



Compilation of Intermunicipal Cooperation Statutes

Courtesy of The Trust

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General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 40. Interlocal Cooperation Commissions
§ 45-40-1. Authority to create commission--Purpose

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 40. Interlocal Cooperation Commissions
§ 45-40-1. Authority to create commission--Purpose

(a) City or town councils have the authority to create a commission, to be called the interlocal cooperation commission, the purpose of which is to cooperate with other localities on a basis of mutual advantage, and to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.

(b) The commission shall conduct researches into the local governmental functions of its own and local communities. It may recommend to its council or any political subdivision of this state or another state, and to any agency of the state government or of the United States, programs to accomplish its purpose. It shall keep accurate records of its meetings and actions and file an annual report. It has power to appoint, subject to any personnel procurement program ordained by the city or town, any clerks and other employees that it may from time to time require.

§ 45-40-2. Membership

The commission shall consist of four (4) to seven (7) members appointed by the mayor with the advice and consent of the city council, or by the town council, or by any authority designated in its city or town charter. The members of the commission are appointed for three (3) year terms, except that the initial appointments are for less than three (3) years to the end that the initial appointments are staggered and so that all subsequent vacancies do not occur at the same time. In the event of a vacancy, interim appointments may be made by the appointing authority to complete the unexpired term of the position. Of the members, two (2) shall be members of the city or town council, one shall be a member of the school committee, one shall be a fiscal or budget officer of the municipality, and the remaining members shall be residents of the municipality.

§ 45-40-3. Studies with others

Subject to the approval of the city or town council, the commission may join in research and studies with others, and may receive gifts of funds to conduct the studies or to further its aims and purpose.

§ 45-40-4. Meetings--Records

All meetings of the commission are open to the public, and any person or his or her constituted representative, is entitled to appear and be heard on any matter before the commission before it reaches its decision. All records of its proceedings, resolutions, and actions are open to public view.

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 40.1. Interlocal Contracting and
Joint Enterprises
§ 45-40.1-1. Legislative purpose

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 40.1. Interlocal Contracting and Joint Enterprises
§ 45-40.1-1. Legislative purpose

It is the purpose of this chapter to permit local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and, thereby, to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.

§ 45-40.1-2. Short title

This chapter may be cited as the “Rhode Island Interlocal Cooperation Act”.

§ 45-40.1-3. “Public agency” defined

(a) For the purposes of this chapter, the term “public agency” means any political subdivision of this state, any agency of the state government or of the United States, and any political subdivision of another state.

(b) The term “state” means a state of the United States.

§ 45-40.1-4. Interlocal agreements

(a) Any power or powers, privileges, or authority, exercised or capable of exercise by a public agency of this state, may be exercised and enjoyed jointly with any other public agency of any other state or of the United States, and to the extent that laws of the other state or of the United States permit the joint exercise or enjoyment. Any agency of the state government, when acting jointly with any public agency may exercise and enjoy all of the powers, privileges, and authority conferred by this chapter upon a public agency.

(b)(1) Any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the provisions of this chapter.

(2) Appropriate action by ordinance, resolution, or otherwise, pursuant to law of the governing bodies of the participating public agencies, is necessary before any agreement may enter into force.

(c) Any agreement shall specify the following:

(1) Its duration.

(2) The precise organization, composition, and nature of any separate legal or administrative entity created by it, together with the powers delegated to it, provided the entity may be legally created.

(3) Its purpose or purposes.

(4) The manner of financing the joint or cooperative undertaking, and of establishing and maintaining a budget for it.

(5) The permissible method or methods to be employed in accomplishing the partial or complete termination of the agreement and for disposing of property upon partial or complete termination.

(6) Any other necessary and proper matters.

(d) In the event that the agreement does not establish a separate legal entity to conduct the joint or cooperative undertaking, the agreement shall, pursuant to the requirements of subsections (c)(1)-(c)(6), contain provisions for:

(1) An administrator or a joint board responsible for administering the joint or cooperative undertaking. In the case of a joint board, all public agencies party to the agreement shall be represented.

(2) The manner of acquiring, holding, and disposing of real and personal property used in the joint or cooperative undertaking.

(e) No agreement made pursuant to this chapter relieves any public agency of any obligation or responsibility imposed upon it by law, except that with respect to the actual and timely performance of it by a joint board or other legal or administrative entity created by an agreement made under this chapter, the performance may be offered in satisfaction of the obligation or responsibility.

(f) Every agreement made under this chapter shall, prior to and as a condition precedent to its entry into force, be submitted to the attorney general who shall determine whether the agreement is in proper form and in compliance with the laws of this state. The attorney general shall approve any agreement submitted to him or her unless he or she finds that it does not meet the conditions established by this chapter, and shall state, in writing, addressed to the governing bodies of the public agencies concerned, the specific respects in which the proposed agreement fails to meet the requirements of law. Failure of the attorney general to disapprove an agreement submitted under this chapter within fifteen (15) days of its submission constitutes approval of the agreement.

§ 45-40.1-5. Filing, status, and actions

Prior to its entry into force, an agreement made pursuant to this chapter shall be filed with the keeper of local public records and with the secretary of state. In the event that an agreement entered into pursuant to this chapter is between or among one or more public agencies of this state and one or more public agencies of other states or of the United States, the agreement shall have the status of an interstate compact, but in any case or controversy involving performance or interpretation of the compact or liability under it, the public agencies party to it shall be real parties in interest, and the state may maintain an action to recoup or otherwise make itself whole for any damages or liability which it may incur by reason of being joined as a party. The action shall be maintainable against any public agency or agencies whose default, failure, or performance, or other conduct, caused or contributed to the incurring of damage or liability by the state.

§ 45-40.1-6. Additional approval in certain cases

In the event that an agreement made pursuant to this chapter deals in whole or in part with the provision of services or facilities with regard to which an officer or agency of the state government has constitutional or statutory powers of control, the agreement shall, as a condition precedent to its entry into force, be submitted to the state officer or agency having power of control, and shall be approved or disapproved by him, her or it, as to all matters within his, her or its jurisdiction, in the same manner and subject to the same requirements governing the action of the attorney general pursuant to § 45-40.1-4. The requirement of submission and approval is in addition to, not in substitution for, the requirement of submission to and approval by the attorney general.

§ 45-40.1-7. Appropriations, furnishing of property, personnel, and service

Any public agency entering into an agreement pursuant to this chapter may appropriate funds and sell, lease, give, or otherwise supply the administrative joint board or other legal or administrative entity created to operate the joint or cooperative undertaking, by providing personnel or services for it as may be within its legal power to furnish.

§ 45-40.1-8. Interlocal contracts

Any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the public agencies entering into the contract is authorized by law to perform; provided, that the contract is authorized by the governing body of each party to the contract. The contract shall state fully the purposes, powers, rights, objectives, and responsibilities of the contracting parties.

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 5. Councils and Governing Bodies
§ 45-5-20. Power of city and town councils to
establish intermunicipal agreements for joint
purchasing of common-use items

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 5. Councils and Governing Bodies
§ 45-5-20. Power of city and town councils to establish intermunicipal agreements for joint purchasing of common-use items

City and town councils may establish joint agreements between two (2) or more municipalities for the purpose of purchasing materials, supplies, tools, and other items common in usage between units of local government. City or town councils may, jointly or independently, seek the services of the division of purchases, department of administration, in procuring items necessary to the operation of the city or town which it governs and which items are common in usage to those procured by the state, and the division of purchasers shall, upon request, by a city or town council, furnish lists of supplies and equipment to city or town purchasing agents.

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 43. Regional Councils of Local Government
§ 45-43-1. Establishment

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Title 45. Towns and Cities
Chapter 43. Regional Councils of Local Government
§ 45-43-1. Establishment

The municipal legislative bodies of any two (2) or more cities or towns, by appropriate action, may enter into an agreement with each other, or with the governing bodies of any municipalities of any other state to the extent that laws of the other state permit the establishment of a regional council of local governments.

§ 45-43-2. Membership

Membership of the council consists of three (3) representatives from each city or town entering into the agreement. The three (3) regular members from each city and town are as follows:

- (1) The chief executive or administrative head of the city or town.
- (2) The council president or designee of the city or town.
- (3) A third elected or appointed official in the city or town designated by the first two (2) regular members.

§ 45-43-3. Powers

(a) The council has the power to:

- (1) Study area governmental problems common to two (2) or more members of the council as it deems appropriate, including, but not limited to, matters affecting health, safety, welfare, education, economic conditions, and regional development;
- (2) Promote cooperative arrangements and coordinate action among its members; and
- (3) Make recommendations for review and action to the members and other public agencies that perform functions within the region.

(b) The council may, by appropriate action of the governing bodies of the member governments, exercise other powers that are exercised or capable of exercise by the member governments and necessary or desirable for dealing with problems of mutual concern; provided, that the exercise of power for the creation, construction, or operation of new regional solid waste disposal facilities is contingent upon the approval of the solid waste management corporation.

§ 45-43-4. Bylaws

The council shall adopt bylaws designating the officers of the council and providing for the conduct of its business.

§ 45-43-5. Staff

The council may employ staff, and consult and retain experts, as it deems necessary. The state

department of administration may furnish research, secretarial, and stenographic service to a council.

§ 45-43-6. Finances--Annual report

(a) The governing bodies of the member governments may appropriate funds to meet the expenses of the council. Services of personnel, use of equipment and office space, and other necessary services may be accepted from members as part of their financial support.

(b) The council may accept funds, grants, gifts, and services from the government of the United States or its agencies, from this state or its departments, agencies, or instrumentalities, or from any other governmental unit whether participating in the council or not, and from private and civic sources.

(c) It shall make an annual report of its activities to the member governments and to the director of the state department of administration.

§ 45-43-7. Meetings--Records

All regular council of local government meetings are open to the public, and all records of its proceedings, resolutions, and actions are open to public view.

General Laws of Rhode Island
Title 42. State Affairs and Government
Chapter 40. Interchange of Government Employees
§ 42-40-1. Declaration of policy

General Laws of Rhode Island
Title 42. State Affairs and Government
Chapter 40. Interchange of Government Employees
§ 42-40-1. Declaration of policy

The state of Rhode Island recognizes that intergovernmental cooperation is an essential factor in resolving problems affecting this state and that the interchange of personnel between and among governmental agencies at the same or different levels of government is a significant factor in achieving such cooperation.

§ 42-40-2. Definitions

For the purposes of this chapter:

- (1) "Sending agency" means any department or agency of the federal government or a state or local government which sends any employee thereof to another government agency under this chapter.
- (2) "Receiving agency" means any department or agency of the federal government or a state or local government which receives an employee of another government under this chapter.

§ 42-40-3. Authority to interchange employees

(a) Any department, agency, or instrumentality of the state or any city or town or any school, college, or university operated by the state is authorized to participate in a program of interchange of employees with departments, agencies, or instrumentalities of the federal government, another state or locality, or other agencies, municipalities, or instrumentalities of this state as a sending and/or receiving agency.

(b) The period of individual assignment or detail under an interchange program shall not exceed thirty-six (36) months, nor shall any person be assigned or detailed for more than thirty-six (36) months during any sixty (60) month period. Details relating to any matter covered in this chapter may be the subject of an agreement between the sending and receiving agencies. (Elected officials shall not be assigned from a sending agency nor detailed to a receiving agency.)

§ 42-40-3.1. Attorney general--Interchange of employees with federal government

Notwithstanding the provisions of § 42-40-3, the attorney general of the state of Rhode Island is authorized to participate in a program of interchange of employees with departments, agencies, and/or instrumentalities of the federal government. The period of individual assignment or interchange may be for more than one year. Details relating to the interchange may be subject to a written agreement between the sending and receiving agencies and will be subject to the employee's voluntary consent. The attorney general will submit to the director of administration a report of all employee interchanges authorized by this law. The report will also be transmitted to the general assembly in January of each year.

§ 42-40-4. Status of employees of this state

(a) Employees of a sending agency participating in an exchange of personnel as authorized in § 42-40-3 may be considered during the participation to be:

- (1) On detail to regular work assignments of the sending agency, or
- (2) In a status of leave of absence from their positions in the sending agency.

(b) Employees who are on detail shall be entitled to the same salary and benefits to which they would otherwise be entitled and shall remain employees of the sending agency for all other purposes except that the supervision of their duties during the period of detail may be governed by agreement between the sending agency and the receiving agency.

(c) Employees who are in a leave of absence status as provided herein shall be carried on leave without pay: Provided, that they may be granted annual leave or other time off with pay to the extent authorized by law and may be granted authorized sick leave in circumstances considered by the sending agency to justify that leave. Except as otherwise provided in this chapter, employees who are in a leave of absence status shall have the same rights, benefits, and obligations as employees generally who are in such leave status but notwithstanding any other provision of law these employees may be entitled to credit the period of such assignment toward benefits as employees of the sending agency.

(d) Any employee who participates in an exchange under the terms of this section who suffers disability or death as a result of personal injury arising out of and in the course of an exchange, or sustained in performance of duties in connection therewith, shall be treated, for the purposes of the sending agency's employee compensation program, as an employee, as defined in that act, who has sustained injury in the performance of that duty, but shall not receive benefits under that act for any period for which he or she is entitled to and elects to receive similar benefits under the receiving agency's employee compensation program.

§ 42-40-5. Travel expenses of employees of this state

A sending agency in this state may, in accordance with the travel regulations of that agency, pay the travel expenses of employees assigned to a receiving agency on either a detail or leave basis, but shall not pay the travel expenses of those employees incurred in connection with their work assignments at the receiving agency. If the assignment or detail will be for a period of time exceeding eight (8) months, travel expenses may include expenses of transportation of immediate family, household goods, and personal effects to and from the location of the receiving agency. If the period of assignment is less than eight (8) months, the sending agency may pay a per diem allowance to the employee on assignment or detail.

§ 42-40-6. Status of employees of other governments

(a) When any unit of government of this state acts as a receiving agency, employees of the sending agency who are assigned under authority of this chapter may

- (1) Be given appointments in the receiving agency covering the periods of such assignments, with compensation to be paid from receiving agency funds or without compensation, or

(2) Be considered to be on detail to the receiving agency.

(b) Appointments of persons so assigned may be made without regard to the laws or regulations governing the selection of employees of the receiving agency.

(c) Employees who are detailed to the receiving agency shall not by virtue of such detail be considered to be employees thereof, except as provided in subsection (d), nor shall they be paid a salary or wage by the receiving agency during the period of their detail. The supervision of the duties of those employees during the period of detail may be governed by agreement between the sending agency and the receiving agency.

(d) Any employee of a sending agency assigned in this state who suffers disability or death as a result of personal injury arising out of and in the course of the assignment, or sustained in the performance of duties in connection therewith, shall be treated for the purpose of receiving agency's employee compensation program, as an employee, as defined in that act, who has sustained injury in the performance of that duty, but shall not receive benefits under that act for any period for which he or she elects to receive similar benefits as an employee under the sending agency's employee compensation program.

§ 42-40-7. Travel expenses of employees of other governments

A receiving agency in this state may, in accordance with the travel regulations of the agency, pay travel expenses of persons assigned thereto under this chapter during the period of assignments on the same basis as if they were regular employees of the receiving agency.

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 22.1. Joint Municipal Planning Commissions
§ 45-22.1-1. Declaration of policy

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 22.1. Joint Municipal Planning Commissions
§ 45-22.1-1. Declaration of policy

For the purpose of promoting health, safety, morals, and the general welfare of the various areas in the state of Rhode Island through the effective development of these areas, the following powers for the establishment of joint municipal planning commissions are hereby granted.

§ 45-22.1-2. Creation, appointment, and operation of joint municipal planning commission

The governing bodies of two (2) or more municipalities may, by ordinance or resolution, authorize the establishment and participation or membership in, and support of, a joint municipal planning commission. The number and qualifications of the members of the planning commission and their terms and method of appointment or removal shall be determined and agreed upon by the governing bodies. Members of a joint municipal planning commission shall serve without salary but may be paid expenses incurred in the performance of their duties. The joint municipal planning commission shall elect a chairperson whose term does not exceed one year and who is eligible for reelection. The commission may create and fill any other offices that it may determine. Every joint municipal planning commission shall adopt rules for the transaction of business and keep a record of its resolutions, transactions, findings, and determinations, which record is a public record. Each participating or member municipality may, from time to time, upon the request of the joint municipal planning commission, assign or detail to the commission any employees of the municipality to make special surveys or studies.

§ 45-22.1-3. Finances, staff, and planning programs

(a) The governing bodies of municipalities have the authority to appropriate funds for the purpose of contributing to the operation of a joint municipal planning commission. A joint municipal planning commission, with the consent of all the governing bodies, may also receive grants from the federal or state governments, or from individuals or foundations, and has the authority to contract with these entities. Every joint municipal planning commission has the power to appoint any employees and staff that it deems necessary for its work, and may contract with planners and other consultants for the services it may require to the extent permitted by its financial resources. A joint municipal planning commission may also prepare and sell maps, reports, bulletins, or other material and establish reasonable charges for these materials.

(b) A joint municipal planning commission may provide planning assistance and do planning work, including surveys, land use studies, urban renewal plans, technical services, and other elements of comprehensive planning and planning effectuation programs in and for any participating or member municipality, and for this purpose may, with the consent of all the governing bodies, accept and utilize any funds, personnel, or other assistance made available by the federal or state governments or any of their agencies, or from individuals or foundations, and for the purposes of receiving and using federal or state planning grants for the provision of urban planning assistance, may enter into agreements or contracts regarding acceptance or utilization of the funds or assistance.

§ 45-22.1-4. Preparation of comprehensive plan

(a) Every joint municipal planning commission may prepare and maintain a comprehensive plan, in accordance with the provisions of this chapter, for the guidance of the continuing development of the area encompassed by the participating or member municipalities.

(b) These plans and recommendations may be concerned with existing and proposed highways, public places, bridges and tunnels, viaducts, parks, parkways, recreation areas, sites for public buildings and structures, land use areas, building and zoning districts, waterways, routes of railroads and buses, location of sewers, water supplies and conduits, and other public utilities of the area.

(c) The plans and recommendations are advisory and not mandatory for the communities.

§ 45-22.1-5. Cooperation with joint municipal planning commission--Municipalities and others

Every joint municipal planning commission shall encourage the cooperation of the participating municipalities in matters which concern the integrity of the comprehensive plan or maps prepared by the commission, and, as an aid toward coordination, all municipalities and public officials shall, upon request, furnish to the joint municipal planning commission within a reasonable time the available maps, plans, reports, statistical, or other information the commission may require for its work.

§ 45-22.1-6. Interstate participation

Wherever a joint municipal planning commission has been or is being established to serve the Rhode Island portion of an area, which for planning purposes constitutes a logical planning area and extends beyond the boundaries of the state, the commission may admit to membership counties or municipalities that are part of the same area but located in other states. Municipalities may participate through membership and financial support in joint municipal planning commissions that have been or are being established in other states when the municipalities are part of the same region served by the out-of-state joint municipal planning commission.

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 42. Emergency Police Power
§ 45-42-1. Emergency police power

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 42. Emergency Police Power
§ 45-42-1. Emergency police power

(a) When the police chief of a city or town within the state or his or her designee requests emergency police assistance from another police department within the state, the officers responding to the request shall be subject to the authority of the requesting chief and have the same authority, powers, duties, privileges, and immunities as a duly appointed police officer of the city or town making the request, until the requesting chief of police discharges and releases the assisting police officers to their own departments.

(b) Law enforcement officers from out-of-state shall have limited emergency police powers to transport, guard and maintain custody of any person who is arrested out of state, but transported to a Rhode Island medical facility for emergency medical treatment. Prior to entry into Rhode Island, the out-of-state police department maintaining custody of said arrested person shall notify the Rhode Island state police of the transport and the site of the emergency medical treatment. The emergency police powers granted shall cease immediately upon the expiration of eight (8) hours from the time of notification, or upon a fugitive-from-justice warrant being executed, whichever shall arise first.

§ 45-42-2. Nonemergency police power

(a) Notwithstanding any law to the contrary, and consistent with the provisions of chapter 40.1 of this title entitled "Interlocal Contracting and Joint Enterprises", where the territories of one city or town lies adjacent to another city or town, the chiefs of police of the adjacent city or town may enter into an agreement, which is subject to approval by each city or town council by adoption of a resolution in support of it, by which the chief may request that the other city or town police force provide assistance in a nonemergency situation for all those police services prescribed by law within any portion of the jurisdiction of the city or town of the chief granting the authority.

(b) The officers responding to the request and agreement shall have the same authority, powers, duties, privileges and immunities for jurisdictional purposes as a duly appointed police officer of the city or town making the request.

(c) All wage and disability payments, pension, workers' compensation claims, medical expenses or other employment benefits will be the responsibility of the employing agency, unless the requesting agency is reimbursed for those costs from any other source. Each agency shall be responsible for the negligence of its employees to the extent specified by law.

(d) A copy of any agreement entered into pursuant to this section shall be provided to the superintendent of the Rhode Island state police.

(e) The governor shall have the authority to suspend an agreement entered into pursuant to this section upon a finding that the suspension is in the interest of public safety.

General Laws of Rhode Island
Title 42. State Affairs and Government
Chapter 131. Intergovernmental Relations Council
§ 42-131-1. Creation of council

General Laws of Rhode Island
Title 42. State Affairs and Government
Chapter 131. Intergovernmental Relations Council
§ 42-131-1. Creation of council

There is created and established an intergovernmental relations council of Rhode Island to be referred to as "the council." The legislative authority for the council shall cease as of June 30, 2005, unless the council is continued under the provisions of this chapter.

§ 42-131-2. Membership of council

(a) The council shall be composed of twenty-four (24) members as follows:

- (1) The lieutenant governor;
- (2) The president of the senate or his or her designee;
- (3) The speaker of the house or his or her designee;
- (4) The majority leader of the house of representatives or his or her designee;
- (5) The minority leader of the house of representatives or his or her designee;
- (6) The minority leader of the senate or his or her designee;
- (7) The chairperson of the house finance committee or his or her designee;
- (8) The chairperson of the senate finance committee or his or her designee;
- (9) Three (3) state executive branch officials appointed by the governor, one of whom shall be the chief of the office of municipal affairs in the department of administration;
- (10) Three (3) city and/or town officials appointed by the president of the Rhode Island league of cities and towns;
- (11) The executive director of the league of cities and towns;
- (12) Two (2) members of the Rhode Island public expenditure council, one of whom shall be the executive director of said council and one of whom shall be appointed by the president of said council;
- (13) Two (2) members appointed by the president of the Rhode Island school committee association;
- (14) The mayor of the city of Providence or his or her designee;
- (15) The president of the Providence city council or his or her designee; and
- (16) Four (4) members being representatives of the Rhode Island congressional delegation.

(17) President of the senate effective January 1, 2003.

(b) Members of the council shall hold office for three (3) years. Should any member cease to be an officer or employee of the unit or agency he or she is appointed to represent, his or her membership on the council shall terminate immediately. Any vacancy on the council shall be filled for the unexpired term by the appointing authority in the same manner as the original appointment.

(c) The lieutenant governor shall serve as chairperson and the vice chairperson of the council shall be designated by the governor from among the members. In the event of the absence or disability of both the chairperson and vice chairperson, the members of the council shall elect a temporary chairperson by a majority vote of those present and voting.

(d) The council is subject to review by the general assembly's legislative oversight commission as defined in chapter 14 of title 22.

§ 42-131-3. Purpose and duties

The purpose of the council shall be to provide a forum to discuss intergovernmental issues between federal, state and local government and the private sector and to develop specific and comprehensive recommendations for executive and legislative action as may be necessary and proper to maintain and encourage improvements in intergovernmental relations. To enable the council to carry out that purpose, the council shall study the following matters and any others it deems appropriate:

(1) The existing, necessary, and desirable relationships between and among local governments, the state and the private sector;

(2) The existing, necessary, and desirable allocation of state and local functional responsibilities and fiscal resources, such as the manner in which the state delivers services to local communities and the powers and functions of local governments;

(3) The impact of federal aid programs in terms of their compatibility with state and local objectives and their fiscal and administrative impact on programs;

(4) Impact of federal or state judicial decisions, and/or existing or proposed federal, state, legislative or executive policies and regulations upon the capacities and effectiveness of local government;

(5) The special problems in interstate areas facing local governments, intrastate regional units, and area-wide bodies, such studies where possible to be conducted in conjunction with those of a pertinent sister state commission(s);

(6) Ways and means to foster better relations among local, state and federal governments, and between government and the private sector;

(7) Encourage, and where appropriate, coordinate studies relating to intergovernmental relations conducted by universities, state, local and federal agencies, and research and consulting organizations;

(8) Review the recommendations of national commissions studying private sector, federal, state and local government relationships and issues and assess their possible application to Rhode Island;

(9) Provide opportunities for state and local government officials and members of the private sector to become more knowledgeable about their shared duties and responsibilities to deliver effective services, such as conducting educational seminars and informational conferences on selected intergovernmental and state and local issues, including potential areas of interstate, state-local and private-public partnerships; and

(10) Review and propose any constitutional amendments and statutory changes required to implement proposals of the commission.

§ 42-131-4. Meetings, hearings, committees

(a) The council shall hold meetings quarterly and at such other times as it deems necessary. The council may hold public hearings from time-to-time on matters within its purview.

(b) Each officer, board, commission, council, department or agency of state government, and each political subdivision of the state, shall cooperate with the council in carrying out the functions and duties imposed by this chapter.

(c) The council may establish committees as it deems advisable and feasible, whose membership shall include at least one member of the council, but only the council itself may set policy or take other official action.

(d) The council shall promulgate rules of procedure governing its operations.

(e) All meetings of the council, or any committee thereof, at which public business is discussed or formal action is taken shall conform to the state open meetings laws.

§ 42-131-5. Technical advisory committee

A technical advisory committee shall be appointed by the chairperson of the council. The technical advisory committee shall include, but not be limited to, representatives of the office of municipal affairs in the department of administration, statewide planning, the general assembly, the Rhode Island public expenditure council, and the Rhode Island league of cities and towns.

§ 42-131-6. Reports

The council shall issue reports of its findings and recommendations from time-to time and issue annually a public report on its work. Copies of the annual report shall be submitted to the governor, presiding officers of the general assembly, each city and town of the state, and appropriate state departments and agencies regarding the council's work, including draft legislation and model ordinances necessary to implement its recommendations. Reports of the council shall be available to the public.

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 13.1. State-Local Relations Commission
§ 45-13.1-1. Findings and purpose

General Laws of Rhode Island
Title 45. Towns and Cities
Chapter 13.1. State-Local Relations Commission
§ 45-13.1-1. Findings and purpose

The legislature finds and declares that there is a need for a permanent intergovernmental body to strengthen and facilitate relationships between the state government, the cities and towns, the school districts, and other local governments in the state, including, but not limited to, the following:

(1) Perform the functions and roles of:

- (i) Providing a forum for discussion of long-range state-local issues;
- (ii) Promoting experimentation in intergovernmental processes, both state-local and inter-local;
- (iii) Developing possible solutions, including reviewing and proposing legislative remedies, for state-local problems; and
- (iv) Providing opportunities for local government officials to become more knowledgeable about their duties and responsibilities and the powers and functions of state and local government.

(2) Study and report on issues like:

- (i) The existing, necessary, and desirable relationships between and among local governments, school districts, and the state;
- (ii) The powers and functions of local governments and school committees, especially the adequacy of their fiscal resources to effectuate the powers and functions of local government and to adequately fund local education;
- (iii) The existing, necessary, and desirable allocation of state and local responsibilities and fiscal resources;
- (iv) Emerging local problems and the role of the state government concerning them;
- (v) Impact of federal or state judicial decisions or the impact of existing or proposed federal, state legislative, or executive policies upon the capacities and effectiveness of local governments;
- (vi) The special problems in interstate areas facing the local governments, intrastate regional units, and areawide bodies, studies where possible to be conducted in conjunction with those of a pertinent sister state commission(s);
- (vii) Any constitutional amendments and statutory enactments required to implement proposals of the commission; and

(viii) The impact of federal and state mandates on school districts and local governments.

§ 45-13.1-2. Commission created

There is created the Stephen J. Anderson commission on state-local relations commission (SLRC), “the commission”.

§ 45-13.1-3. Membership

(a) The commission shall be composed of seventeen (17) members, as follows:

(1) The president of the Rhode Island league of cities and towns or his or her designee, and the president of the Rhode Island association of school committees, or his or her designee;

(2) Three (3) state executive officials appointed by the governor, one of whom is the chief of the office of municipal affairs in the department of administration, division of planning;

(3) Three (3) state representatives appointed by the speaker of the house, not more than two (2) from the same political party;

(4) Two (2) state senators, or other persons appointed by the president of the senate, not more than one from the same political party;

(5) The executive director for the league of cities and towns, and the executive director of the Rhode Island public expenditure council and the executive director of the Rhode Island association of school committees;

(6) One member who shall represent local school committees to be appointed by the speaker of the house, and one member who shall represent local school committees to be appointed by the president of the senate;

(7) Two (2) members who shall represent local municipal governments, one member to be appointed by the speaker of the house and one member who shall be appointed by the president of the senate.

(b) The members of the commission shall elect a chairperson, a vice chairperson, and a secretary by a majority vote of the commission.

(c) Should any member cease to be an elected official, officer, or employee of the unit or agency he or she is appointed to represent, his or her membership on the commission shall terminate immediately and a new member shall be appointed in the same manner as his or her predecessor to fill the unexpired term.

(d) The commission shall be subject to review by the legislative oversight commission as defined in chapter 14 of title 22.

§ 45-13.1-4. Functions and duties

In addition to the activities listed in § 45-13.1-1, the commission shall carry out these further functions and duties:

- (1) Encourage, and where appropriate, receive and review studies relating to intergovernmental relations conducted by universities, state, local, and federal agencies, and research and consulting organizations;
- (2) Conduct educational seminars and informational conferences on selected intergovernmental and state and local issues, including the duties and responsibilities of local officials and the powers and functions of state and local government. The staff of the general assembly shall provide assistance and support services to the commission in planning and implementing seminars and conferences;
- (3) Review the recommendations of national commissions studying federal, state, and local government relationships and problems, and assess their possible application to Rhode Island;
- (4) Engage in other activities and make studies and investigations that are necessary or desirable in the accomplishment of the purposes set forth in § 45-13.1-1; and
- (5) In the conduct of its work, rely to the extent appropriate, upon research data, studies, and other resources of public and private educational and research organizations in the state and elsewhere.

§ 45-13.1-5. Meetings, hearings, committees

- (a) The commission shall hold meetings at least quarterly and at other times that it deems necessary. The commission may hold public hearings from time to time on matters within its purview.
- (b) Each officer, board, commission, council, department, or agency of state government, and each political subdivision of the state, shall make available all facts, records, information, and data requested by the commission, and in all ways cooperate with the commission in carrying out the functions and duties imposed by this chapter.
- (c) The commission may establish committees as it deems advisable and feasible, whose membership shall include at least one member of the commission, but only the commission as a whole may take official commission action.
- (d) All meetings of the commission, or any committee of the commission, at which public business is discussed or formal action is taken shall conform to chapter 46 of title 42.

§ 45-13.1-6. Finances

The commission is authorized to apply for, contract for, receive, and expend for its purposes any appropriations or grants from the state, its political subdivisions, the federal government, or any other source, public or private.

§ 45-13.1-7. Reports

The commission shall issue reports of its findings and recommendations from time to time, and shall issue annually a public report on its work. Copies of the annual report shall be submitted to the governor, speaker of the house of representatives, president of the senate, city, and other political subdivisions of the state, and appropriate state departments and agencies. Reports of

the commission shall be available to the public.

§ 45-13.1-8. Severability

If any provision of this chapter or any rule or regulation made under this chapter, or the application of this chapter to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of the chapter, rule, or regulation and application of the provision to other persons or circumstances shall not be affected. The invalidity of any section or sections or parts of any section or sections of this chapter shall not affect the validity of the remainder of the chapter.

2010 -- S 2248
Senate Resolution Creating a
Special Senate Commission to Study
Municipal Shared Services

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

SENATE RESOLUTION

CREATING A SPECIAL SENATE COMMISSION TO STUDY MUNICIPAL SHARED
SERVICES

Introduced By: Senators DiPalma, Connors, Jabour, Sosnowski, and Paiva-Weed

Date Introduced: February 11, 2010

Referred To: Senate Constitutional & Regulatory Issues

1 RESOLVED, That a special Senate commission be and the same is hereby created
2 consisting of eleven (11) members: three (3) of whom shall be members of the Senate, not more
3 than two (2) from the same political party, to be appointed by the President of the Senate; one of
4 whom shall be the chief of the division of municipal finance, or designee; one of whom shall be
5 the tax administrator, or designee; one of whom shall be the executive director of the Rhode
6 Island League of Cities and Towns, or designee; one of whom shall be the executive director of
7 the Government Financial Officers Association, or designee; one of whom shall be the president
8 of the Rhode Island Tax Collector's Association, or designee; one of whom shall be the
9 chairperson of the Aquidneck Island Planning Commission, or designee; one of whom shall be
10 the executive director of the Rhode Island City and Town Management Association, or designee;
11 and one of whom shall be a member of labor to be appointed by the president of the Rhode Island
12 AFL-CIO.

13 In lieu of any appointment of a member of the legislature to a permanent advisory
14 commission, a legislative study commission, or any commission created by a General Assembly
15 resolution, the appointing authority may appoint a member of the general public to serve in lieu
16 of a legislator; provided, that the majority leader or the minority leader of the political party
17 which is entitled to the appointment consents to the appointment of the member of the general
18 public.

19 The purpose of said commission shall be to make a comprehensive study of municipal

1 services and of the concept and feasibility of municipal shared services. The goal of such
2 municipal shared services would be to enable cities and towns to operate in a more economic,
3 efficient, and effective manner in relation to the services they provide to members of their
4 respective communities.

5 Upon passage of this resolution, the members of the commission shall meet at the call of
6 the President of the Senate and organize and shall select, from among the legislators, a
7 chairperson.

8 Vacancies in said commission shall be filled in like manner as the original appointment.
9 The membership of said commission shall receive no compensation for their services. All
10 departments and agencies of the state shall furnish such advice and information, documentary and
11 otherwise to said commission and its agents as is deemed necessary or desirable by the
12 commission; to facilitate the purposes of this resolution.

13 The Joint Committee of Legislative Services is hereby authorized and directed to provide
14 suitable quarters for said commission; and be it further

15 RESOLVED, That the commission shall report its findings and recommendations to the
16 Senate no later than March 31, 2010, and said commission shall expire on June 15, 2010.

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LC01684

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
SENATE RESOLUTION
CREATING A SPECIAL SENATE COMMISSION TO STUDY MUNICIPAL SHARED
SERVICES

1 This resolution would create an eleven (11) member special Senate commission whose
2 purpose it would be to make a comprehensive study of municipal shared services, and who would
3 report back to the Senate no later than March 31, 2010, and whose life would expire on June 15,
4 2010.

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