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ARTICLE 5

RELATING TO CAPITAL DEVELOPMENT PROGRAM

SECTION 1. Proposition to be submitted to the people. -- At the general election to be held on the Tuesday next after the first Monday in November 2024, there shall be submitted to the people ("People") of the State of Rhode Island ("State"), for their approval or rejection, the following proposition:

"Shall the action of the general assembly, by an act passed at the January 2024 session, authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode Island for the capital projects and in the amount with respect to each such project listed below be approved, and the issuance of bonds, refunding bonds, and temporary notes authorized in accordance with the provisions of said act?"

Project

(1) Higher Education Facilities \$160,500,000

Approval of this question will allow the State of Rhode Island to issue general obligation bonds, refunding bonds, and/or temporary notes in an amount not to exceed one hundred sixty million, five hundred thousand dollars (\$160,500,000) for capital improvements to higher education facilities, to be allocated as follows:

(a) University of Rhode Island Biomedical Sciences Building \$87,500,000

Provides eighty-seven million, five hundred thousand dollars (\$87,500,000) for the construction of a biomedical sciences building to accelerate the education, research, and workforce development of life sciences for the state.

(b) Rhode Island College Cybersecurity Building \$73,000,000

Provides seventy-three million dollars (\$73,000,000) to fund the renovation of Whipple Hall and other improvements to support the Institute for Cybersecurity & Emerging Technologies.

(2) Housing and Community Opportunity \$120,000,000

Approval of this question will allow the State of Rhode Island to issue general obligation bonds, refunding bonds, and/or temporary notes in an amount not to exceed one hundred and twenty million dollars (\$120,000,000) to increase affordable and middle-income housing production and infrastructure, support community revitalization, and promote home ownership to be allocated as follows:

1 (a) Affordable Housing \$90,000,000
2 Provides ninety million dollars (\$90,000,000) to increase affordable housing production.
3 Of this amount, up to ten million dollars (\$10,000,000) may be used to support public housing
4 development.

5 (b) Acquisition and Revitalization \$10,000,000
6 Provides ten million dollars (\$10,000,000) to support community revitalization through
7 property acquisition and the redevelopment of existing structures.

8 (c) Homeownership \$10,000,000
9 Provides ten million dollars (\$10,000,000) to increase production of affordable and middle-
10 income housing intended for homeownership.

11 (d) Site Acquisition \$5,000,000
12 Provides five million dollars (\$5,000,000) to support the acquisition of properties for
13 redevelopment as affordable and supportive housing.

14 (e) Housing Related Infrastructure \$4,000,000
15 Provides four million dollars (\$4,000,000) to support pre-development and development
16 of site-related physical infrastructure necessary to produce additional affordable housing.

17 (f) Municipal Planning \$1,000,000
18 Provides one million dollars (\$1,000,000) to provide assistance to municipalities to plan
19 and implement changes that up-zone or otherwise enable additional housing development.

20 (3) Green Economy Bonds \$53,000,000
21 Approval of this question will allow the State of Rhode Island to issue general obligation
22 bonds, refunding bonds, and/or temporary notes in an amount not to exceed fifty-three million
23 dollars (\$53,000,000) for environmental and recreational purposes, to be allocated as follows:

24 (a) Port of Davisville Infrastructure at Quonset \$15,000,000
25 Provides fifteen million dollars (\$15,000,000) for infrastructure projects that will support
26 the continued growth and modernization at the Port of Davisville. This investment will finance the
27 Port master plan. The work will include new port access roads, laydown area improvements, and
28 security upgrades to support the new Terminal Five Pier. These projects will upgrade World War
29 II-era infrastructure and position Davisville to accommodate offshore wind project cargo and
30 logistics staging while continuing to support the Port's existing businesses.

31 (b) Climate Resiliency \$2,000,000
32 Provides two million dollars (\$2,000,000) for up to seventy-five percent (75%) matching
33 grants to public and non-profit entities for restoring and/or improving resiliency of vulnerable
34 coastal habitats and restoring rivers and stream floodplains. These funds are expected to leverage

1 significant matching funds to support local programs to improve community resiliency and public
2 safety in the face of increased flooding, major storm events, and environmental degradation.

3 (c) Brownfields Remediation and Economic Development \$5,000,000

4 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants
5 to public, private, and/or non-profit entities for brownfield remediation projects.

6 (d) Local Recreation Projects \$5,000,000

7 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants
8 for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the
9 growing needs for active outdoor recreational facilities.

10 (e) Municipal Resiliency \$10,000,000

11 Provides ten million dollars (\$10,000,000) to provide financial assistance to municipalities
12 for restoring and/or improving resiliency of infrastructure, vulnerable coastal habitats, and restoring
13 rivers and stream floodplains. These funds will be prioritized to leverage significant matching funds
14 to support local programs to improve community resiliency and public safety in the face of
15 increased flooding, major storm events, and environmental degradation.

16 (f) Newport Cliff Walk \$3,000,000

17 Provides three million dollars (\$3,000,000) for restoring and improving the resiliency of
18 the historic statewide tourism infrastructure of the public access walkway known as the Newport
19 Cliff Walk located in Newport, Rhode Island.

20 (g) Agriculture Land Preservation Commission \$5,000,000

21 Provides five million dollars (\$5,000,000) to the agricultural land preservation commission
22 for farmland protection.

23 (h) Open Space Program \$3,000,000

24 Provides three million dollars (\$3,000,000) to the department of environmental
25 management to bring state open space program amounts back to historic levels.

26 (i) Forests and Habitat Management \$5,000,000

27 Provides five million dollars (\$5,000,000) to the department of environmental
28 management, division of agriculture and forest environment, to fund forests and habitat
29 management on state property.

30 (4) Cultural Economy Initiatives Bond \$10,000,000

31 Approval of this question will allow the State of Rhode Island to issue general obligation
32 bonds, refunding bonds, and/or temporary notes in an amount not to exceed ten million dollars
33 (\$10,000,000) for purposes of funding for 1:1 matching grants to continue the Cultural Arts and
34 the Economy Grant Program administered by the Rhode Island state council on the arts (RISCA)

1 for capital improvement, preservation and renovation projects for public and nonprofit artistic,
2 performance centers, museums and cultural art centers located throughout the State of Rhode
3 Island, to be allocated as follows:

4 (a) Tomaquag Museum \$2,000,000

5 Provides two million dollars (\$2,000,000) to the Tomaquag Museum in Kingston on the
6 URI campus.

7 (b) Newport Contemporary Ballet \$2,000,000

8 Provides two million dollars (\$2,000,000) to support the Newport Contemporary Ballet to
9 build Newport's Center for Arts, Dance & Education.

10 (c) Trinity Repertory Company \$2,000,000

11 Provides two million dollars (\$2,000,000) to the Trinity Repertory Company to expand and
12 upgrade the Lederer Theater Center.

13 (d) Rhode Island state council on the arts \$4,000,000

14 Provides four million dollars (\$4,000,000) in funding for 1:1 matching grants to continue
15 the Cultural Arts and the Economy Grant Program administered by the Rhode Island State Council
16 on the Arts (RISCA) for capital improvement, preservation and renovation projects for public and
17 nonprofit artistic, performance centers, museums and cultural art centers located throughout the
18 State of Rhode Island.

19 SECTION 2. Ballot labels and applicability of general election laws. -- The Secretary
20 of State shall prepare and deliver to the State Board of Elections ballot labels for each of the projects
21 provided for in Section 1 hereof with the designations "approve" or "reject" provided next to the
22 description of each such project to enable voters to approve or reject each such proposition. The
23 general election laws, so far as consistent herewith, shall apply to this proposition.

24 SECTION 3. Approval of projects by the people. -- If a majority of the People voting on
25 the proposition in Section 1 hereof shall vote to approve any project stated therein, said project
26 shall be deemed to be approved by the People. The authority to issue bonds, refunding bonds and/or
27 temporary notes of the State shall be limited to the aggregate amount for all such projects as set
28 forth in the proposition, which has been approved by the People.

29 SECTION 4. Bonds for the capital development program. -- The General Treasurer is
30 hereby authorized and empowered, with the approval of the Governor, and in accordance with the
31 provisions of this Act to issue capital development bonds in serial form, in the name of and on
32 behalf of the State of Rhode Island, in amounts as may be specified by the Governor in an aggregate
33 principal amount not to exceed the total amount for all projects approved by the People and
34 designated as "capital development loan of 2024 bonds." Provided, however, that the aggregate

1 principal amount of such capital development bonds and of any temporary notes outstanding at any
2 one time issued in anticipation thereof pursuant to Section 7 hereof shall not exceed the total amount
3 for all such projects approved by the People. All provisions in this Act relating to "bonds" shall
4 also be deemed to apply to "refunding bonds."

5 Capital development bonds issued under this Act shall be in denominations of one thousand
6 dollars (\$1,000) each, or multiples thereof, and shall be payable in any coin or currency of the
7 United States which at the time of payment shall be legal tender for public and private debts. These
8 capital development bonds shall bear such date or dates, mature at specified time or times, but not
9 mature beyond the end of the twentieth (20th) State fiscal year following the fiscal year in which
10 they are issued; bear interest payable semi-annually at a specified rate or different or varying rates:
11 be payable at designated time or times at specified place or places; be subject to express terms of
12 redemption or recall, with or without premium; be in a form, with or without interest coupons
13 attached; carry such registration, conversion, reconversion, transfer, debt retirement, acceleration
14 and other provisions as may be fixed by the General Treasurer, with the approval by the Governor,
15 upon each issue of such capital development bonds at the time of each issue. Whenever the
16 Governor shall approve the issuance of such capital development bonds, the Governor's approval
17 shall be certified to the Secretary of State; the bonds shall be signed by the General Treasurer and
18 countersigned by Secretary of State and shall bear the seal of the State. The signature approval of
19 the Governor shall be endorsed on each bond.

20 SECTION 5. Refunding bonds for the 2024 capital development program. -- The
21 General Treasurer is hereby authorized and empowered, with the approval of the Governor, and in
22 accordance with the provisions of this Act, to issue bonds to refund the 2024 capital development
23 program bonds, in the name of and on behalf of the state, in amounts as may be specified by the
24 Governor in an aggregate principal amount not to exceed the total amount approved by the People,
25 to be designated as "capital development program loan of 2024 refunding bonds" (hereinafter
26 "Refunding Bonds").

27 The General Treasurer with the approval of the Governor shall fix the terms and form of
28 any Refunding Bonds issued under this Act in the same manner as the capital development bonds
29 issued under this Act, except that the Refunding Bonds may not mature more than twenty (20) years
30 from the date of original issue of the capital development bonds being refunded.

31 The proceeds of the Refunding Bonds, exclusive of any premium and accrual interest and
32 net the underwriters' cost, and cost of bond issuance, shall, upon their receipt, be paid by the
33 General Treasurer immediately to the paying agent for the capital development bonds which are to
34 be called and prepaid. The paying agent shall hold the Refunding Bond proceeds in trust until they

1 are applied to prepay the capital development bonds. While such proceeds are held in trust, the
2 proceeds may be invested for the benefit of the State in obligations of the United States of America
3 or the State of Rhode Island.

4 If the General Treasurer shall deposit with the paying agent for the capital development
5 bonds the proceeds of the Refunding Bonds, or proceeds from other sources, amounts that, when
6 invested in obligations of the United States or the State of Rhode Island, are sufficient to pay all
7 principal, interest, and premium, if any, on the capital development bonds until these bonds are
8 called for prepayment, then such capital development bonds shall not be considered debts of the
9 State of Rhode Island for any purpose starting from the date of deposit of such moneys with the
10 paying agent. The Refunding Bonds shall continue to be a debt of the State until paid.

11 The term "bond" shall include "note," and the term "refunding bonds" shall include
12 "refunding notes" when used in this Act.

13 SECTION 6. Proceeds of the capital development program. -- The General Treasurer is
14 directed to deposit the proceeds from the sale of capital development bonds issued under this Act,
15 exclusive of premiums and accrued interest and net the underwriters' cost, and cost of bond
16 issuance, in one or more of the depositories in which the funds of the State may be lawfully kept in
17 special accounts (hereinafter cumulatively referred to as "such capital development bond fund")
18 appropriately designated for each of the projects set forth in Section 1 hereof which shall have been
19 approved by the People to be used for the purpose of paying the cost of all such projects so
20 approved.

21 All monies in the capital development bond fund shall be expended for the purposes
22 specified in the proposition provided for in Section 1 hereof under the direction and supervision of
23 the Director of Administration (hereinafter referred to as "Director"). The Director or his or her
24 designee shall be vested with all power and authority necessary or incidental to the purposes of this
25 Act, including but not limited to, the following authority: (a) to acquire land or other real property
26 or any interest, estate or right therein as may be necessary or advantageous to accomplish the
27 purposes of this Act; (b) to direct payment for the preparation of any reports, plans and
28 specifications, and relocation expenses and other costs such as for furnishings, equipment
29 designing, inspecting and engineering, required in connection with the implementation of any
30 projects set forth in Section 1 hereof; (c) to direct payment for the costs of construction,
31 rehabilitation, enlargement, provision of service utilities, and razing of facilities, and other
32 improvements to land in connection with the implementation of any projects set forth in Section 1
33 hereof; and (d) to direct payment for the cost of equipment, supplies, devices, materials and labor
34 for repair, renovation or conversion of systems and structures as necessary for the 2024 capital

1 development program bonds or notes hereunder from the proceeds thereof. No funds shall be
2 expended in excess of the amount of the capital development bond fund designated for each project
3 authorized in Section 1 hereof. With respect to the bonds and temporary notes described in Section
4 1, the proceeds shall be used for the following purposes:

5 Question 1, relating to bonds in the amount of one hundred sixty million, five hundred
6 thousand dollars (\$160,500,000) to provide funding for higher education facilities to be allocated
7 as follows:

8 (a) University of Rhode Island Biomedical Sciences Building \$87,500,000

9 Provides eighty-seven million, five hundred thousand dollars (\$87,500,000) for the
10 construction of a biomedical sciences building to accelerate the education, research, and workforce
11 development of life sciences for the state.

12 (b) Rhode Island College Cybersecurity Building \$73,000,000

13 Provides seventy-three million dollars (\$73,000,000) to fund the renovation of Whipple
14 Hall and other improvements to support the Institute for Cybersecurity & Emerging Technologies.

15 Question 2, relating to bonds in the amount of one hundred twenty million dollars
16 (\$120,000,000) to increase affordable and middle-income housing production and infrastructure,
17 support community revitalization, and promote home ownership to be allocated as follows:

18 (a) Affordable Housing \$90,000,000

19 Provides ninety million dollars (\$90,000,000) to increase affordable housing production.
20 Of this amount, up to ten million dollars (\$10,000,000) may be used to support public housing
21 development.

22 (b) Acquisition and Revitalization \$10,000,000

23 Provides ten million dollars (\$10,000,000) to support community revitalization through
24 property acquisition and the redevelopment of existing structures.

25 (c) Homeownership \$10,000,000

26 Provides ten million dollars (\$10,000,000) to increase production of affordable and middle-
27 income housing intended for homeownership.

28 (d) Site Acquisition \$5,000,000

29 Provides five million dollars (\$5,000,000) to support the acquisition of properties for
30 redevelopment as affordable and supportive housing.

31 (e) Housing Related Infrastructure \$4,000,000

32 Provides four million dollars (\$4,000,000) to support pre-development and development
33 of site- related physical infrastructure necessary to produce additional affordable housing.

34 (f) Municipal Planning \$1,000,000

1 Provides one million dollars (\$1,000,000) to provide assistance to municipalities to plan
2 and implement changes that up-zone or otherwise enable additional housing development.

3 Question 3, relating to bonds in the amount of fifty-three million dollars (\$53,000,000) for
4 environmental and recreational purposes, to be allocated as follows:

5 (a) Port of Davisville Infrastructure at Quonset \$15,000,000

6 Provides fifteen million dollars (\$15,000,000) for infrastructure projects that will support
7 the continued growth and modernization at the Port of Davisville. This investment will finance the
8 Port master plan. The work will include new port access roads, laydown area improvements, and
9 security upgrades to support the new Terminal Five Pier. These projects will upgrade World War
10 II-era infrastructure and position Davisville to accommodate offshore wind project cargo and
11 logistics staging while continuing to support the Port's existing businesses.

12 (b) Climate Resiliency \$2,000,000

13 Provides two million dollars (\$2,000,000) for up to seventy-five percent (75%) matching
14 grants to public and non-profit entities for restoring and/or improving resiliency of vulnerable
15 coastal habitats and restoring rivers and stream floodplains. These funds are expected to leverage
16 significant matching funds to support local programs to improve community resiliency and public
17 safety in the face of increased flooding, major storm events, and environmental degradation.

18 (c) Brownfields Remediation and Economic Development \$5,000,000

19 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants
20 to public, private, and/or non-profit entities for brownfield remediation projects.

21 (d) Local Recreation Projects \$5,000,000

22 Provides five million dollars (\$5,000,000) for up to eighty percent (80%) matching grants
23 for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the
24 growing needs for active outdoor recreational facilities.

25 (e) Municipal Resiliency \$10,000,000

26 Provides ten million dollars (\$10,000,000) to provide financial assistance to municipalities
27 for restoring and/or improving resiliency of infrastructure, vulnerable coastal habitats, and restoring
28 rivers and stream floodplains. These funds will be prioritized to leverage significant matching funds
29 to support local programs to improve community resiliency and public safety in the face of
30 increased flooding, major storm events, and environmental degradation.

31 (f) Newport Cliff Walk \$3,000,000

32 Provides three million dollars (\$3,000,000) for restoring and improving the resiliency of
33 the historic statewide tourism infrastructure of the public access walkway known as the Newport
34 Cliff Walk located in Newport, Rhode Island.

1 (g) Agriculture Land Preservation Commission \$5,000,000
2 Provides five million dollars (\$5,000,000) to the agricultural land preservation commission
3 for farmland protection.

4 (h) Open Space Program \$3,000,000
5 Provides three million dollars (\$3,000,000) to the department of environmental
6 management to bring state open space program amounts back to historic levels.

7 (i) Forests and Habitat Management \$5,000,000
8 Provides five million dollars (\$5,000,000) to the department of environmental
9 management, division of agriculture and forest environment, to fund forests and habitat
10 management on state property.

11 Question 4, relating to bonds in the amount of ten million dollars (\$10,000,000) to fund the
12 Cultural Arts and the Economy Grant Program and the State Preservation Grants Program, to be
13 allocated as follows:

14 (1) Tomaquag Museum \$2,000,000
15 Provides two million dollars (\$2,000,000) to the Tomaquag Museum in Kingston on the
16 URI campus.

17 (2) Newport Contemporary Ballet \$2,000,000
18 Provides two million dollars (\$2,000,000) to support the Newport Contemporary Ballet to
19 build Newport's Center for Arts, Dance & Education.

20 (3) Trinity Repertory Company \$2,000,000
21 Provides two million dollars (\$2,000,000) to the Trinity Repertory Company to expand and
22 upgrade the Lederer Theater Center.

23 (4) Rhode Island State Council on the Arts \$4,000,000
24 Provides four million dollars (\$4,000,000) in funding for 1:1 matching grants to continue
25 the Cultural Arts and the Economy Grant Program administered by the Rhode Island state council
26 on the arts (RISCA) for capital improvement, preservation and renovation projects for public and
27 nonprofit artistic, performance centers, museums and cultural art centers located throughout the
28 State of Rhode Island.

29 SECTION 7. Sale of bonds and notes. -- Any bonds or notes issued under the authority
30 of this Act shall be sold at not less than the principal amount thereof, in such mode and on such
31 terms and conditions as the General Treasurer, with the approval of the Governor, shall deem to be
32 in the best interests of the State.

33 Any premiums and accrued interest, net of the cost of bond issuance and underwriter's
34 discount, which may be received on the sale of the capital development bonds or notes shall become

1 part of the Rhode Island Capital Plan Fund of the State, unless directed by federal law or regulation
2 to be used for some other purpose.

3 In the event that the amount received from the sale of the capital development bonds or
4 notes exceeds the amount necessary for the purposes stated in Section 6 hereof, the surplus may be
5 used to the extent possible to retire the bonds as the same may become due, to redeem them in
6 accordance with the terms thereof or otherwise to purchase them as the General Treasurer, with the
7 approval of the Governor, shall deem to be in the best interests of the state.

8 Any bonds or notes issued under the provisions of this Act and coupons on any capital
9 development bonds, if properly executed by the manual or electronic signatures of officers of the
10 State in office on the date of execution, shall be valid and binding according to their tenor,
11 notwithstanding that before the delivery thereof and payment therefor, any or all such officers shall
12 for any reason have ceased to hold office.

13 SECTION 8. Bonds and notes to be tax exempt and general obligations of the State. -
14 - All bonds and notes issued under the authority of this Act shall be exempt from taxation in the
15 State and shall be general obligations of the State, and the full faith and credit of the State is hereby
16 pledged for the due payment of the principal and interest on each of such bonds and notes as the
17 same shall become due.

18 SECTION 9. Investment of moneys in fund. -- All moneys in the capital development
19 fund not immediately required for payment pursuant to the provisions of this act may be invested
20 by the investment commission, as established by Chapter 10 of Title 35, entitled "State Investment
21 Commission," pursuant to the provisions of such chapter; provided, however, that the securities in
22 which the capital development fund is invested shall remain a part of the capital development fund
23 until exchanged for other securities; and provided further, that the income from investments of the
24 capital development fund shall become a part of the general fund of the State and shall be applied
25 to the payment of debt service charges of the State, unless directed by federal law or regulation to
26 be used for some other purpose, or to the extent necessary, to rebate to the United States treasury
27 any income from investments (including gains from the disposition of investments) of proceeds of
28 bonds or notes to the extent deemed necessary to exempt (in whole or in part) the interest paid on
29 such bonds or notes from federal income taxation.

30 SECTION 10. Appropriation. -- To the extent the debt service on these bonds is not
31 otherwise provided, a sum sufficient to pay the interest and principal due each year on bonds and
32 notes hereunder is hereby annually appropriated out of any money in the treasury not otherwise
33 appropriated.

34 SECTION 11. Advances from general fund. -- The General Treasurer is authorized, with

1 the approval of the Director and the Governor, in anticipation of the issue of notes or bonds under
2 the authority of this Act, to advance to the capital development bond fund for the purposes specified
3 in Section 6 hereof, any funds of the State not specifically held for any particular purpose; provided,
4 however, that all advances made to the capital development bond fund shall be returned to the
5 general fund from the capital development bond fund forthwith upon the receipt by the capital
6 development fund of proceeds resulting from the issue of notes or bonds to the extent of such
7 advances.

8 SECTION 12. Federal assistance and private funds. -- In carrying out this act, the
9 Director, or his or her designee, is authorized on behalf of the State, with the approval of the
10 Governor, to apply for and accept any federal assistance which may become available for the
11 purpose of this Act, whether in the form of loan or grant or otherwise, to accept the provision of
12 any federal legislation therefor, to enter into, act and carry out contracts in connection therewith,
13 to act as agent for the federal government in connection therewith, or to designate a subordinate so
14 to act. Where federal assistance is made available, the project shall be carried out in accordance
15 with applicable federal law, the rules and regulations thereunder and the contract or contracts
16 providing for federal assistance, notwithstanding any contrary provisions of State law. Subject to
17 the foregoing, any federal funds received for the purposes of this Act shall be deposited in the
18 capital development bond fund and expended as a part thereof. The Director or his or her designee
19 may also utilize any private funds that may be made available for the purposes of this Act.

20 SECTION 13. Effective Date. -- Sections 1, 2, 3, 11, 12 and this Section 13 of this article
21 shall take effect upon passage. The remaining sections of this article shall take effect when and if
22 the State Board of Elections shall certify to the Secretary of State that a majority of the qualified
23 electors voting on the proposition contained in Section 1 hereof have indicated their approval of all
24 or any projects thereunder.