

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO AN AMENDMENT OF AND IN ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE FIRST HOPKINTON CEMETERY ASSOCIATION," PASSED AT THE JANUARY SESSION, A.D. 1880, AS AMENDED

Introduced By: Representatives Kennedy, Azzinaro, and Price

Date Introduced: February 12, 2020

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 2, 3, 4, 5 and 7 of an act entitled "An act to incorporate The First
2 Hopkinton Cemetery Association," passed at the January session A.D. 1880, as amended at the
3 January sessions A.D. 1905 and 1974, are hereby amended so as to read as follows:

4 ~~Sec. 2. Said corporation may take, hold, transmit and convey real and personal property
5 to an amount not exceeding ten thousand dollars, and for the purpose of the said cemetery may
6 take and hold land not exceeding twenty acres.~~

7 ~~Section 1. The First Hopkinton Cemetery Association located in the town of Hopkinton,
8 Rhode Island, a non-business corporation incorporated March 4, 1880, is hereby authorized and
9 empowered to take, hold, transmit and convey real and personal estate to an amount not
10 exceeding two hundred fifty thousand dollars (\$250,000), so long as said estate is used for the
11 non-business purposes of said corporation.~~

12 Sec. 2. The First Hopkinton Cemetery Association located in the town of Hopkinton,
13 Rhode Island, a non-business corporation incorporated March 4, 1880, is hereby authorized and
14 empowered to take, hold, transmit and convey real and personal property, money or investments in
15 an unlimited amount as allowed by state statute, so long as said estate is used for the non-business
16 purposes of said corporation. Said corporation may also take and hold land in an amount of
17 acreage as the trustees deem necessary or reasonable.

18 ~~Sec. 3. All money or property received by the said corporation, for and as an endowment~~

1 ~~fund, shall be forever kept safely invested at interest, in some savings bank or banks, or in some~~
2 ~~trust company or companies, chartered by the state of Rhode Island, or in bond or mortgage in~~
3 ~~unencumbered improved real estate in the state of Rhode Island on which taxes are paid on a~~
4 ~~valuation of at least twice the amount loaned thereon. If the endowment fund shall at any time~~
5 ~~become diminished, the trustees shall each year thereafter set apart one half the income from said~~
6 ~~fund, which shall be added to said fund until it shall have reached the maximum amount to which~~
7 ~~it may have attained. The income of the endowment fund, except as before provided, shall be~~
8 ~~used only to keep the cemetery grounds and inclosures in good order.~~

9 Sec. 3. All money or property received by the said corporation, for and as an endowment
10 fund, shall be forever kept invested at the discretion of the Board of Trustees in some savings
11 bank or banks or in some trust company, mutual funds, stocks, bond investments or CDs and
12 money market accounts, which pay interest, dividends and/or capital gains in some savings bank
13 or banks or in some trust company chartered by the state of Rhode Island, or investment
14 companies allowed by law to do business in the state of Rhode Island. If the endowment fund
15 shall at any time become diminished, the trustees shall each year thereafter set apart one-half
16 (1/2) of the income from said corporation which shall be added to said fund until it shall have
17 reached the maximum amount to which it may have attained. The income of the endowment fund,
18 except as before provided, shall be used only to keep the cemetery grounds and enclosure in good
19 order.

20 ~~Sec. 4 The corporate rights and franchises of the said corporation shall be duly vested in a~~
21 ~~board of trustees consisting of five persons, two of whom shall be the pastor and church clerk of~~
22 ~~"The First Seventh Day Baptist Church, of Hopkinton," and who shall be ex officio members of~~
23 ~~the said board, together with three others who shall be elected at the first meeting called for said~~
24 ~~purpose after the passage of this act, to hold the said trusteeship for one, two and three years~~
25 ~~respectively, and until their successor or successors shall have been duly elected and shall have~~
26 ~~accepted the office. And that thereafter at each annual meeting of the said association, an election~~
27 ~~for one trustee shall be held to serve for three years and until his successor shall have been duly~~
28 ~~elected and shall have accepted the office. No trustee shall receive compensation for his services~~
29 ~~as trustee, nor for personal expenses incurred for attending meetings of the board. The board of~~
30 ~~trustees shall meet at least once each year and shall make and publish an annual report, stating~~
31 ~~their receipts and expenditures and an account of their doings for the year.~~

32 Sec. 4. The corporate rights and franchises of the said corporation shall be duly vested in
33 a board of trustees consisting of seven persons, to hold the said trusteeship for one, two, three,
34 four, five, six and seven years respectively, and until their successor or successors shall have been

1 duly elected and shall have accepted the office. No trustee shall receive compensation for his
2 services as trustee nor for personal expenses incurred for attending meetings of the board. The
3 board of trustees will meet at least once each year and shall make and publish an annual report,
4 stating their receipts and expenditures and an account of their doing for the year.

5 Sec. 5. Said trustees shall appoint from their own number a president, ~~and~~ a treasurer,
6 assistant treasurer, secretary and superintendent ~~who shall also act as secretary~~. They shall also
7 fill vacancies occurring in their own body. They shall have full ~~and entire~~ management and
8 control of the business and property of the corporation, and make such improvements as may be
9 required for the maintenance of such cemetery. They shall make such bylaws as they may deem
10 proper for the government of the corporation, and shall have power to alter and amend the same
11 from time to time as may be required. An annual meeting of said corporation shall be held at such
12 time and place as the ~~by-laws~~ bylaws shall direct, but the validity of this charter shall not be
13 impaired by the omission to hold the annual meeting.

14 Sec. 7. All conveyances and transfers of lots in said cemetery made by the corporation or
15 by owners of lots shall be by deed, such deed from the corporation shall be executed by the
16 superintendent or treasurer, and all deeds shall be recorded in a book kept by ~~him~~ him/her for that
17 purpose.

18 SECTION 2. This act shall take effect upon passage.

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LC003701
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO AN AMENDMENT OF AND IN ADDITION TO AN ACT ENTITLED "AN
ACT TO INCORPORATE THE FIRST HOPKINTON CEMETERY ASSOCIATION," PASSED
AT THE JANUARY SESSION, A.D. 1880, AS AMENDED

- 1 This act would amend the corporate charter of The First Hopkinton Cemetery Association
- 2 passed at the January session A.D. 1880, as amended.
- 3 This act would take effect upon passage.

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