

2012 -- H 7486 AS AMENDED

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LC01402
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS - MANAGEMENT AND DISPOSAL OF
PROPERTY

Introduced By: Representatives Petrarca, and O'Neill

Date Introduced: February 09, 2012

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 37-7-9 of the General Laws in Chapter 37-7 entitled "Management
2 and Disposal of Property" is hereby amended to read as follows:
3 **37-7-9. Concessions, leases, and licenses -- Reports.** -- (a) The acquiring authority, with
4 the approval of the state properties committee, is authorized and empowered when it shall serve
5 the public purpose to grant concessions in or to lease or license any land or building or structure,
6 a part or portion of any governmental facility, public work, or public improvement for industrial
7 or commercial purposes for a term or terms not exceeding in the aggregate in any one case twenty
8 (20) years; provided, however, that real property, buildings, and facilities owned by the state at
9 the Port of Galilee may be leased for a term of up to forty (40) years for commercial fishing
10 industry-related purposes, and provided further, however, that certain real property, buildings,
11 and facilities owned by the state located on Indian Point with a 2012 address of 25 India Street in
12 the city of Providence may be leased for a term of up to forty (40) years for commercial, public
13 recreation, marina, and redevelopment purposes, and provided further, however, that certain real
14 properties, buildings, and facilities owned by the state in the city of Providence known as the
15 Union Station properties, which properties have been conveyed from time to time to the state by
16 the consolidated rail corporation and others, may be leased for a term of up to forty (40) years for
17 office, commercial, service, transportation, or other related purposes; and provided further,
18 however, that real property, buildings, and facilities owned by the state may be leased for a term

1 of up to forty (40) years for the development of cogeneration projects which involve the
2 simultaneous generation of electricity and thermal energy (steam and hot water) and for eligible
3 renewable energy resources as defined in subdivisions 39-26-5(a)(i) through (v); and further
4 provided, however, that in the event of a mobile home lease agreement, or site lease agreement,
5 wherein such mobile home is contiguous to a resident owned mobile home park, the State
6 Properties Committee may enter into a lease or grant concessions to or license any land or
7 building for a period not to exceed thirty (30) years and provided further, however, that real
8 property, buildings, and facilities owned by the state may be leased for a term of up to ninety-nine
9 (99) years for the development of railroad layover facilities, contingent on the lease requiring the
10 lessee to provide commuter rail service within the state of Rhode Island, as set forth by the state
11 and provided further however, that real property, buildings and facilities owned by the state at the
12 Quonset State Airport may be leased to the United States Air Force for a term not to exceed forty
13 (40) years for the purpose of making improvements to infrastructure thereon. All agreements,
14 contracts, and other instruments granting concessions or leasing or licensing facilities shall
15 contain such conditions, rules, restrictions, and regulations as the state purchasing agent shall
16 deem suitable or necessary, and shall be approved as to substance by the director of
17 administration and as to form by the attorney general.

18 (b) Whenever property which is subject to the provisions of this chapter is leased by the
19 state, the lessee shall report on a semi-annual basis the amount of income revenue generated by
20 the leased property. The report shall be made to the state properties commission and copies shall
21 be provided to both the house and senate fiscal staffs and the governor. These requirements shall
22 be contained in the lease between the lessor and the lessee with approval of the state properties
23 committee.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would provide that certain real property, buildings, and facilities owned by the
2 state at 25 India Street in the city of Providence be leased for a term of up to forty (40) years for
3 commercial, public recreation, marina, and redevelopment purposes.

4 This act would take effect upon passage.

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