

2015 -- H 6343

LC002954

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

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

Introduced By: Representative Lauren H. Carson

Date Introduced: June 24, 2015

Referred To: House Finance

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; provided, however, that real property, buildings  
14 and facilities owned by the department of environmental management may be leased for a term  
15 not to exceed forty (40) years for the purpose of facilitating private investment in buildings or  
16 infrastructure for public recreation or to develop or sustain a natural resource based industry and  
17 where the useful life of the investment exceeds twenty-five (25) years; and provided further,  
18 however, that certain real properties, buildings, and facilities owned by the state in the city of

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

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

28 SECTION 2. Notwithstanding the provisions of section one of this act, for any lease term  
29 of up to forty (40) years for buildings and facilities owned by the department of environmental  
30 management and leased to Sail Newport, Inc., a Rhode Island nonprofit corporation or its  
31 successors at Fort Adams state park, the department of environmental management shall ensure,  
32 by incorporating in said lease, a clause or provision that the lessee provides reasonable access and  
33 use of buildings and facilities for the Newport Rugby Football Club, a Rhode Island nonprofit  
34 corporation or its successors.

1 SECTION 3. 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 authorize the department of environmental management to lease state  
2 property owned by it for a term of forty (40) years for public recreation or for a natural resource  
3 based industry with a useful life in excess of twenty-five (25) years, and would provide that  
4 buildings and facilities leased to Sail Newport, Inc., must include a provision that the lessee  
5 provides reasonable access for the Newport Rugby Club to access the buildings and facilities  
6 located at Fort Adams state park.

7           This act would take effect upon passage.

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