

2015 -- H 5004

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF
NORTH SMITHFIELD

Introduced By: Representative Brian C. Newberry

Date Introduced: January 08, 2015

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. In all respects in which the amendments to the home rule charter of the
2 Town of North Smithfield, which amendments were adopted and approved by the electors of the
3 Town of North Smithfield on November 4, 2014, may require ratification, confirmation,
4 validation, or enactment by the General Assembly, but in no other respects, the provisions of said
5 amendments to the home rule charter of the Town of North Smithfield are hereby ratified,
6 confirmed, validated, and enacted. It is the express intention of the General Assembly, by the
7 passage of this act, to give effect to, ratify, confirm, validate, and enact those provisions of the
8 said amendments to the home rule charter of the Town of North Smithfield that require
9 ratification, confirmation, validation, or enactment and, by the passage of this act, the legislature
10 does hereby ratify, confirm, validate, and enact said provisions. Nothing in this act shall be
11 construed to abrogate or impair the powers now or hereafter granted to towns by the home rule
12 amendment and other applicable laws of the state of Rhode Island or those rights retained by said
13 Town of North Smithfield in its home rule charter.

14 SECTION 2. If any provision of this act, or the application thereof, to the Town of North
15 Smithfield or to any person or circumstances, is deemed invalid for any reason, the remainder of
16 this act, or the application of such provision, to aid town or other persons or circumstances, shall
17 not be affected thereby and, to this end, the provisions of this act are declared to be severable.

18 SECTION 3. Section 16-2-5 of the General Laws in Chapter 16-2 entitled "School

1 Committees and Superintendents [See Title 16 Chapter 97 - The Rhode Island Board of
2 Education Act]" is hereby amended to read as follows:

3 **16-2-5. Composition of city or town school committees -- Election and terms of**
4 **members -- Vacancies. --** The school committee of each city or town shall consist of three (3)
5 residents of the city or town, or of any number as at the present time constitute the committee. In
6 cities or towns having annual elections of city or town officers the committee shall be divided as
7 equally as may be into three (3) classes whose several terms of office shall expire at the end of
8 three (3) years from the dates of their respective elections. In cities or towns having biennial
9 elections the committee shall be divided as equally as may be into two (2) classes whose several
10 terms of office shall expire at the end of four (4) years from the dates of their respective elections.
11 As the office of each class shall become vacant, the vacancy or vacancies shall be filled by the
12 city or town at its regular city or town meeting for the election of state or city or town officers, or
13 by the city or town council at its next meeting after this. In case of a vacancy by death,
14 resignation, or otherwise than as is provided in this section, the vacancy shall be filled by the city
15 or town council until the next regular city or town meeting for the election of state or city or town
16 officers, when it shall be filled for the unexpired term as is provided in this section. This section
17 shall not apply to the cities of Providence, Central Falls, ~~or~~ Woonsocket, or the Town of North
18 Smithfield.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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NORTH SMITHFIELD

1 This act would ratify the 2014 amendment to the North Smithfield town charter and
2 would provide for the town charter's amendment to be applicable to state law relative to school
3 committee composition, election and terms of members.

4 This act would take effect upon passage.

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