

2006 Legislative Session Environmental Laws & Resolutions

| Number & Sponsor | Topic | Description |
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| S-2510A (Blais) H-7609A (Long) | Dam Safety – Requiring the Preparation of Emergency Action Plans | Requires the development of emergency action plans (EAPs) specific to all significant & high hazard dams. Provides DEM with the authority to carry out the mandate of a DEM Director's order to repair or fix a dam with which the owner did not comply, when a clear and present danger to public safety exists. |
| S-2048Aaa (Sosnowski) H-6828Aaa (Naughton) | Clarifying State Law Regarding Disposal of Tree Stumps | Addresses an anomaly associated with the RI Refuse Disposal Act (RIGL §23-18.9) whereby tree waste (leaves, branches, trunks) is regulated differently than tree stumps. Eliminates the exemption currently afforded to tree stumps under the definition of solid waste in the Refuse Disposal Act. |
| S-2701aa (DaPonte) H-7257Aaa (Naughton) | BUD/Beneficial Reuse Determination | Creates a statewide program to consider and allow where appropriate the reuse of solid waste materials that are not generally recognized as recyclable, but which are generally inert and thus may be capable of a more productive use than being discarded in a landfill (e.g. settlement pond scrapings, foundry sand, etc.). <i>(A BUD law was adopted by the General Assembly in 2005, but it was limited to just BUD projects in the City of Cranston. This 2006 law makes RI's BUD law applicable in all RI cities and towns.)</i> |
| S-3113 (Sosnowski) H-8239 (Fox) | Brownfields – Streamlining Redevelopment & Increasing Public Participation | Streamlines RI's brownfields law by providing a simplified alternative to the settlement agreement that minimizes the administrative complexities associated with negotiating liability relief with DEM. Also requires a new public participation process for sensitive reuse scenarios (e.g. schools, playgrounds, parks, athletic fields). |
| FY 07 Budget Article Article 5 Aaa | Bond Funding for Local Recreation Projects and Improvements at Ft. Adams State Park | <ul style="list-style-type: none"> • \$3 million for local communities to develop, acquire, or renovate recreation facilities. • \$4 million for improvements at Ft. Adams State Park in Newport. <i>(Requires the approval of voters in the fall of 2006.)</i> |
| S-2509Aaa (Sosnowski) H-7789A (Handy) | Electronic Waste | Calls upon DEM to convene a stakeholder process (similar to the recent RI Mercury Commission) to study the establishment of collection, recycling, and reuse programs for electronic waste products. Interim reports are due to the General Assembly in January and May of 2007, with a final report to be produced by Dec. 31, 2007. A ban on the disposal of electronic waste is set for 7/1/08. |
| S-2668aa (Ruggerio) H-8220aa (Handy) | Bounty Program for Auto Mercury Switches | Eliminates the "voluntary" auto mercury program established by the RI General Assembly in 2005 and requires the state to adopt a more regulatory program that obligates auto manufacturers to pay auto recyclers a minimum bounty of \$5 per mercury switch removed from end-of-life vehicles. |

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| H-7756Aaa (Sullivan) | Diesel Engine Idling | Calls upon DEM to develop and implement new comprehensive regulations, by 7/1/07, to address diesel engine idling. The law calls for DEM's regulations to be as consistent as possible with existing anti-idling requirements in CT and MA. A number of exemptions are allowed for emergency vehicles and other types of vehicles that must idle in order to operate auxiliary equipment (e.g. oil trucks and cement mixing trucks). Also calls upon DEM, by 1/1/07, to provide an inventory of sources of diesel pollution in RI to the Governor and General Assembly. |
| S-2497Aaa (Sheehan) | Rules & Criteria for Conveyance of State Properties | Establishes a system of checks and balances governing proposals to sell or change the use of state properties such as state parks and management areas. Specifically, this law calls upon DEM, in consultation with DOA, to, by March 15, 2007, establish by rule, integrated standards and guidelines for preserving and protecting the state's interest in open space values. Any state entity proposing the sale, transfer, conveyance and/or amendment of interests in state property shall use the standards/guidelines developed by DEM to perform an evaluation of the impact of the proposed action on the state's interest in natural resource values. The results of such evaluations shall be considered by the State Properties Committee in its decision making process. |
| S-2502B (Paiva-Weed) H-7344Aaa (Long) | Cumulative Environmental Impacts - Jamestown | Authorizes the Department to establish standards in order to address/consider the cumulative environmental impacts associated with ISDS systems in areas of Jamestown that are dependent upon water supply from private and public wells. DEM is required to report to the General Assembly no later than March 15, 2008 with regard to the development and application of such standards in Jamestown. |
| S-2991Aaa (Paiva-Weed) H-6819Aaa (Gallison) H-7791Baa (Long) | RI's No-Discharge Compliance Program | Amends RI's No-Discharge Compliance Program to: (i) clarify the types of boats subject to the program; (ii) expand the universe of people/groups who can conduct inspections of marine toilets; and (iii) moderate the enforcement provisions of the program and push back the enforcement date of the law until next June 1 st . |
| S-2047aa (Cote) H-7185A (Picard) | Hunting – Size of Weapons | Allows hunters to use .17 caliber rimfire rifles while hunting. |
| S-2499Aaa (Sosnowski) H-7343A (Shanley) | Helping to Preserve Agriculture Lands | Helps provide for the preservation of agriculture by protecting persons engaged in agricultural operations, where the development rights have been conveyed, against certain changes in regulations that would impair the ability to continue agricultural operations that were allowable at the time of the transfer of the development rights. |
| Budget Article 27 Sub Aaa (Part of the FY 2007 Budget) | Underground Storage Tank Financial Responsibility Review Board – Transferred to DEM | Moves the functions and duties of the (previously) quasi-public Underground Storage Tank (UST) Financial Responsibility Review Board, including property, employees and accounts, into the Department of Environmental Management. This move will help DEM to meet the mandates of the recently adopted federal energy act to: (i) maintain our existing funding; and (ii) and take advantage of new funding for USTs proposed in the federal budget. |
| S-2681A (Alves) | Kent County Water Authority – Providing Water for Bio-Tech Facilities | Calls upon the Kent County Water Authority (KCWA) to provide qualified biotechnology manufacturing facilities located in the KCWA district with uninterrupted water supply - not less than 800,000 gallons per day. |

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| <p>S-2844Aaa (Roberts)</p> <p>H-7610Aaa (Handy)</p> | <p>Promoting the Use of Energy Efficient Products: Adding New Appliances & Equipment to the Energy & Consumer Savings Act</p> | <p>Amends "The Energy and Consumer Savings Act of 2005" to include additional products/appliances (e.g. residential boilers, residential furnaces, and water dispensers).</p> |
| <p>S-2903Baa (Walaska)</p> <p>H-8025Aaa (Fox)</p> | <p>The Comprehensive Energy Conservation, Efficiency and Affordability Act of 2006</p> | <p>This comprehensive bill: (i) creates a demand side management program for natural gas; (ii) creates a mandate for new energy procurement under the standard offer to meet new least-cost standards - this will require cost-effective energy efficiency, renewable energy, demand response and distributed generation to be procured, in addition to traditional energy supply, under the standard offer; (iii) establishes the state Office of Energy Resources; (iv) establishes a new Energy Efficiency and Resources Management Council to provide stakeholder involvement and leadership in vital decision-making processes; (v) establishes a Permanent Joint Committee on Energy to provide oversight of energy issues and develop any necessary refinements in law; and (vi) authorizes the Statewide Planning Program to adopt standards and guidelines for the location of eligible renewable energy resources and facilities.</p> |
| <p>S-2511A (Gallo)</p> <p>H-7896A (Palumbo)</p> | <p>Stormdrain Maintenance</p> | <p>Requires, at a minimum, the annual inspection of and, if necessary, the annual cleaning and maintenance of storm drainage systems that are prone to flooding in order to reduce the risks of flooding and roadway degradation, and the deposition of sediments and associated pollutants into the state's waterways.</p> |
| <p>H-8244A (Naughton)</p> | <p>Funding of Monitoring Activities under the RI Bays, Rivers & Watersheds Coordination Team</p> | <p>Provides \$250,000 for high-priority monitoring activities relating to Narragansett Bay and the State's rivers and watersheds. The funding is derived from the reallocation of existing oil spill prevention and response (OSPAR) funds.</p> |
| <p>H-6731Aaa (Gallison)</p> | <p>Safety and Security Measures for LNG Tankers in RI Waters</p> | <p>Imposes certain security measures (based upon specific federal safety/security zone requirements for LNG tankers established by the United States Coast Guard) on LNG ships in RI waters.</p> |
| <p>S-2989A (Sosnowski)</p> <p>H-8249 (Ginaitt)</p> | <p>Interstate Pest Control Compact</p> | <p>Adopts the Interstate Pest Control Compact (IPCC) thereby allowing RI to tap into the Pest Control Insurance Fund in the event of a plant pest infestation or outbreak. Under this proposal, RI will join nearly 30 other states which have already adopted the compact, permitting RI to become a full member of the IPCC and its Pest Control Insurance Fund.</p> |
| <p>S-2273aaa (Walaska)</p> | <p>Personal Flotation Devices (PFDs) for Children Under 13</p> | <p>Renders Rhode Island's law on personal flotation devices (PFDs) for children consistent with the US Coast Guard's federal regulations on PFDs. With this change, all children under 13 years of age in a recreational vessel less than 65 feet in length shall wear a PFD approved by the United States Coast Guard when underway, unless below deck or in a closed cabin.</p> |
| <p>H-7917A (Ginaitt)</p> | <p>Limiting the Use of Brominated Flame Retardant (BFR) Chemicals</p> | <p>Effective January 1, 2007, persons may not manufacture, process, or distribute in RI a product or a flame-retardant part of a product containing more than one-tenth of one percent (0.001%) of pentaBDE or octaBDE. These chemicals, known as brominated flame retardants (BFRs), are widely used in products, yet are suspected of causing numerous human health problems/illnesses. By January 2, 2007, DEM must submit to the General Assembly a report that reviews the latest available scientific research on decaBDE (a similar flame retardant chemical).</p> |
| <p>H-7812A (Ginaitt)</p> | <p>Requiring Amalgam Separators to Help Remove Dental Mercury from Wastewater</p> | <p>Requires RI dental offices to use best management practices (BMPs) in the form of amalgam separators to help remove dental mercury from their wastewater. An amalgam separator is a device installed into the office's plumbing structure such that it captures the mercury waste before being discharged into the sewer or ISDS.</p> |

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| <p>S-3174aa (Felag)</p> <p>H-8259A (Amaral)</p> | <p>Environmentally Compromised Home Opportunity (ECHO) Program</p> | <p>Creates a new program through RI Housing whereby homeowners owning contaminated property (as certified by DEM) can tap into financing opportunities to undertake necessary repairs and maintenance when loans from traditional lending sources are unobtainable due to the contamination. Eligible properties must be located in or adjacent to land which is: (i) impacted by the release of hazardous materials; or (ii) listed as part of a federal CERCLA site. The impetus for this legislation is the Bay Street suspected fill area in Tiverton, RI.</p> |
| <p>S-2986 (Gibbs)</p> <p>H-7951 (Rice)</p> | <p>Stormwater Control System in the Town of Middletown</p> | <p>Authorizes the town of Middletown to construct and maintain a stormwater control system, and allows the town to establish a special assessment to be collected from all owners of land abutting roads not presently served by subsurface stormwater control systems.</p> |
| <p>S-3171aa (Fogarty)</p> <p>H-7656A (Shanley)</p> | <p>Preserving RI's Farms – Farmland Residential Compounds</p> | <p>Enabling legislation that authorizes municipal ordinances to allow for the development of small farmland residential compounds, a very common agricultural practice.</p> |
| <p>S-2019 (Tassoni)</p> <p>H-6781 (Naughton)</p> | <p>Save the Bay & Audubon Society of RI License Plates</p> | <p>Creates a special motor vehicle registration plate representing the Audubon Society of Rhode Island and Save the Bay. A portion of the proceeds from the sale of these plates will be provided to the Audubon Society of Rhode Island and Save the Bay in order to further their respective environmental missions. The plates are subject to a minimum pre-paid order of at least 900 plates.</p> |
| <p>S-2042Aaa (Cote)</p> | <p>Changing the Rules of the Road for Bike Path Users in Rhode Island</p> | <p>Changes the “rules of the road” for RI bike paths by directing all bike path users – whether they are biking, walking, skating or traveling by any other non-motorized means – to travel in the same direction on the <i>right-side</i> of the bike path. (Effective date is 7/1/08).</p> |
| <p>H-8171Aaa (Church)</p> | <p>Banning Internet Hunting</p> | <p>Bans the hunting of animals via the use of the internet.</p> |
| <p>S-2457aa (McCaffrey)</p> | <p>Warwick – Abandonment of Cesspools & Sewer Hook-Up at Point of Sale</p> | <p>Mandates that any abutting owner or occupant of land upon any street in which there is a sewer must hook-up to the sewer system and fill up and destroy any cesspool, privy vault, drain or other arrangement on such land for the reception of sewage, excluding any DEM-approved ISDS, within one year of the sale or transfer in ownership of the property.</p> |
| <p>S-2338 (Sosnowski)</p> <p>H-7357 (Shanley)</p> | <p>Preserving RI's Farms – Local Tax Exemption for Greenhouses</p> | <p>Exempts from local taxes all greenhouses constructed, altered or repaired after 1/1/06 where the cost of the alterations or repairs is equal to or greater than 50% of the physical value of the greenhouse, provided that the greenhouse is used solely as an agriculture growing structure.</p> |
| <p>H-8005A (Jackson)</p> | <p>House Resolution: Commission to Study Arsenic</p> | <p>Creates a 9-member House commission to study the requirements for the remediation of naturally occurring arsenic in soil. The Director of DEM, or a designee, shall serve on the commission. (Findings and recommendations to be completed on or before June 12, 2007.)</p> |
| <p>S-2957 (Levesque)</p> <p>H-7921 (Gallison)</p> | <p>House/Senate Resolutions: Removing Lead Paint from the Area Near the Portsmouth Melville Elementary School</p> | <p>Calls upon the United States Navy Region Northeast, in conjunction with DEM, to expedite the lead paint hazard treatment and removal from the Navy water tower and the surrounding area located adjacent to the Portsmouth Melville Elementary School.</p> |
| <p>S-3006 (Breene)</p> | <p>Senate Resolution: DEM Division of Forest Environment</p> | <p>Congratulates DEM's Division of Forest Environment for 100 years of vital stewardship over Rhode Island's forestlands.</p> |

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| S-3085 (Sosnowski) | House/Senate Joint Resolutions: Endangered Species Day | Proclaims May 11, 2006 as " <i>Endangered Species Day</i> " in the state of Rhode Island. |
| H-8078 (Amaral) | | |
| H-8231 (Lewiss) | House Resolution: Fire Safety in Animal Housing Facilities | Creates a 15-members House commission to study fire and life safety in animal housing facilities, including, but not limited to, animal shelters, kennels, barns/stables, zoos and other agricultural facilities. The Director of DEM, or a designee, shall serve on the commission. (Findings and recommendations to be completed on or before March 4, 2008.) |
| H-7316A (Ginaitt) | House Resolution: Reducing Global Warming Pollution | Encourages the Governor of RI to sign the Regional Greenhouse Gas Initiative (RGGI) Memorandum of Understanding. |
| H-7317A (Ginaitt) | House Resolution: Public Access to RI's Shoreline | Creates a 9-member House commission to study the issue of lateral access along the Rhode Island shoreline as protected within the Rhode Island Constitution. (Findings and recommendations to be completed on or before Jan. 30, 2007.) |
| H-8041 (Ucci) | House Resolution: Odor Emissions from the Central Landfill | Creates a 6-member House commission to study RIRRC's operations with respect to controlling odor emissions emanating from the Central Landfill and materials recycling facility (MRF) in Johnston. The Director of DEM, or a designee, shall serve on the commission. (Findings and recommendations to be completed on or before March 15, 2007.) |
| S-2627A (Perry) | Senate Resolution: Environmentally-Safe Cleaning Products in State Facilities | Encourages the Department of Administration to use environmentally safe and health-friendly cleaning products in state facilities and workplaces. Calls upon state agencies with purchasing responsibility to procure and use cleaning products having properties that minimize potential impacts to human health and the environment. |
| S-2020aa (Paiva-Weed) | Renaming Field at Ft. Adams State Park | Names the North Athletic Field located in Fort Adams State Park the " <i>Joseph 'Jay' P. Kirwin Rugby Pitch.</i> " |
| H-7132 (Crowley) | | |
| H-7087 (Kilmartin) | Renaming Pavilion at Lincoln Woods State Park | Names the Field B Pavilion at Lincoln Woods State Park the " <i>John 'Jack' F. Duffy Pavilion.</i> " |



Copies of bills & resolutions can be found on the RI General Assembly website at:

<http://www.rilin.state.ri.us/>

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