

2008 Legislative Session
Environmental Laws & Resolutions

Number & Sponsor	Topic	Description
H-8433 (Walsh) S-3162 (Sosnowski)	\$2.5 Million Open Space & Recreational Development Bond	Puts a \$2.5 million bond proposal on the ballot in November 2008. If approved by voters, the funds will extend DEM's capacity to purchase or otherwise permanently protect greenways and other open space, recreation lands, agriculture lands, forested lands, and state parks.
S-2745A (Algiere)	Alcohol Boating Safety	Strengthens the Alcohol Boating Safety Act (aka BUI statute) by addressing a number of gaps and inconsistencies and better aligning it with the DUI statute.
H-7522 (Pacheco) S-2369 (Fogarty)	Non-Indigenous Invasive Aquatic Plants	Prohibits the introduction of non-native invasive aquatic plants into RI's fresh waters, as defined by DEM by rule.
H-7786A (Story) S-2630A (Breene)	Nuisance Bird Control	Supports DEM's continuing efforts to manage nuisance bird populations, particularly Canada geese, pursuant to bird depredation and control orders/permits, consistent with a recent federal rule change.
H-7768A (Gorham) S-3161 (Blais)	All-Terrain Vehicles	Strengthens state law governing ATVs by: requiring registration at point-of-sale (unless vehicles are intended for use exclusively outside the State); waiving RI registration requirements for non-residents who have properly registered their ATVs in their home states; requiring that a safety training course be taken by all first-time ATV buyers, as well as all operators under age 16; holding owners of ATVs liable and responsible for any injuries or damage caused by their negligent use; and increasing penalties for non-compliance.
S-2455aa (Sosnowski)	Electronic Waste Prevention, Reuse & Recycling	Pushes back the ban on disposal of electronic waste at the Central Landfill (TVs, computers, monitors & similar video display devices with screens greater than 9 inches) from July 1, 2008 to January 31, 2009.

<p>H-7880A (Handy)</p> <p>S-2631Baa (Sosnowski)</p>	<p>Electronic Waste Prevention, Reuse & Recycling</p>	<p>Places financial responsibility on manufacturers of covered electronic products (TVs, computers, monitors & similar video display devices with screens greater than 9 inches) to pay for the cost of collection, transportation and recycling of their products when discarded by households and schools (elementary and secondary). Requires manufacturers to register with DEM and pay a \$5,000 annual registration fee. Allows manufacturers to either participate in the state collection program run by the Resource Recovery Corporation, or run their own program per a DEM-approved plan. Requires all products to be clearly labeled with each manufacturer's brand. Prohibits retailers of covered electronic products from selling products that are not clearly brand-labeled, and requires retailers to provide information to customers at the time of sale about how to properly dispose of electronic waste. Requires vendors selling electronic products to the State to have a take-back program in place and make it available to the State as part of a contract, if so desired by the State. Mandates state agencies to meet 95% of annual purchasing requirements with EPEAT registered products (EPEAT currently registers computers, monitors and laptops). Establishes penalties for non-compliance.</p>
<p>H-8380A (Malik)</p> <p>S-2797A (Sosnowski)</p>	<p>Municipal & Commercial Recycling</p>	<p>Requires every municipality that uses the Central Landfill to recycle at least 35% of its solid waste and to divert at least 50% of its solid waste, by July 2012, in accordance with individual municipal contract addendums. Authorizes municipalities to adopt recycling regulations governing all sources, including municipal, residential, and commercial. Requires commercial establishments with 50 or more employees to contract for recycling services. Establishes differential tipping fee rates, effective immediately, for municipalities that recycle more than 24% (\$31/ton), more than 29% (\$30/ton), or more than 34% (\$30/ton) of their solid waste. Switches statutory responsibility for assisting cities and towns with recycling, diversion, and other waste management issues, including financial assistance, from DEM to the Resource Recovery Corporation.</p>
<p>H-8297A (Walsh)</p> <p>S-2771A (Paiva-Weed)</p>	<p>Recycling of Beverage Containers & Plastic Materials</p>	<p>Calls upon the Resource Recovery Corporation to develop a plan, by January 2009, addressing the potential implementation of a beverage container deposit of \$.05 on beverage containers sold in RI, as well as potential alternatives to a deposit system that would yield increased recycling rates statewide. Requires the Corporation to accept for recycling all plastic materials that contain the plastic resins used to produce products labeled (1) through (7), by January 2011. Calls upon DEM to amend the recycling regulations to reflect the broader definition of recyclable plastic materials.</p>

<p>H-7159A (Rice)</p> <p>S2565A (Ruggerio)</p>	<p>Recycling of Plastic Bags</p>	<p>Extends current law, which requires large retail stores to provide plastic bag receptacles for use by customers, by allowing customers to place in the receptacles: all plastic film grocery sacks, plastic film shopping bags, dry cleaner film, fresh produce bags, and newspaper sleeves. Also bolsters the current requirement that all bags collected be properly recycled by requiring the stores to report annually to the Resource Recovery Corporation, beginning in January 2009, as to where the bags are brought for recycling.</p>
<p>H-8381A (Malik)</p> <p>S-2853Aaa (Sosnowski)</p>	<p>Composting</p>	<p>Calls upon the Resource Recovery Corporation to accept segregated leaf and yard debris from municipalities, free of charge, pursuant to a 50 pound per person annual cap established for each municipality. Authorizes the Corporation to charge \$25/ton for every ton that exceeds each municipality's cap. Requires the Corporation to compost all of the material they receive and to use it for their operational and construction needs; also allows the Corporation to make the compost available to state agencies and municipalities at no charge. Calls upon the Corporation to report to the General Assembly, by September 2008, on the amount of compost it requires on an annual basis to meet its operational and construction needs.</p>
<p>H-8199Aaa (Carter)</p> <p>S-2634Aaa (Sheehan)</p>	<p>Jamestown Bridge/Fishing Pier</p>	<p>Repeals requirement to retain portion of former Jamestown Bridge on North Kingstown side. Establishes new requirement, imposed jointly on DOT and DEM, to retain the state-owned land adjacent to former bridge on the North Kingstown side for use as a public parking area and public shore access site. Also calls upon DOT and DEM to consider further development of the site, with particular regard to recreational fishing, and to include in such consideration a potential fishing pier, boat access and/or park. Calls upon the state to provide maintenance and security for the site. Authorizes the state to prohibit night-time use of the site.</p>
<p>H-7082aa (Malik)</p> <p>S-2027aa (Bates)</p>	<p>Open Space Protection</p>	<p>Prevents any land held or preserved by a nonprofit organization for purposes of conservation or open space from being subject to adverse possession or prescription.</p>

<p>H-7439Aaa (Rice)</p> <p>S-2454B (Sosnowski)</p>	<p>Agricultural Protection</p>	<p>Requires real estate disclosure forms to state that any nearby farms are protected by the right to farm law.</p>
<p>H-7487 (DeSimone)</p> <p>S-2213 (Sosnowski)</p>	<p>Agricultural Lands Preservation Commission</p>	<p>Restructures the Commission to include seven public members, in addition to the DEM and DOA Directors. The public appointees must include at least two members with knowledge or experience in agriculture, one member familiar with land use and community planning issues, and one member active in land preservation. With regard to the Commission’s existing authority to acquire development rights, the Commission is given new authority to accept or negotiate at a price not in excess of the value established by an independent appraisal prepared for the Commission or one of its partners. The Commission is further authorized to review any such appraisals in accordance with its own rules and regulations.</p>
<p>H-8425 (Rice)</p> <p>S-2566A (Ruggerio)</p>	<p>Transportation and Sheltering of Horses</p>	<p>Prohibits the transportation or sheltering of horses in any trailer or other such vehicle with two or more levels stacked on top of one another. Provides penalties for noncompliance.</p>
<p>H-7460A (Segal)</p> <p>S-2109A (Miller)</p>	<p>Expedited Permitting for Affordable Housing Projects</p>	<p>Establishes a process whereby if an applicant for an affordable housing project applies to the RI Housing Commission for a “certificate of critical housing concern” and receives such a certificate, all state agencies with permitting authority over the project are obligated to give priority to the project in the handling and processing of the application. The agencies are also obligated to provide a written report on the status of the application to the applicant within three months of its submission, and every month thereafter. Any application with a certificate would require expedited processing, but not favorable treatment – i.e., the application is to be held to the same standards of review as applications without a certificate.</p>
<p>H-7792 (Malik)</p> <p>S-2625 (Sosnowski)</p>	<p>Marine Infrastructure Specialist - CRMC</p>	<p>Changes the unclassified position of dredge coordinator within the CRMC to the unclassified position of marine infrastructure specialist within the CRMC.</p>
<p>H-7809Aaa (Segal)</p> <p>S-2851Aaa (Montalbano)</p>	<p>Renewable Energy – Net Metering</p>	<p>With regard to net metering, or the offsetting of utility costs of small energy producers by the amount of energy that they produced, the new legislation builds upon existing law that provides credits for excess energy produced onsite while allowing the entity to offset their utility costs by using their own generated energy. The bill also liberalizes the current system of receiving credits for excess energy produced, and specifies the method for determining the price of each credit. Unused excess generation credits will go into a fund for low-income consumers that National Grid will use to reduce utility costs for eligible customers.</p>

S-2850aa (Montalbano)	Renewable Energy – State Buildings	Requires existing state buildings to purchase a percentage of their energy from renewable sources at a rate that directly coincides with the state's current renewable energy standards. Like the rate of renewable energy required to be produced in the state, the rate at which state buildings would be required to utilize renewable energy would gradually increase to 16 percent by 2019.
H-7806A (Rice) S-2852Aaa (Montalbano)	Renewable Energy - EDC	Coordinates all of the state's policies, priorities and investments to promote the development of renewable energy. Charges EDC with administering renewable energy grant funds, and focuses on utilizing renewable energy in affordable housing.
H-7523Aaa (Walsh)	Vehicle Global Warming Index Labels	Beginning with all model year 2010 vehicles, requires that they be sold with labels affixed disclosing information on global warming gas emissions from the vehicle.
House Resolution H-7065 (Moffit)	Extends, to January 27, 2009, the reporting date of the Special House Commission to Study the Feasibility of Selling All or Any Portion of the Big River Management Area Back to the Prior Owners or their Heirs	
House Resolution H-7066 (Moffit)	Extends, to January 29, 2009, the reporting date of the Special House Commission to Study Laws and Regulations Relating to Hunting and Fishing in Rhode Island and the Licensing to Participate Therein	
House Resolution H-8044 (Serpa)	Creates a Special House Commission to Study the Flooding in West Warwick , which is to report its findings and recommendations by May 15, 2008 and expire on July 15, 2008	
House Resolution H-8417 (Gallison)	Creates a Special House Commission to Study the Use of Methoprene in Rhode Island, which is to report its findings and recommendations by February 26, 2009	
House Resolution H-8421 (Dennigan)	Creates a Special House Commission to Study Green Development in Rhode Island, which is to report its findings and recommendations by June 18, 2009	
Senate Resolution S-2453A (Sosnowski)	Calls upon DOT to report, by June 2, 2008, on alternatives to sodium chloride as a de-icing agent	
Senate Resolution S-2624A (Sosnowski)	Creates a Special Senate Commission to Study the Use of Biosolids for Fertilizer in Rhode Island, which is to report its findings and recommendations by January 6, 2009	

**Senate Resolution
S-3133**
(Lenihan)

Regarding the efforts of the **USS Saratoga** Museum Foundation to develop a workforce development center, family attraction, and museum at Davisville: Expresses concern over the complications and administrative delays caused by conflicting State Agency interpretations of rules and regulations which threaten to negate a potential economic stimulus opportunity and educational asset for Rhode Island. Encourages prompt action by the CRMC, DEM, and QDC to cooperate to overcome all bureaucratic and technical obstacles in order to move forward with the endeavor. Expresses desire that the mooring of Saratoga at the north side of Pier 2 at Davisville be deemed a "permitted use" as defined by the CRMC. Endorses a lease of the necessary mooring space, along with sufficient pier deck and other acreage be provided to ensure adequate parking, traffic access, utility infrastructure and landside development to support the facility, for a term of no less than forty years, at market value rent, with appropriate credits for the values of improvements to State-owned property. Urges the QDC, DEM, and CRMC to provide full assistance and cooperation to lessee in obtaining the necessary permits and certifications, subject to compliance with federal and state law. Urges all State agencies to work together to assist in the timely realization of this development, which offers significant benefits to the State and its residents, is supported by the local communities, and is compatible with responsible development of Narragansett Bay. Restates and reconfirms strong support of the concept of the Saratoga Heritage and Technology Park as originally expressed in its March, 2000 and May, 2002 Resolutions, and also strongly supports the private fund-raising effort now under way for the USS Saratoga project. And urges all interested parties, including, but not limited to, the Governor, the EDC, the QDC, the CRMC, DEM, various chambers of commerce, tourism development entities, the business community and the residents of this State to come together in a cooperative effort to eliminate any unnecessary obstacles to the timely consideration of the Saratoga project.