

2024 -- S 2534

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LC004990
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES MANAGEMENT
COUNCIL

Introduced By: Senators Sosnowski, Miller, Gu, Valverde, DiMario, Euer, Ujifusa, and
McKenney

Date Introduced: March 01, 2024

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 46-23-2 of the General Laws in Chapter 46-23 entitled "Coastal
2 Resources Management Council" is hereby amended to read as follows:

3 **46-23-2. Coastal resources management council created — Appointment of members.**

4 (a) There is hereby created the coastal resources management council. The coastal
5 resources management council shall consist of ten (10) members. Nine (9) members shall be
6 appointed by the governor, with advice and consent of the senate, and one member shall serve ex
7 officio. All current appointments to the coastal resources management council made by the
8 governor with advice and consent of the senate are hereby validated and ratified and those
9 appointees shall serve for the remainder of their term.

10 (1) Six (6) of the members shall be appointed or elected officials of local government: three
11 (3) of whom shall be appointed or elected officials in a municipality of fewer than twenty-five
12 thousand (25,000) in population, three (3) of whom shall be appointed or elected officials in a
13 municipality of more than twenty-five thousand (25,000) in population. The populations are to be
14 determined by the latest federal census. Elected or appointed municipal officials shall hold seats on
15 the council only so long as they remain in their elected or appointed office. Each municipal
16 appointment shall cease if the appointed or elected official shall no longer hold or change the office
17 which they held upon appointment. At least five (5) out of the six (6) appointed or elected members
18 must be appointed or elected in a coastal municipality. When the governor submits his or her

1 appointments to the senate for advice and consent, the governor shall specify the appointed or
2 elected office that each municipal appointment holds; the population of the municipality
3 represented; and the member being replaced.

4 (2) Three (3) members shall be appointed by the governor from the public, with the advice
5 and consent of the senate, as follows:

6 (i) One of the public members shall be a representative or designee from a nonprofit with
7 offices in Rhode Island, which advocates for the preservation, regeneration and/or restoration of
8 the natural environment of the state's coastal resources;

9 (ii) One shall be an active, licensed fisher that receives at least fifty percent (50%) of their
10 income from landings;

11 (iii) One shall be from an organization representing developers; provided, that, there shall
12 be no more than two (2) members who are developers or who receive more than fifty percent (50%)
13 of their income from work with developers at any time; and ~~one~~

14 (iv) One of the public members and ~~his or her~~ the member's successors shall reside in a
15 coastal municipality.

16 (3) All members shall serve until their successors are appointed and qualified; during the
17 month of January, the governor shall appoint, with the advice and consent of the senate, a member
18 to succeed the members whose term will then next expire for a term of three (3) years commencing
19 on the first day of February next following and until their successor is named and qualified. A
20 member shall be eligible for successive appointments. No more than two (2) persons on the council
21 shall be from the same municipality. A vacancy other than by expiration shall be filled in the
22 manner of the original appointment but only for the unexpired portion of the term.

23 (4) The director of the department of environmental management, or their designee, shall
24 serve ex officio. The ex-officio member shall not be counted as serving from any particular
25 municipality.

26 (b) In addition to the foregoing voting members, the council may include a varying number
27 of other members who may serve in an advisory capacity without the right to vote and who may be
28 invited to serve by either the governor or the voting members. These advisory members may
29 represent the federal agencies such as the navy, coast guard, corps of engineers, public health
30 service, and the Federal Water Pollution Control Administration, and such regional agencies as the
31 New England River Basins Commission and the New England Regional Commission and any other
32 group or interest not otherwise represented.

33 (c) There may be established a coastal resources advisory committee which committee,
34 appointed by the executive director of the coastal resources management council, may include, but

1 not be limited to, representation from the following groups: one of whom may be a representative
2 of the university of Rhode Island graduate school of oceanography and the college of resources
3 development, one of whom may be a representative of the Sea Grant National College Program,
4 one of whom may be a representative of the army corps of engineers, one of whom may be a
5 representative of the federal environmental protection agency's Narragansett Bay laboratory, one
6 of whom shall be a representative of the coastal resources management council, one of whom may
7 be the director of the department of environmental management; one of whom may be a member
8 of the Rhode Island Marine Trade Association and one of whom may be a representative of a
9 regional environmental group. The council shall have the authority to appoint these additional
10 members to the advisory committee as is deemed necessary or advisable by the advisory committee
11 or the council. It shall be the responsibility of the committee to advise the coastal resources
12 management council on environmental issues relating to dredging and permitting related thereto,
13 including, but not limited to, those issues defined in §§ 46-23-18.1 — 46-23-18.3, inclusive.

14 (d) The council shall have the authority to form committees of other advisory groups as
15 needed from both its own members and others.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES MANAGEMENT
COUNCIL

1 This act would require that the appointment of public members to the coastal resources
2 management council to include an active, licensed fisher, a representative from a nonprofit with
3 offices in Rhode Island which advocates for the preservation, regeneration and/or restoration of the
4 natural environment of the coastal resources and from an organization representing developers.

5 This act would take effect upon passage.

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