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LC002728
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES MANAGEMENT
COUNCIL

Introduced By: Senators Sosnowski, and Britto

Date Introduced: May 02, 2025

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Sections 46-23-2, 46-23-2.1 and 46-23-4 of the General Laws in Chapter 46-
- 2 23 entitled "Coastal Resources Management Council" are hereby amended to read as follows:
- 3 **46-23-2. Coastal resources management council created — Appointment of members.**
- 4 (a) ~~There~~ Effective until January 1, 2026, there is hereby created the coastal resources
- 5 management council. The coastal resources management council shall consist of ten (10) members.
- 6 Nine (9) members shall be appointed by the governor, with advice and consent of the senate, and
- 7 one member shall serve ex officio. All current appointments to the coastal resources management
- 8 council made by the governor with advice and consent of the senate are hereby validated and
- 9 ratified and those appointees shall serve for the remainder of their term; provided, however,
- 10 notwithstanding any law to the contrary, all members of the coastal resources management council
- 11 appointed prior to January 1, 2026 shall have their term expire on January 1, 2026.
- 12 (1) ~~Six~~ Effective until January 1, 2026, six (6) of the members shall be appointed or elected
- 13 officials of local government: three (3) of whom shall be appointed or elected officials in a
- 14 municipality of fewer than twenty-five thousand (25,000) in population, three (3) of whom shall be
- 15 appointed or elected officials in a municipality of more than twenty-five thousand (25,000) in
- 16 population. The populations are to be determined by the latest federal census. Elected or appointed
- 17 municipal officials shall hold seats on the council only so long as they remain in their elected or
- 18 appointed office. Each municipal appointment shall cease if the appointed or elected official shall

1 no longer hold or change the office which they held upon appointment. At least five (5) out of the
2 six (6) appointed or elected members must be appointed or elected in a coastal municipality. When
3 the governor submits his or her appointments to the senate for advice and consent, the governor
4 shall specify the appointed or elected office that each municipal appointment holds; the population
5 of the municipality represented; and the member being replaced.

6 ~~(2) Three (3) members shall be appointed by the governor from the public, with the advice~~
7 ~~and consent of the senate, one of the public members and his or her successors shall reside in a~~
8 ~~coastal municipality.~~

9 ~~(3) All members shall serve until their successors are appointed and qualified; during the~~
10 ~~month of January, the governor shall appoint, with the advice and consent of the senate, a member~~
11 ~~to succeed the members whose term will then next expire for a term of three (3) years commencing~~
12 ~~on the first day of February next following and until their successor is named and qualified. A~~
13 ~~member shall be eligible for successive appointments. No more than two (2) persons on the council~~
14 ~~shall be from the same municipality. A vacancy other than by expiration shall be filled in the~~
15 ~~manner of the original appointment but only for the unexpired portion of the term.~~

16 ~~(4) The director of the department of environmental management, or their designee, shall~~
17 ~~serve ex officio. The ex officio member shall not be counted as serving from any particular~~
18 ~~municipality.~~

19 (2) On and after January 1, 2026, the governor shall appoint a coastal resources
20 management council that shall consist of seven (7) voting members, one of whom shall be the
21 attorney general or designee. The six (6) remaining members shall be public members appointed
22 by the governor with the advice and consent of the senate. All appointed members shall possess
23 background, qualifications and expertise in environmental matters, provided that one of whom shall
24 be an engineer; one of whom shall be a coastal biologist; and one of whom shall be a representative
25 of an environmental organization. Current or past service on the coastal resources management
26 council shall not disqualify an individual from reappointment pursuant to this subsection.

27 (b) In addition to the foregoing voting members, the council may include a varying number
28 of other members who may serve in an advisory capacity without the right to vote and who may be
29 invited to serve by either the governor or the voting members. These advisory members may
30 represent the federal agencies such as the navy, coast guard, corps of engineers, public health
31 service, and the Federal Water Pollution Control Administration, and such regional agencies as the
32 New England River Basins Commission and the New England Regional Commission and any other
33 group or interest not otherwise represented.

34 (c) There may be established a coastal resources advisory committee which committee,

1 appointed by the executive director of the coastal resources management council, may include, but
2 not be limited to, representation from the following groups: one of whom may be a representative
3 of the university of Rhode Island graduate school of oceanography and the college of resources
4 development, one of whom may be a representative of the Sea Grant National College Program,
5 one of whom may be a representative of the army corps of engineers, one of whom may be a
6 representative of the federal environmental protection agency's Narragansett Bay laboratory, one
7 of whom shall be a representative of the coastal resources management council, one of whom may
8 be the director of the department of environmental management; one of whom may be a member
9 of the Rhode Island Marine Trade Association and one of whom may be a representative of a
10 regional environmental group. The council shall have the authority to appoint these additional
11 members to the advisory committee as is deemed necessary or advisable by the advisory committee
12 or the council. It shall be the responsibility of the committee to advise the coastal resources
13 management council on environmental issues relating to dredging and permitting related thereto,
14 including, but not limited to, those issues defined in §§ 46-23-18.1 — 46-23-18.3, inclusive.

15 (d) The council shall have the authority to form committees of other advisory groups as
16 needed from both its own members and others.

17 **46-23-2.1. Members — Term of office — Vacancies.**

18 (a) ~~The term of office of the appointed members shall be three (3) years, only so long as~~
19 ~~the members shall remain eligible to serve on the council under the appointment authority.~~

20 (1) Subject to the provisions of § 46-23-2, all members shall serve until their successors
21 are appointed and qualified.

22 (2) Term limits on the coastal resources management council shall be determined by the
23 governor as follows: two (2) appointees shall serve an initial term of three (3) years and shall be
24 eligible for reappointment in accordance with this section; two (2) appointees shall serve an initial
25 term of two (2) years and shall be eligible for reappointment in accordance with this section; and
26 two (2) appointees shall serve an initial term of one year and shall be eligible for reappointment in
27 accordance with this section.

28 (3) After the expiration of the terms of all initial members pursuant to this subsection,
29 succeeding appointments shall be for a term of three (3) years, and during the month of January,
30 the governor shall appoint, with the advice and consent of the senate, a member to succeed the
31 member whose term will then next expire for a term of three (3) years commencing on the first day
32 of February next following and until a successor is named and qualified.

33 (b) The members are eligible for ~~successive~~ up to two (2) appointments.

34 (c) Elected or appointed municipal officials shall hold seats on the council, only so long as

1 they remain in their elected or appointed office.

2 (d) A vacancy other than by expiration shall be filled in the manner of the original
3 appointment but only for the unexpired portion of the term. Any person appointed to fill said
4 vacancy shall complete the unexpired term and shall then be eligible for reappointment pursuant to
5 this section. The governor shall have the power to remove his or her appointee for just cause.

6 **46-23-4. Officers of the council — Quorum and vote required for action.**

7 The governor shall select from the appointed members a chairperson and vice chairperson.
8 The council shall thereupon select a secretary from among its membership or staff. The council
9 may engage staff, including legal counsel, as it deems necessary. A quorum shall consist of six (6)
10 members of the council provided, however, effective January 1, 2026, a quorum shall consist of
11 four (4) members of the council. A majority vote of those present shall be required for action.

12 SECTION 3. Section 46-23-12 of the General Laws in Chapter 46-23 entitled "Coastal
13 Resources Management Council" is hereby repealed.

14 **~~46-23-12. Representation from coastal communities.~~**

15 ~~Upon the expiration of a term of a member appointed by the governor, as an appointed or~~
16 ~~elected official of local government from a coastal municipality as set out in § 46-23-2, the governor~~
17 ~~shall appoint an appointed or elected official of a coastal municipality which, at the time of the~~
18 ~~governor's appointment, has no appointed or ex officio representation on the council.~~

19 SECTION 4. 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 -- COASTAL RESOURCES MANAGEMENT
COUNCIL

- 1 This act would change and reduce the current composition of the coastal resources
- 2 management council (CRMC) reducing the current ten (10) member council to seven (7) members.
- 3 This act would take effect upon passage.

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