

**ARTICLE 5 AS AMENDED**

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 2016, there shall be submitted to the people for their approval or rejection the following proposition:

"Shall the action of the general assembly, by an act passed at the January 2016 session, authorizing the issuance of bonds, refunding bonds, and temporary notes of the state 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) Veterans Home \$27,000,000

Approval of this question will allow the State of Rhode Island to issue its general obligation bonds, refunding bonds and temporary notes in an amount not to exceed twenty-seven million dollars (\$27,000,000) for the construction of a new Veterans Home and renovations of existing facilities.

(2) Leveraging Higher Education to Create 21<sup>st</sup> Century Jobs \$45,500,000

Approval of this question will allow the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed forty-five million five hundred thousand dollars (\$45,500,000) to make capital investments in higher education-related projects, to be allocated as follows:

(a) University of Rhode Island College of Engineering \$25,500,000

Provides twenty-five million five hundred thousand dollars (\$25,500,000) to renovate and construct an addition on Bliss Hall, one of the University of Rhode Island College of Engineering's oldest buildings. This project is the second phase of a comprehensive program to replace outdated buildings with a major new building and to renovate and build additions to the existing complex of buildings serving the University of Rhode Island College of Engineering.

(b) University of Rhode Island Affiliated Innovation Campus Program \$20,000,000

Provides twenty million dollars (\$20,000,000) to build one or more innovation campuses involving business collaborations with the University of Rhode Island and may include other

1 higher education institutions where cutting-edge research can be turned into new products,  
2 services and businesses.

3 ~~(3) Port of Davisville Infrastructure at Quonset \$50,000,000~~

4 ~~Approval of this question will allow the State of Rhode Island to issue general obligation~~  
5 ~~bonds, refunding bonds, and temporary notes in an amount not to exceed fifty million dollars~~  
6 ~~(\$50,000,000) to fund infrastructure modernization and repairs to the Port of Davisville at~~  
7 ~~Quonset, including Pier 2.~~

8 (3) Port Infrastructure \$70,000,000

9 Approval of this question will allow the State of Rhode Island to issue general obligation  
10 bonds, refunding bonds, and temporary notes in an amount not to exceed seventy million dollars  
11 (\$70,000,000) for port infrastructure projects, to be allocated as follows:

12 (a) Port of Davisville Infrastructure at Quonset \$50,000,000

13 Provides fifty million dollars (\$50,000,000) to fund infrastructure modernization and  
14 repairs to the Port of Davisville at Quonset, including Pier 2.

15 (b) Port of Providence Infrastructure \$20,000,000

16 Provides twenty million dollars (\$20,000,000) to increase terminal capacity at the Port of  
17 Providence by funding the acquisition of up to 25 acres of land located between Allens Avenue in  
18 the City of Providence and the Providence River, and associated infrastructure improvements.

19 (4) Green Economy \$35,000,000

20 Approval of this question will allow the State of Rhode Island to issue general obligation  
21 bonds, refunding bonds, and temporary notes in an amount not to exceed thirty-five million  
22 dollars (\$35,000,000) for environmental and recreational purposes, to be allocated as follows:

23 (a) Historic State Park Development Program \$4,000,000

24 Provides four million dollars (\$4,000,000) for major capital improvements to State  
25 properties, including Fort Adams State Park, Brenton Point, Colt State Park and Goddard  
26 Memorial State Park.

27 (b) State Land Acquisition Program \$4,000,000

28 Provides four million dollars (\$4,000,000) for the State to acquire fee simple interest or  
29 conservation easements to open space, farmland, watershed, and recreation lands.

30 (c) State Bikeway Development Program \$10,000,000

31 Provides ten million dollars (\$10,000,000) for the State to design and construct bikeways.

32 (d) Brownfield Remediation and Economic Development \$5,000,000

33 Provides up to eighty percent (80%) matching grants to public, private, and/or non-profit  
34 entities for brownfield remediation projects.

1 (e) Stormwater Pollution Prevention Program \$3,000,000  
2 Provides up to seventy-five percent (75%) matching grants for public, private and/or non-  
3 profit entities for projects that reduce stormwater pollution.

4 (f) Local Recreation Development Matching Grant Program \$5,000,000  
5 Provides up to eighty percent (80%) matching grants to municipalities to develop public  
6 recreational facilities in Rhode Island.

7 (g) Local Land Acquisition Matching Grant Program \$4,000,000  
8 Provides fifty percent (50%) matching grants to municipalities, local land trusts and non-  
9 profit organizations to acquire fee-simple interest, development rights, or conservation easements  
10 on open space and urban parklands in Rhode Island.

11 (5) Housing Opportunity \$50,000,000  
12 Approval of this question will allow the State of Rhode Island to issue general obligation  
13 bonds, refunding bonds, and temporary notes in an amount not to exceed fifty million dollars  
14 (\$50,000,000) for affordable housing, urban revitalization, and blight remediation, to be allocated  
15 as follows:

16 (a) Affordable Housing Development \$40,000,000  
17 Provides forty million dollars (\$40,000,000) for the ~~state~~ [Housing Resources Commission](#)  
18 to develop affordable housing opportunity programs through the redevelopment of existing  
19 structures and/or new construction.

20 (b) Urban Revitalization and Blight Remediation \$10,000,000  
21 Provides ten million dollars (\$10,000,000) for the state to provide funding for the  
22 improvement of properties that are blighted or in need of revitalization, including residential and  
23 commercial properties and public and community spaces.

24 **SECTION 2. Ballot labels and applicability of general election laws.** -- The secretary  
25 of state shall prepare and deliver to the state board of elections ballot labels for each of the  
26 projects provided for in section 1 hereof with the designations "approve" or "reject" provided next  
27 to the description of each such project to enable voters to approve or reject each such proposition.  
28 The general election laws, so far as consistent herewith, shall apply to this proposition.

29 **SECTION 3. Approval of projects by people.** -- If a majority of the people voting on  
30 the proposition provided for in section 1 hereof shall vote to approve the proposition as to any  
31 project provided for in section 1 hereof, said project shall be deemed to be approved by the  
32 people. The authority to issue bonds, refunding bonds and temporary notes of the state shall be  
33 limited to the aggregate amount for all such projects as set forth in the proposition provided for in  
34 section 1 hereof, which has been approved by the people.

1           **SECTION 4. Bonds for capital development program.** -- The general treasurer is  
2 hereby authorized and empowered with the approval of the governor and in accordance with the  
3 provisions of this act to issue from time to time capital development bonds in serial form in the  
4 name and on behalf of the state in amounts as may be specified from time to time by the governor  
5 in an aggregate principal amount not to exceed the total amount for all projects approved by the  
6 people and designated as "capital development loan of 2016 bonds," provided, however, that the  
7 aggregate principal amount of such capital development bonds and of any temporary notes  
8 outstanding at any one time issued in anticipation thereof pursuant to section 7 hereof shall not  
9 exceed the total amount for all such projects as have been approved by the people. All provisions  
10 in this act relating to "bonds" shall also be deemed to apply to "refunding bonds."

11           Capital development bonds issued under this act shall be in denominations of one  
12 thousand dollars (\$1,000) each, or multiples thereof, and shall be payable in any coin or currency  
13 of the United States which at the time of payment shall be legal tender for public and private  
14 debts. These capital development bonds shall bear such date or dates, mature at specified time or  
15 times, but not beyond the end of the twentieth state fiscal year following the state fiscal year in  
16 which they are issued, bear interest payable semi-annually at a specified rate or different or  
17 varying rates, be payable at designated time or times at specified place or places, be subject to  
18 expressed terms of redemption or recall, with or without premium, be in a form, with or without  
19 interest coupons attached, carry such registration, conversion, reconversion, transfer, debt  
20 retirement, acceleration and other provisions as may be fixed by the general treasurer, with the  
21 approval of the governor, upon each issue of such capital development bonds at the time of each  
22 issue. Whenever the governor shall approve the issuance of such capital development bonds, he  
23 or she shall certify approval to the secretary of state; the bonds shall be signed by the general  
24 treasurer and countersigned by the manual or facsimile signature of the secretary of state and  
25 shall bear the seal of the state or a facsimile thereof. The approval of the governor shall be  
26 endorsed on each bond so approved with a facsimile of his or her signature.

27           **SECTION 5. Refunding bonds for 2016 capital development program.** -- The general  
28 treasurer is hereby authorized and empowered, with the approval of the governor and in  
29 accordance with the provisions of this act, to issue from time to time bonds to refund the 2016  
30 capital development program bonds in the name and on behalf of the state, in amounts as may be  
31 specified from time to time by the governor in an aggregate principal amount not to exceed the  
32 total amount approved by the people, to be designated as "capital development program loan of  
33 2016 refunding bonds" (hereinafter "refunding bonds").

34           The general treasurer with the approval of the governor shall fix the terms and form of

1 any refunding bonds issued under this act in the same manner as the capital development bonds  
2 issued under this act, except that the refunding bonds may not mature more than twenty (20)  
3 years from the date of original issue of the capital development bonds being refunded.

4 The proceeds of the refunding bonds, exclusive of any premium and accrual interest and  
5 net the underwriters' cost, and cost of bond insurance, shall, upon their receipt, be paid by the  
6 general treasurer immediately to the paying agent for the capital development bonds which are to  
7 be called and prepaid. The paying agent shall hold the refunding bond proceeds in trust until they  
8 are applied to prepay the capital development bonds. While such proceeds are held in trust, they  
9 may be invested for the benefit of the state in obligations of the United States of America or the  
10 State of Rhode Island.

11 If the general treasurer shall deposit with the paying agent for the capital development  
12 bonds the proceeds of the refunding bonds or proceeds from other sources amounts that, when  
13 invested in obligations of the United States or the State of Rhode Island, are sufficient to pay all  
14 principal, interest, and premium, if any, on the capital development bonds until these bonds are  
15 called for prepayment, then such capital development bonds shall not be considered debts of the  
16 State of Rhode Island for any purpose from the date of deposit of such moneys with the paying  
17 agent. The refunding bonds shall continue to be a debt of the state until paid.

18 The term "bond" shall include "note," and the term "refunding bonds" shall include  
19 "refunding notes" when used in this act.

20 **SECTION 6. Proceeds of capital development program.** -- The general treasurer is  
21 directed to deposit the proceeds from the sale of capital development bonds issued under this act,  
22 exclusive of premiums and accrued interest and net the underwriters' cost, and cost of bond  
23 insurance, in one or more of the depositories in which the funds of the state may be lawfully kept  
24 in special accounts (hereinafter cumulatively referred to as "such capital development bond  
25 fund") appropriately designated for each of the projects set forth in section 1 hereof which shall  
26 have been approved by the people to be used for the purpose of paying the cost of all such  
27 projects so approved.

28 All monies in the capital development bond fund shall be expended for the purposes  
29 specified in the proposition provided for in section 1 hereof under the direction and supervision of  
30 the director of administration (hereinafter referred to as "director"). The director or his or her  
31 designee shall be vested with all power and authority necessary or incidental to the purposes of  
32 this act, including but not limited to, the following authority: (a) to acquire land or other real  
33 property or any interest, estate or right therein as may be necessary or advantageous to  
34 accomplish the purposes of this act; (b) to direct payment for the preparation of any reports, plans



1 phase of a comprehensive program to replace outdated buildings with a major new building and  
2 to renovate and build additions to the existing complex of buildings serving the University of  
3 Rhode Island College of Engineering. In addition to constructing an addition to historic Bliss  
4 Hall, the project will restore the building and upgrade building systems, improve classrooms,  
5 modernize teaching laboratories, and provide advanced research facilities for the next generation  
6 of Engineering students and faculty.

7 (b) University of Rhode Island Affiliated Innovation Campus Program \$20,000,000

8 Provides funds to build one or more innovation campuses involving business  
9 collaborations with the University of Rhode Island and may include other higher education  
10 institutions where cutting-edge research can be turned into new products, services, and  
11 businesses. The state will run a competitive selection process to determine the location and type  
12 of campus or campuses to build. A winning proposal must involve the University of Rhode  
13 Island, more than match the state's investment with private ~~or~~ and/or federal funds, include at  
14 least one business partner, and spur a substantial number of new jobs at a variety of skill levels.  
15 Preference may be given to proposals that include multiple higher education institutions.

16 ~~Question 3 relating to bonds in the amount of fifty million dollars (\$50,000,000) to~~  
17 ~~modernize the port infrastructure at the Port of Davisville in the Quonset Business Park, including~~  
18 ~~Pier 2. The Port handles a majority of shipping imports into Narragansett Bay and supports one of~~  
19 ~~the largest auto importers in North America. A primary goal of this program will be modernizing~~  
20 ~~of Pier 2, which has exceeded the 50-year lifespan for which it was originally designed.~~

21 Question 3 relating to bonds in the amount of seventy million dollars (\$70,000,000) to be  
22 allocated as follows:

23 (a) Port of Davisville Infrastructure at Quonset \$50,000,000

24 Provides funds to modernize the port infrastructure at the Port of Davisville in the  
25 Quonset Business Park, including Pier 2. The Port handles a majority of shipping imports into  
26 Narragansett Bay and supports one of the largest auto importers in North America. A primary  
27 goal of this program will be modernizing Pier 2, which has exceeded the 50-year lifespan for  
28 which it was originally designed.

29 (b) Port of Providence Infrastructure \$20,000,000

30 Provides funds to increase terminal capacity at the Port of Providence by funding the  
31 acquisition of up to 25 acres of land located between Allens Avenue in the City of Providence  
32 and the Providence River, and associated infrastructure improvements. The State of Rhode Island  
33 or one of its governmental agencies will own the land. ProvPort, Inc., a non-profit entity which  
34 provides general commercial port services in the City of Providence, will be responsible for

1 managing and marketing the land subject to a revenue sharing agreement with the State of Rhode  
2 Island or one of its agencies."

3 Question 4 relating to bonds in the amount of thirty-five million dollars (\$35,000,000) for  
4 environmental and recreational purposes to be allocated as follows:

5 (a) Historical State Park Development Program \$4,000,000

6 Provides funds for major capital improvements to state properties, including Fort Adams  
7 State Park, Brenton Point, Colt State Park and Goddard Memorial State Park.

8 (b) State Land Acquisition Program \$4,000,000

9 Provides funds to acquire fee interest or conservation easements to open space, farmland,  
10 watershed, and recreation lands.

11 (c) State Bikeway Development Program \$10,000,000

12 Provides funds for the State to design and construct bikeways.

13 (d) Brownfield Remediation and Economic Development \$5,000,000

14 Provides up to eighty percent (80%) matching grants to public, private, and/or non-profit  
15 entities for brownfields remediation projects.

16 (e) Stormwater Pollution Prevention Program \$3,000,000

17 Provides up to seventy-five percent (75%) matching grants for public, private and/or non-  
18 profit entities for projects that reduce stormwater pollution.

19 (f) Local Recreation Development Matching Grant Program \$5,000,000

20 Provides up to eighty percent (80%) matching grants to municipalities to develop public  
21 recreational facilities in Rhode Island.

22 (g) Local Land Acquisition Matching Grant Program \$4,000,000

23 Provides fifty percent (50%) matching grants to municipalities, local land trusts and non-  
24 profit organizations to acquire fee-simple interest, development rights, or conservation easements  
25 on open space and urban parklands in Rhode Island.

26 Question 5 relating to bonds in the amount of fifty million dollars (\$50,000,000) to  
27 promote affordable housing opportunity programs, urban revitalization, and blight remediation, to  
28 be allocated as follows:

29 (a) Affordable Housing Development \$40,000,000

30 Provides funds for the ~~state~~ [Housing Resources Commission](#) to develop affordable  
31 housing opportunity programs through the redevelopment of existing structures and/or new  
32 construction

33 (b) Urban Revitalization and Blight Remediation \$10,000,000

34 Provides funds for the state to provide funding for the improvement of properties that are



1 blighted or in need of revitalization, including residential and commercial properties and public  
2 and community spaces.

3         **SECTION 7. Sale of bonds and notes.** -- Any bonds or notes issued under the authority  
4 of this act shall be sold from time to time at not less than the principal amount thereof, in such  
5 mode and on such terms and conditions as the general treasurer, with the approval of the  
6 governor, shall deem to be for the best interests of the state.

7         Any premiums and accrued interest, net of the cost of bond insurance and underwriter's  
8 discount, which may be received on the sale of the capital development bonds or notes shall  
9 become part of the Municipal Road and Bridge Revolving Fund of the state, unless directed by  
10 federal law or regulation to be used for some other purpose.

11         In the event that the amount received from the sale of the capital development bonds or  
12 notes exceeds the amount necessary for the purposes stated in section 6 hereof, the surplus may  
13 be used to the extent possible to retire the bonds as the same may become due, to redeem them in  
14 accordance with the terms thereof or otherwise to purchase them as the general treasurer, with the  
15 approval of the governor, shall deem to be for the best interests of the state.

16         Any bonds or notes issued under the provisions of this act and coupons on any capital  
17 development bonds, if properly executed by the manual or facsimile signatures of officers of the  
18 state in office on the date of execution shall be valid and binding according to their tenor,  
19 notwithstanding that before the delivery thereof and payment therefor, any or all such officers  
20 shall for any reason have ceased to hold office.

21         **SECTION 8. Bonds and notes to be tax exempt and general obligations of the state. -**  
22 - All bonds and notes issued under the authority of this act shall be exempt from taxation in the  
23 state and shall be general obligations of the state, and the full faith and credit of the state is hereby  
24 pledged for the due payment of the principal and interest on each of such bonds and notes as the  
25 same shall become due.

26         **SECTION 9. Investment of moneys in fund.** -- All moneys in the capital development  
27 fund not immediately required for payment pursuant to the provisions of this act may be invested  
28 by the investment commission, as established by chapter 35-10, pursuant to the provisions of such  
29 chapter; provided, however, that the securities in which the capital development fund is invested  
30 shall remain a part of the capital development fund until exchanged for other securities; and  
31 provided further, that the income from investments of the capital development fund shall become  
32 a part of the general fund of the state and shall be applied to the payment of debt service charges  
33 of the state, unless directed by federal law or regulation to be used for some other purpose, or to  
34 the extent necessary, to rebate to the United States treasury any income from investments

1 (including gains from the disposition of investments) of proceeds of bonds or notes to the extent  
2 deemed necessary to exempt (in whole or in part) the interest paid on such bonds or notes from  
3 federal income taxation.

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

8         **SECTION 11. Advances from general fund.** -- The general treasurer is authorized from  
9 time to time with the approval of the director and the governor, in anticipation of the issue of  
10 notes or bonds under the authority of this act, to advance to the capital development bond fund for  
11 the purposes specified in section 6 hereof, any funds of the state not specifically held for any  
12 particular purpose; provided, however, that all advances made to the capital development bond  
13 fund shall be returned to the general fund from the capital development bond fund forthwith upon  
14 the receipt by the capital development fund of proceeds resulting from the issue of notes or bonds  
15 to the extent of such advances.

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

29         **SECTION 13. Effective Date.** -- Sections 1, 2, 3, 11, 12 and this section 13 of this article  
30 shall take effect upon passage. The remaining sections of this article shall take effect when and if  
31 the state board of elections shall certify to the secretary of state that a majority of the qualified  
32 electors voting on the propositions contained in section 1 hereof have indicated their approval of  
33 all or any projects thereunder.

34