

2012 -- H 7486

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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 at 25 India Street in the city of Providence may be leased for a
12 term of up to forty (40) years for commercial, public recreation, marina, and redevelopment
13 purposes, and provided further, however, that certain real properties, buildings, and facilities
14 owned by the state in the city of Providence known as the Union Station properties, which
15 properties have been conveyed from time to time to the state by the consolidated rail corporation
16 and others, may be leased for a term of up to forty (40) years for office, commercial, service,
17 transportation, or other related purposes; and provided further, however, that real property,
18 buildings, and facilities owned by the state may be leased for a term of up to forty (40) years for

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

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

23 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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