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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - SITE READINESS PROGRAM

Introduced By: Representatives Marshall, DeSimone, Gallison, Shekarchi, and Casey

Date Introduced: March 11, 2015

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-64 of the General Laws entitled "Rhode Island Commerce
2 Corporation" is hereby amended by adding thereto the following section:

3 **42-64-13.3. Site readiness program. --** The commerce secretary, with the cooperation
4 of, and in collaboration with, the department of transportation, the department of environmental
5 management, the clean water finance agency, the coastal resources management council, and
6 local authorities, shall, no later than January 1, 2016, develop a site readiness program for all
7 vacant public and private parcels located within the state. The purpose of said program shall be
8 to provide for pre-permitting, engineering and environmental services, and the maintaining and
9 management of a statewide inventory of said parcels, categorized by zones. Funding for said
10 services shall be made available to cities and towns through the issuance of bonds and temporary
11 notes pursuant to article 5, section 1 of chapter 145 of the 2014 public laws, state and federal
12 grants, including clean water finance agency funds, and any other available state funding.

13 SECTION 2. Section 46-12.2-4 of the General Laws in Chapter 46-12.2 entitled "Rhode
14 Island Clean Water Finance Agency" is hereby amended to read as follows:

15 **46-12.2-4. General powers and duties of agency. --** (a) The agency shall have all
16 powers necessary or convenient to carry out and effectuate the purposes and provisions of this
17 chapter and chapter 24-18, including without limiting the generality of the foregoing, the powers
18 and duties:

19 (1) To adopt and amend bylaws, rules, regulations, and procedures for the governance of

- 1 its affairs, the administration of its financial assistance programs, and the conduct of its business;
- 2 (2) To adopt an official seal;
- 3 (3) To maintain an office at such place or places as it may determine;
- 4 (4) To adopt a fiscal year;
- 5 (5) To adopt and enforce procedures and regulations in connection with the performance
6 of its functions and duties;
- 7 (6) To sue and be sued;
- 8 (7) To employ personnel as provided in § 46-12.2-5, and to engage accounting,
9 management, legal, financial, consulting and other professional services;
- 10 (8) Except as provided in this chapter, to receive and apply its revenues to the purposes
11 of this chapter without appropriation or allotment by the state or any political subdivision thereof;
- 12 (9) To borrow money, issue bonds, and apply the proceeds thereof, as provided in this
13 chapter and chapter 24-18, and to pledge or assign or create security interests in revenues, funds,
14 and other property of the agency and otherwise as provided in this chapter and chapter 24-18, to
15 pay or secure the bonds; and to invest any funds held in reserves or in the water pollution control
16 revolving fund, [the pre-permitting revolving fund](#), the Rhode Island water pollution control
17 revolving fund, the municipal road and bridge fund established under chapter 24-18, or the local
18 interest subsidy trust fund, or any revenues or funds not required for immediate disbursement, in
19 such investments as may be legal investments for funds of the state;
- 20 (10) To obtain insurance and to enter into agreements of indemnification necessary or
21 convenient to the exercise of its powers under this chapter and chapter 24-18;
- 22 (11) To apply for, receive, administer, and comply with the conditions and requirements
23 respecting any grant, gift, or appropriation of property, services, or moneys;
- 24 (12) To enter into contracts, arrangements, and agreements with other persons, and
25 execute and deliver all instruments necessary or convenient to the exercise of its powers under
26 this chapter and chapter 24-18; such contracts and agreements may include without limitation,
27 loan agreements with local governmental units, capitalization grant agreements, intended use
28 plans, operating plans, and other agreements and instruments contemplated by title VI of the
29 Clean Water Act, 33 U.S.C. § 1381 et seq., or this chapter, agreement and instruments
30 contemplated by chapter 24-18, grant agreements, contracts for financial assistance or other forms
31 of assistance from the state or the United States, and trust agreements and other financing
32 agreements and instruments pertaining to bonds;
- 33 (13) To authorize a representative to appear on its own behalf before other public bodies,
34 including, without limiting the generality of the foregoing, the congress of the United States, in

1 all matters relating to its powers and purposes;

2 (14) To provide financial assistance to local governmental units to finance costs of
3 approved projects, and to acquire and hold local governmental obligations at such prices and in
4 such manner as the agency shall deem advisable, and sell local governmental obligations acquired
5 or held by it at prices without relation to cost and in such manner as the agency shall deem
6 advisable, and to secure its own bonds with such obligations all as provided in this chapter and
7 chapter 24-18;

8 (15) To establish and collect such fees and charges as the agency shall determine to be
9 reasonable;

10 (16) To acquire, own, lease as tenant, or hold real, personal or mixed property or any
11 interest therein for its own use; and to improve, rehabilitate, sell, assign, exchange, lease as
12 landlord, mortgage, or otherwise dispose of or encumber the same;

13 (17) To do all things necessary, convenient, or desirable for carrying out the purposes of
14 this chapter and chapter 24-18 or the powers expressly granted or necessarily implied by this
15 chapter and chapter 24-18;

16 (18) To conduct a training course for newly appointed and qualified members and new
17 designees of ex-officio members within six (6) months of their qualification or designation. The
18 course shall be developed by the executive director, approved by the board of directors, and
19 conducted by the executive director. The board of directors may approve the use of any board of
20 directors or staff members or other individuals to assist with training. The training course shall
21 include instruction in the following areas: the provisions of chapters 46-12.2, 42-46, 36-14, and
22 38-2; and the agency's rules and regulations. The director of the department of administration
23 shall, within ninety (90) days of the effective date of this act [July 15, 2005] prepare and
24 disseminate, training materials relating to the provisions of chapters 42-46, 36-14 and 38-2; and

25 (19) Upon the dissolution of the water resources board (corporate) pursuant to § 46-15.1-
26 22, to have all the powers and duties previously vested with the water resources board
27 (corporate), as provided pursuant to chapter 46-15.1.

28 (20) To meet at the call of the chair at least eight (8) times per year. All meetings shall
29 be held consistent with chapters 42-46.

30 (b) Notwithstanding any other provision of this chapter, the agency shall not be
31 authorized or empowered:

32 (1) To be or to constitute a bank or trust company within the jurisdiction or under the
33 control of the department of banking and insurance of the state, or the commissioner thereof, the
34 comptroller of the currency of the United States of America, or the Treasury Department thereof;

1 or

2 (2) To be or constitute a bank, banker or dealer in securities within the meaning of, or
3 subject to the provisions of, any securities, securities exchange, or securities dealers' law of the
4 United States or the state.

5 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT - SITE READINESS PROGRAM

1 This act would direct the commerce secretary, in collaboration with the department of
2 transportation, the department of environmental management, the clean water finance agency, the
3 coastal resources management council, and local authorities, to develop a site readiness program
4 for all vacant parcels located in any city or town by assisting in the pre-approval process for
5 permitting, engineering, environmental services, and the maintaining and management of a
6 statewide inventory of said parcels, categorized by zones.

7 This act would take effect upon passage.

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