other officers and
4 committees as said district may require for its corporate purposes. Such officers and committees
5 may be elected at the first meeting of the district to hold office until the first annual meeting
6 thereafter; and at such annual meeting and at each subsequent annual meeting of the district officers
7 and committees may be elected in such manner and for such terms of office as may be prescribed
8 in the by-laws. If the by-laws shall so provide, the members of the district council may be divided
9 into groups, one group to be elected annually to hold office for not more than three years. Vacancies
10 in any office may be filled at any annual meeting of the district, or at any special meeting called
11 for that purpose. The district council shall have general supervision and management of the
12 business and affairs of the district and, together with other officers and committees, shall have such
13 further powers and duties as may be created or imposed in the by-laws of the district. The fire
14 wardens shall have such powers and duties as are generally exercised in fire districts within the
15 state, with such additional powers and duties as may be created or imposed in the by-laws of the
16 district.

17 SECTION 9. This act shall take effect from and after its acceptance by ballot as aforesaid
18 and when there shall have been filed with the secretary of state a certificate of the clerk of the
19 district which shall disclose such acceptance.

20 In the event that said district shall be established as provided in section 4 hereof, no
21 amendment of this act shall be effective as to said district unless and until the same shall be accepted
22 by the affirmative vote of a majority of the voters of said district present (~~or represented by proxy~~
23 ~~as provided in section 2 hereof~~) at a special or annual meeting of said district duly held within two
24 years after the passage of such amendment, at which meeting a quorum shall be present, and in the
25 notice of which meeting there shall be contained the statement that the acceptance or rejection of
26 such amendment is to be voted upon, and until there shall have been filed with the secretary of state
27 a certificate of the clerk of the district that such amendment has been accepted as aforesaid."

28 SECTION 2. The Act to Incorporate the Bonnet Shores Fire District, as passed at the
29 January Session AD. 1932, as amended, is hereby further amended by adding thereto the following
30 section:

31 SECTION 11. The amendments to this act shall take effect from and after their acceptance
32 by ballot by the residents and qualified voters of the Bonnet Shores Fire District and when there
33 shall have been filed with the secretary of state a certificate of the Clerk of the Bonnet Shores Fire
34 District which shall disclose such acceptance. The election to approve or reject these amendments

1 shall be conducted in the following manner:

2 (a) Electorate. The electorate for this election shall include:

3 All persons who, at the time of said election, reside in the Bonnet Shores Fire District and
4 who are duly registered with, and eligible to vote in general or special elections in, the Town of
5 Narragansett.

6 The electorate shall not include:

7 (1) Corporations, trusts, partnerships, LLCs or other corporate entities; or

8 (2) Individuals who do not reside in the Bonnet Shores Fire District and who do not
9 otherwise qualify to vote as set forth above.

10 (b) Date: Said election shall be held at a special meeting of the Bonnet Shores Fire District,
11 which special meeting shall be held before the next annual meeting of the Bonnet Shores Fire
12 District.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO INCORPORATE THE BONNET SHORES FIRE DISTRICT

1 This act would amend the Bonnet Shores Fire District charter to establish who is an eligible
2 voter in said district and would eliminate proxy voting.

3 This act would take effect upon passage and the provisions of the act would be subject to
4 approval by ballot by the residents and qualified voters at a special meeting of the Bonnet Shores
5 Fire District to be held before the next annual meeting of the Fire District.

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