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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- CRANSTON STREET ARMORY
FOUNDATION

Introduced By: Senators Bell, Mack, and Quezada

Date Introduced: February 10, 2021

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 37 of the General Laws entitled "PUBLIC PROPERTY AND WORKS"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 8.2

4 CRANSTON STREET ARMORY FOUNDATION

5 **37-8.2-1. Foundation created.**

6 The Cranston Street armory Foundation ("foundation") is hereby created to promote
7 interest, plan, develop, coordinate, encourage, facilitate, set standards, and programs and projects
8 relating to the restoration, renovation, reconstruction, and use of the historical Cranston Street
9 armory structure. The foundation shall also act to ensure and protect public access and use of the
10 Cranston Street armory structure and grounds.

11 **37-8.2-2. Purpose.**

12 In order to achieve the objective and to carry out the purposes of this chapter, the
13 foundation shall, in close cooperation with the office of the mayor of the city of Providence, initiate,
14 coordinate, and support planning, development, and management of the programs, projects and use
15 of the Cranston Street armory; provide for all activities in a manner which will be consistent with
16 the purposes of this chapter; and carry out all responsibilities provided by this chapter concerning
17 the restoration and use of the Cranston Street armory structure.

18 **37-8.2-3. Organization of foundation.**

1 (a) The foundation shall consist of eleven (11) public members, six (6) of whom shall be
2 appointed by the governor with the advice and consent of the senate, one of whom shall be
3 appointed by the secretary of state with the advice and consent of the senate, one of whom shall be
4 appointed by the lieutenant governor with the advice and consent of the senate, two (2) of whom
5 shall be appointed by the mayor of the city of Providence with the advice and consent of the senate,
6 and one of whom shall be the superintendent of the Providence department of parks and recreation
7 or designee. In making appointments under this section, the appointing authorities shall solicit and
8 give due consideration to the recommendations of the following persons, communities and
9 organizations:

10 (1) Rhode Island Historical Preservation Commission;

11 (2) City of Providence;

12 (3) Community groups in the surrounding area; and

13 (4) Residents who live within a one mile radius of the Cranston Street armory.

14 (b) In making appointments under subsection (a) of this section, the appointing authorities
15 shall also give due consideration to the appointment of persons with expertise and experience in
16 the fields of American history, historic preservation, museums, education, the arts, community
17 outreach, social justice, historic architecture, and/or engineering.

18 (c) The superintendent of the Providence department of parks and recreation, or designee,
19 shall act as chairperson.

20 (d) The power of the foundation shall vest in and be exercised by or under the authority of
21 its members.

22 (e) Employees of the foundation shall be selected and appointed by the foundation and
23 shall be vested with those powers and duties that the foundation may determine.

24 (f) The governor shall thereupon nominate six (6) members: two (2) of whom shall serve
25 an initial term of one year; two (2) of whom shall serve an initial term of two (2) years; and two (2)
26 of whom shall serve initial terms of three (3) years. The secretary of state shall thereupon nominate
27 one member, who shall serve an initial term of two (2) years. The lieutenant governor shall
28 thereupon nominate one member, who shall serve an initial term of two (2) years. The mayor of
29 Providence shall thereupon nominate two (2) members, one of whom shall serve an initial term of
30 one year and one of whom shall serve an initial term of three (3) years. Thereafter, all appointed
31 members shall be appointed to serve three (3) year terms.

32 **37-8.2-4. Powers of the foundation.**

33 (a) The foundation is authorized and empowered:

34 (1) To adopt by-laws for the regulation of its affairs and the conduct of its business;

- 1 (2) To adopt and alter an official seal;
- 2 (3) To maintain an office at any place or places within the state as it may designate;
- 3 (4) To sue and be sued in its own name, plead and be impleaded. Service of process in any
4 action shall be made by service upon the chairperson of the foundation;
- 5 (5) To employ assistants, agents, and other employees that may be necessary or desirable
6 for its purposes; to contract for and engage consultants, and to utilize the service of other
7 governmental agencies;
- 8 (6) To accept from a federal agency, loans or grants for use in carrying out its purposes,
9 and to enter into agreements with that agency respecting those loans or grants;
- 10 (7) To acquire, purchase, manage, and operate, and to hold and dispose of real and personal
11 property, to take assignments of rents and leases, and to make and enter into all contracts, leases,
12 and agreements necessary or incidental to the performance of its duties;
- 13 (8) To enter into a long-term lease agreement with the city of Providence for parcels of
14 land owned by the city of Providence adjacent to the Cranston Street armory;
- 15 (9) To receive any gifts, grants, or donations made for any of the purposes of its program,
16 and to disburse and administer them in accordance with the terms thereof; and
- 17 (10) To guide, approve, and execute or delegate the execution of, all necessary renovations
18 or modifications to the Cranston Street armory structure and grounds;
- 19 (11) To do all acts and things necessary or convenient to carry out the powers expressly
20 granted in this chapter.
- 21 (b) The sum of one million dollars (\$1,000,000) per annum shall be appropriated to the
22 foundation from the budget of the department of administration for the purposes of maintaining,
23 operating, and developing the Cranston Street armory. This sum shall be increased at a rate of five
24 percent (5%) per annum.
- 25 (1) The department of administration assumes tort liability for the purpose of public access
26 at the Cranston Street armory.
- 27 (2) In addition to any other requirements mandated by the foundation any contractor hired
28 shall be required to carry liability insurance in an amount to be determined by the foundation.
- 29 (c) The sum of twenty-five million dollars (\$25,000,000) shall be appropriated from the
30 Rhode Island capital plan to the foundation in fiscal year 2023 for the purposes of renovations to
31 the Cranston Street armory.

32 **37-8.2-5. Public Access and Benefit.**

- 33 (a) The foundation, when executing the powers enumerated in § 37-8.2-4, shall act to
34 maintain and ensure continuous public access to the Cranston Street armory structure and grounds.

1 (b) The foundation, when executing the powers enumerated in § 37-8.2-4, shall act to
2 maintain and ensure that the use of the Cranston Street armory structure and grounds will provide
3 a benefit to:

4 (1) The citizens of Rhode Island;

5 (2) The city of Providence;

6 (3) The community groups in the surrounding area; and

7 (4) The residents who live within a one mile radius of the armory.

8 **37-8.2-6. Reports.**

9 The annual report of the commission to the general assembly shall include a complete
10 report of the operations and financial status of the foundation.

11 **37-8.2-7. Severability.**

12 The provisions of this chapter are severable, and if any of its provisions shall be held
13 unconstitutional by any court of competent jurisdiction, the decisions of the court shall not affect
14 or impair any of the remaining provisions.

15 SECTION 2. 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 PROPERTY AND WORKS -- CRANSTON STREET ARMORY
FOUNDATION

1 This act would establish the Cranston Street armory Foundation to restore, renovate,
2 reconstruct and allow public use and access to the historical Cranston Street armory structure. This
3 act would appoint eleven (11) members to sit on the board of the foundation which shall ensure the
4 continuous public access to the Cranston Street armory structure and grounds, and that such
5 structure and grounds provide a benefit to the citizens of Rhode Island, the city of Providence,
6 community groups of surrounding areas, and residents who reside within one mile of the armory.

7 This act would take effect upon passage.

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