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LC004736

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- MUNICIPAL STREETLIGHT
INVESTMENT ACT

Introduced By: Representatives Craven, Casimiro, and Azzinaro

Date Introduced: February 06, 2026

Referred To: House Corporations

(by request)

It is enacted by the General Assembly as follows:

SECTION 1. Findings.

The General Assembly hereby finds and declares that:

(1) There continues to exist uncertainty as to the ownership of streetlights located within the Quonset Business Park;

(2) Uncertainty as to the ownership of streetlights located within the Quonset Business Park has hindered the efficient and effective use, maintenance, and care of said streetlights and thus compromised the safe passage of motorists and pedestrians traversing therein;

(3) In order to streamline the use, maintenance, and care of streetlights located within the Quonset Business Park and to ensure motorist and pedestrian safety therein, the General Assembly hereby enacts the following legislation to permit the Quonset Development Corporation to acquire, own, maintain, and control all streetlights within the Quonset Business Park.

SECTION 2. Chapter 39-30 of the General Laws entitled "Municipal Streetlight Investment Act" is hereby amended by adding thereto the following section:

39-30-6. Lighting equipment located within the Quonset Business Park.

Notwithstanding the provisions of this chapter, the Quonset Development Corporation shall be permitted to acquire, own, maintain, and control all of the lighting equipment, including streetlights, located within the Quonset Business Park. If any lighting equipment located within the Quonset Business Park is owned at the time of passage of this act by the electric distribution

company or the municipality where the lighting equipment is located, the Quonset Development Corporation shall be afforded the same rights and abilities as the municipalities of the state are afforded under § 39-30-3 and shall be permitted to acquire such lighting equipment from the electric distribution company or the municipality, whichever the case may be; provided that, the Quonset Development Corporation compensates the electric distribution company or the municipality as necessary in accordance with the requirements set forth in § 39-30-3(b).

SECTION 3. Section 42-64.10-6 of the General Laws in Chapter 42-64.10 entitled "Quonset Development Corporation" is hereby amended to read as follows:

42-64.10-6. Additional general powers and duties.

In addition to the powers enumerated in § 42-64.10-5, except to the extent inconsistent with any specific provision of this chapter, the corporation shall have and may exercise additional general powers:

(1) As set forth in § 42-64-7 necessary or convenient to effect its purposes; provided, however, that the corporation shall not have the power to issue bonds or notes or exercise eminent domain;

(2) As a subsidiary of the Rhode Island commerce corporation as provided for in § 42-64-7.1;

(3) As the Rhode Island commerce corporation's true and lawful attorney as agent and attorney-in-fact and in the name, place, and stead of the Rhode Island commerce corporation with respect to all property of the Rhode Island commerce corporation at Quonset Business Park (hereinafter referred to as "the Property") and for the purposes hereinafter set forth:

(i) To ask, demand, recover, collect, receive, hold, and possess all sums of money, debts, dues, goods, wares, merchandise, chattels, effects, bonds, notes, checks, drafts, accounts, deposits, safe deposit boxes, interests, dividends, stock certificates, certificates of deposit, insurance benefits and proceeds, documents of title, personal and real property, tangible and intangible property, and property rights, liquidated or unliquidated, that now are, or hereafter, shall be, or become, due, owing, or payable in respect to the property, and upon receipt thereof, or of any part thereof, to make, sign, execute, and deliver such receipts, releases, or other discharges for the same as the corporation shall deem proper.

(ii) To lease, purchase, exchange and acquire, and to bargain, contract, and agree for the lease, purchase, exchange, and acquisition of, and to take, receive, possess, and manage any real or personal property related in any way to the property, tangible and intangible, or any interest therein.

(iii) To enter into and upon all and each of the real properties constituting a part of, or related in any way, to the property, and to let, manage, and improve the real property or any part

1 thereof, and to repair or otherwise improve or alter, and to insure any buildings or structures
2 thereon.

3 (iv) To market and sell, either at public or private sale, or exchange any part or parts of the
4 real or personal properties, including indebtedness or evidence thereof, constituting a part of or
5 related in any way to the property, including sales on credit, and for that purpose to execute and
6 receive all promissory notes, bonds, mortgages, deeds of trust, security agreements, and other
7 instruments that may be necessary or proper, and to bargain, contract, and agree with respect to the
8 sale or exchange of such properties; and to execute and deliver good and sufficient deeds, bills of
9 sale, assignments, or other instruments or endorsements for the conveyance or transfer of the same;
10 and to give receipts for all or any part of the purchase price or other consideration.

11 (v) To sign, endorse, execute, acknowledge, deliver, receive, and possess such applications,
12 contracts, agreements, options, covenants, deeds, conveyances, trust deeds, mortgagees deeds,
13 security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading,
14 warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange,
15 notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts, and
16 deposit instruments relating to accounts or deposits in, or certificates of deposit of, banks, savings
17 and loan or other institutions or associations, proofs of loss, evidences of debts, releases, and
18 satisfactions of mortgages, judgments, liens, security agreements, and other debts and obligations,
19 and other instruments in writing of whatever kind and nature as be necessary or proper in the
20 exercise of the rights and powers herein granted.

21 (vi) To enter into subordination agreements, inter-creditor agreements, reinstatement
22 agreements, “stand still” and “stand-by” agreements, modification agreements, forbearance
23 agreements, and other contracts having the effect of subordinating, modifying, renewing,
24 restructuring or otherwise altering the rights, obligations, or liabilities of the commerce corporation,
25 under or with respect to any indebtedness, property, or other assets constituting or securing any
26 property.

27 (vii) To make demands, give notices of default, notices of intention to accelerate, notices
28 of acceleration, or such other notices as the corporation deems necessary or appropriate, and to take
29 other actions and exercise other rights that may be taken under the terms of any loan agreements,
30 security agreements, guaranties, or other documents or agreements evidencing, or otherwise
31 relating to, the property, including foreclosure, lease, sale, taking possession of, realization upon,
32 or any other disposition of any property or any collateral therefor or guarantee thereof.

33 (viii) To exercise any powers and any duties vested in the commerce corporation as a
34 partner, joint venturer, participant, or other joint-interest holder with respect to any property, or to

1 concur (or not) with persons jointly interested with the commerce corporation in any property.

2 (ix) With respect to the property: (A) To sue on, or otherwise prosecute, any claim or cause
3 of action, or commence or seek any legal, equitable, or administrative or other remedy in any legal,
4 administrative, arbitration, mediation, or other proceeding whatsoever (including, non-judicial
5 repossessions and foreclosures or similar actions to recover collateral); (B) To defend, or otherwise
6 participate for, or in the name of, the commerce corporation in any legal, administrative, arbitration,
7 mediation, or other proceedings; (C) To process, determine, or adjudge any claim or cause of action
8 for, or in the name of, the commerce corporation; (D) To compromise, settle, discharge or resolve,
9 or make, execute, or deliver any endorsements, acquittances, releases, receipts, or other discharges
10 of any claim, cause of action, determination, judgment, or other proceeding for, or in the name of,
11 the commerce corporation; and (E) To prepare, execute, and file ad valorem, franchise and other
12 tax returns, protests and suits against taxing authorities, and to prepare, execute, and file other
13 governmental or quasi-governmental reports, declarations, applications, requests and documents in
14 connection with any property, and to pay taxes in connection with the property as the corporation
15 deems necessary or appropriate, or as otherwise required by law.

16 (x) To acquire, own, maintain, and control all of the lighting equipment, including
17 streetlights, located within the Quonset Business Park, whether then owned by the “electric
18 distribution company”, as defined in § 39-30-2, or the municipality where the lighting equipment
19 is located, as permitted under § 39-30-6, and to install, relocate, abandon, and remove such lighting
20 equipment from time to time in the corporation’s sole discretion.

21 ~~(x)~~(xi) Any third party shall be entitled to rely on a writing signed by the corporation to
22 conclusively establish the identity of a particular Property as property for all purposes hereof.

23 (4) To own, hold, improve, operate, manage, and regulate utilities at the Quonset Business
24 Park and to establish rates, fees, and charges, to adopt regulations, and to impose penalties for any
25 services or utilities it provides, or causes to have available, and to have functions and exercise
26 powers as necessary and appropriate under the provisions of §§ 42-64-4, 42-64-7.4, 42-64-7.8, 42-
27 64-7.9 and 42-64-9.1 — 42-64-9.10, inclusive.

28 (5) To enter into agreements with any city, town, district, or public corporation with regard
29 to application and/or administration of zoning or other land use ordinances, codes, plans, or
30 regulations, and cities, towns, districts, and public corporations are hereby authorized and
31 empowered, notwithstanding any other law to the contrary, to enter into such agreements with the
32 corporation and to do all things necessary to carry out their obligations under such agreements; in
33 the absence of any such agreement the corporation shall act in accordance with the provisions of §
34 42-64-13.

1 (6) To enter into agreements, including with any state agency, city, town, district, or public
2 corporation, for the provision of police, security, fire, sanitation, health protection, and other public
3 services.

4 (7) To be exempt from taxation and to enter into agreements for payments in lieu of taxes
5 as provided for in § 42-64-20.

6 (8) To establish a stormwater management and conveyance system and regulate
7 connections, user fees, charges and assessments in connection therewith. In particular, the
8 corporation shall have full and complete power and authority to:

9 (i) Limit, deny, or cause appropriate direct or indirect connections to be made between any
10 building or property located in the Quonset Business Park, or from any location outside the
11 boundaries of the Quonset Business Park and discharging into the corporation's stormwater
12 management and conveyance systems. The corporation may prescribe those rules and regulations
13 for stormwater runoff, that in the opinion of the corporation, are necessary and appropriate for the
14 maintenance and operation of the stormwater management and conveyance systems, and may
15 establish, from time to time, rules and regulations relating to stormwater management in the
16 Quonset Business Park. Any person or entity having an existing connection to the stormwater
17 management and conveyance systems or currently discharging into such systems, will obtain a
18 permit from the corporation in accordance with its rules and regulations. No person or entity shall,
19 without first being granted a written permit from the corporation in accordance with its rules and
20 regulations, make any future connection or permit any runoff from any structure or property to any
21 stormwater management and conveyance systems, or any appurtenance thereto, without first being
22 granted a written permit from the corporation in accordance with its rules and regulations.

23 (ii) Compel any person or entity within the Quonset Business Park, for the purpose of
24 stormwater runoff, to establish a direct connection on the property of the person or entity, or at the
25 boundary thereof, to the corporation's stormwater management and conveyance systems. These
26 connections shall be made at the expense of such person or entity. The term "appurtenance" as used
27 herein shall be construed to include adequate pumping facilities, whenever the pumping facilities
28 shall be necessary to deliver the stormwater runoff to the stormwater management and conveyance
29 systems.

30 (iii) Assess any person or entity having a direct or indirect connection (including, without
31 limitation, via runoff) to the Quonset Business Park stormwater management and conveyance
32 systems the reasonable charges for the use, operation, maintenance, and improvements to the
33 systems. The corporation shall also be entitled, in addition to any other remedies available, to assess
34 fines for violations of the rules and regulations established by the corporation with respect to

1 stormwater management.

2 (iv) Collect the fees, charges, and assessments from any person or entity so assessed. Each
3 person or entity so assessed shall pay the fees, charges, or assessments within the time frame
4 prescribed by the rules and regulations of the corporation. The corporation may collect the fees,
5 charges, and assessments in the same manner in which taxes are collected by municipalities, with
6 no additional fees, charges, assessments, or penalties (other than those provided for in chapter 9 of
7 title 44). All unpaid charges shall be a lien upon the real estate of the person or entity. The lien shall
8 be filed in the records of land evidence for the city or town in which the property is located and the
9 corporation shall simultaneously, with the filing of the lien, give notice to the property owner.
10 Owners of property subject to a lien for unpaid charges are entitled to a hearing within fourteen
11 (14) days of the recording of the lien.

12 (v) Notwithstanding the provisions of subsection (8)(iv) of this section, the corporation is
13 authorized to terminate the water supply service or prohibit the use of the corporation's stormwater
14 management and conveyance systems of any person or entity for the nonpayment of storm water
15 management user fees, charges, and assessments. The corporation shall notify the user of
16 termination of water supply or use of the stormwater management and conveyance systems at least
17 forty-eight (48) hours prior to ceasing service. The corporation may assess any person or entity any
18 fees, charges, and assessments affiliated with the shut off and restoration of service.

19 (vi) Without in any way limiting the foregoing powers and authority, the corporation is
20 also hereby empowered to: (A) Establish a fee system and raise funds for administration and
21 operation of the stormwater management and conveyance systems; (B) Prepare long-range,
22 stormwater management master plans; (C) Implement a stormwater management district; (D)
23 Retrofit existing structures to improve water quality or alleviate downstream flooding or erosion;
24 (E) Properly maintain existing stormwater management and conveyance systems; (F) Hire
25 personnel to carry out the functions of the stormwater management and conveyance systems; (G)
26 Receive grants, loans, or funding from state and federal water-quality programs; (H) Grant credits
27 to property owners who maintain retention and detention basins or other filtration structures on
28 their property; (I) Make grants for implementation of stormwater management plans; (J) Purchase,
29 acquire, sell, transfer, or lease real or personal property; (K) Impose liens; (L) Levy fines and
30 sanctions for noncompliance; (M) Provide for an appeals process; and (N) Contract for services in
31 order to carry out the function of the stormwater management and conveyance systems.

32 (9) To purchase and obtain water supply and water service from any city, town, water
33 district, or other water supply authority. In particular, the corporation is authorized to:

34 (i) Enter into agreements or contracts with any city, town, county, water district, or other

1 water supply authority to purchase, acquire, and receive water supply and water service.

2 (ii) Enter into cooperative agreements with cities, towns, counties, water districts, or other

3 water supply authorities for the interconnection of facilities or for any other lawful corporate

4 purposes necessary or desirable to effect the purposes of this chapter.

5 (iii) Connect the water supply system at Quonset Business Park with any city, town, county,

6 water district, or other water supply authority that receives or has a connection with the city of

7 Providence and/or the Providence Water Supply Board (or any successor thereof) and purchase,

8 connect to, receive, and enter into agreements to receive water supply from any city, town, county,

9 water district, or other water supply authority regardless of the origin of such water supply. The

10 city of Providence and the Providence Water Supply Board (and any successor thereof) are

11 authorized and directed to supply water to the Quonset Business Park either directly or via

12 connections between the Quonset Development Corporation and any city, town, county, water

13 district, or other water supply authority, notwithstanding any terms to the contrary in any

14 agreement, including, without limitation, any agreement between any city, town, county, water

15 district, or other water supply authority and the city of Providence and/or the Providence Water

16 Supply Board (or its or their predecessors), or the provisions of chapter 16 of title 39. In addition,

17 the provisions of section 18 of chapter 1278 of the public laws of Rhode Island of 1915 as amended,

18 and any other public law that would conflict with the terms hereof, are hereby amended to authorize

19 the provision of water supply by the city of Providence and the Providence Water Supply Board

20 (or any successor thereof) to the Quonset Business Park and to authorize any additional connections

21 in accordance herewith. There shall be no requirement that the corporation demonstrate public

22 necessity before entering into such agreements, connecting to such water supplies, or receiving

23 such water as described in this subsection, but the corporation shall be subject to the other

24 applicable provisions of chapter 15 of title 46.

25 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 PUBLIC UTILITIES AND CARRIERS -- MUNICIPAL STREETLIGHT
INVESTMENT ACT

- 1 This act would permit the Quonset Development Corporation to acquire, own, maintain,
- 2 and control all streetlights located within the Quonset Business Park.
- 3 This act would take effect upon passage.

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