

2016 -- H 7792

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LC005095
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO WATERS AND NAVIGATION -- THE PROVIDENCE PORT ADVISORY
COUNCIL

Introduced By: Representatives Almeida, Carnevale, DeSimone, McKiernan, and
Palangio

Date Introduced: March 02, 2016

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 46 of the General Laws entitled "WATERS AND NAVIGATION" is
2 hereby amended by adding thereto the following chapter:

3 CHAPTER 32

4 THE PROVIDENCE PORT ADVISORY COUNCIL ACT

5 **46-32-1. Short title.** -- This act shall be known and may be cited as "The Providence Port
6 Advisory Council Act."

7 **46-32-2. Purpose.** -- The purpose of this chapter is to create the Providence port advisory
8 council, which shall provide advice and support with respect to coordinating and marketing the
9 commercial maritime resources and port terminal facilities located in the state both physically and
10 institutionally, thereby creating and enhancing an integrated land/sea transportation network with
11 access to the global market place in support of the economic development needs of the state.

12 **46-32-3. Port advisory council created.** -- There is hereby created the Providence port
13 advisory council, which shall be an advisory board within the Rhode Island commerce
14 corporation, having the powers and jurisdiction hereinafter enumerated, and such other and
15 additional powers as shall be conferred upon it by the general assembly.

16 **46-32-4. Board created.** -- A board to be known as the Providence port advisory council
17 board is hereby created. The powers of the council shall be vested in and exercised by a majority
18 of the members of the board then in office.

1 **46-32-5. Members.** -- The Providence port advisory council shall consist of eight (8)
2 members, six (6) of whom shall be appointed by the governor, with the advice and consent of the
3 senate. Two (2) of said appointive members shall be residents of the cities and towns of the
4 seacoast region or state tidal waters that are not represented on the board, one appointive member
5 shall be a commercial fisherman engaged in that industry on the seacoast, and two (2) appointive
6 members shall be experienced in a maritime industry. Each appointed member shall serve for a
7 term of four (4) years. Said members shall serve until their successors are appointed and qualified
8 members shall be eligible to succeed themselves. Any vacancy occurring in the membership of
9 the appointed members shall be filled by the governor for the unexpired term. In addition to the
10 six (6) appointive members, the director of the Rhode Island commerce corporation, or designee,
11 and the mayor of Providence, or designee, shall be, by virtue of their offices, members of the
12 council. The commissioners shall, for the purpose of doing business, constitute a board and may
13 adopt suitable by-laws for its management.

14 **46-32-6. Compensation of members and agents.** -- The members of the board shall
15 receive no compensation for the performance of their duties, but shall be entitled to
16 reimbursement for actual and necessary expenses incurred in the performance of official duties.
17 No part of the earnings of the authority shall inure to the benefit of any private person.

18 **46-32-7. Business prohibited by members.** -- No member of the board shall directly or
19 indirectly engage in any contract or agreement for labor or for the supply of materials for
20 construction or reconstruction of the physical assets of the authority or replacements or additions
21 thereto.

22 **46-32-8. Powers and duties.** -- The Providence port advisory council shall be vested
23 with the following powers:

24 (1) Advise the Rhode Island commerce corporation and pertinent municipalities on
25 coordination and marketing of commercial maritime resources and port terminal activities.

26 (2) Seek to coordinate, assist and unify the efforts of state agencies, municipalities,
27 private groups, institutions and individuals within the member ports in accord with the purposes
28 of this chapter.

29 (3) Prepare, print and distribute books, maps, and pamphlets or other materials necessary
30 to promote and market the commercial maritime resources and port terminal facilities of its
31 member ports in accord with the purposes of this chapter.

32 **46-32-9. Opt-out.** -- Any port or terminal operator organized under the general laws of
33 this state or other organization representing the interests of a port in this state may waive funding
34 and/or other administrative support from the Providence port advisory council in any given fiscal

1 [year.](#)

2 **46-32-10. Funding.** -- [The general assembly shall appropriate two hundred and fifty](#)
3 [thousand dollars \(\\$250,000\) annually for the board and council, and their administrative](#)
4 [expenses, and such sum or sums as shall be recommended by the Providence port advisory](#)
5 [council and approved by the general assembly.](#)

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO WATERS AND NAVIGATION -- THE PROVIDENCE PORT ADVISORY
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1 This act would create the Providence port advisory council to provide advice and support
2 with respect to coordinating and marketing the commercial maritime resources of all ports in the
3 state.

4 This act would take effect upon passage.

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