

Rhode Island General Assembly 2013 – 2014 Green Report Card

Rhode Island Senate earns B+, House of Representatives earns B

General Assembly takes leadership on clean energy and climate change — missed opportunities elsewhere

Overview

The Environment Council of Rhode Island (ECRI) offers this biennial Green Report Card to evaluate the environmental records of Rhode Island lawmakers on ECRI priority issues for the combined current and last years' legislative sessions, with letter grades issued to individual General Assembly members based on bill votes and sponsorships, along with a qualitative evaluation given of the governor.

The 2013 and 2014 legislative sessions saw commendable leadership from Rhode Island lawmakers on a range of issues, especially with groundbreaking renewable energy and climate change legislation, earning the State Senate an average (mean) grade of B+ and the State House of Representatives a B; this brings the General Assembly up from the more middling 2011 – 12 overall grade of B- earned in the previous Green Report Card.

The difference between the average grades in the Senate and House for 2013 – 14 can largely be explained by the relatively greater number of state representatives than state senators who voted against pro-environment bills and/or who sponsored anti-environment ones. However, the General Assembly and its leadership can be commended on the whole for a notable scarcity of anti-environment bills that advanced to passage these two years, and for a willingness to work with advocates to improve potentially anti-environment legislation.

Where the General Assembly and its leadership fell short were with missed opportunities to advance a set of ECRI priorities with real public and internal momentum, especially measures left on the table that would have protected water quality and special places

like Narragansett Bay. A more detailed account of what passed and what did not is given below, by issue.

See inside:

- **Gov. Chafee wrapping up his term [p. 5]**
- **General Assembly letter grades [p. 7]**
- **Looking ahead to the next session [p. 11]**

Climate change

For years, pro-environment lawmakers and advocates have been urging the Rhode Island General Assembly to pass comprehensive legislation addressing climate change, which poses a real and alarming threat in Rhode Island. Rising sea levels, coastal and inland flooding, and increasingly severe extreme weather events are already damaging our coastal ecosystems, our economy, and our homes and property.

When the 2014 legislative session began, there were high hopes that this would be the year that Rhode Island would finally move a climate bill—and with the passage of the Resilient Rhode Island Act [[S2952/H7904](#)], those hopes were carried to successful fruition. In fact, the final legislation that passed was substantially more ambitious than previous years' bills, aiming both to mitigate climate change, by establishing science-based greenhouse gas emissions reduction targets, and to adapt Rhode Island to the climate change impacts the state is already experiencing.

The finished bill was the product of collaboration between a multitude of groups and individuals, including: Rep. Art Handy, who has been sponsoring climate legislation for the past seven years; Sen. William Conley, the lead Senate sponsor; ECRI and its member

groups; a team of Brown University students and faculty; a former head of the R.I. Office of Energy Resources; and many others. Broad support from Rhode Island residents, businesses, municipalities, and the Chafee administration played a key role in building momentum for the Resilient Rhode Island Act and its ultimate passage. The work to implement the bill now begins.

Clean energy

Local renewable energy offers a clear win-win for Rhode Island's environment and economy. On one hand, new development of energy sources like wind and solar will displace fossil fuel emissions that pollute the air and contribute to climate change. At the same time, with no fossil fuel resources in Rhode Island, developing renewables will keep more energy dollars in-state and create good local jobs.

The General Assembly's main achievement on this front in 2013 – 14 was the passage of the Renewable Energy Growth Bill in June 2014 [[S2690/H7727](#)], sponsored by Rep. Deb Ruggiero and Sen. Sue Sosnowski. The legislation expands the state's cornerstone renewable energy program, Distributed Generation (DG), which carves out space in our energy mix for new local renewable energy generation. A pilot version of DG was enacted by the General Assembly in 2011, and due to its success, advocates began calling for an ambitious extension and expansion of the program. The final bill that passed in 2014 was a result of collaboration between environmentalists, renewable energy developers, the utility, and the Chafee administration; the legislation adds a praiseworthy four-fold increase to the DG program's megawatt carve-out, broadens its scope to include residential systems, and makes various mechanical improvements.

In 2013, the General Assembly also passed important renewable energy legislation enabling Property Assessed Clean Energy (PACE) financing [[S0900/H6019](#)], sponsored by Sen. William Conley and Rep. Art Handy. In municipalities that opt in, commercial and residential property owners can finance clean energy projects through their property taxes, allowing more Rhode Islanders to realize the long-term savings of clean energy by smoothing out what could be prohibitive up-front price tags.

Where the General Assembly failed to take available action on renewable energy was in tabling legislation in both the 2013 [[S0127/H5116](#)] and 2014 [[S2213/H7083](#)] sessions, sponsored both years by

Rep. Deb Ruggiero and Sen. Josh Miller, that would have restored the state's residential renewable energy tax credit. An incentive like this would augment the benefits of other renewable energy policies by enabling more Rhode Islanders to install renewable energy systems at their homes.

Transportation

The transportation sector remains one of Rhode Island's largest sources of air pollution and carbon emissions. Expanding public transit to alleviate dependence on personal cars will work with other policies to reduce aggregate vehicle emissions. At the same time, it will bring additional benefits like reduced congestion, safer roadways, and cost savings for commuters. Unfortunately, public transit money in Rhode Island is paradoxically tied to the gas tax—meaning that as more Rhode Islanders opt to ride the bus instead of buying gas for their cars, bus ridership goes up while transit funding goes down.

Luckily, after five years of focused advocacy and organizing by the Coalition for Transportation Choices (an ECRI program), some progress has been made: a partial new funding source for the Rhode Island Public Transit Agency (RIPTA) was finally established by the General Assembly in the 2014 budget. This new funding comes from the Highway Maintenance Fund, which will see increased revenues through a 1-cent hike in the gas tax—which will also henceforth be indexed to inflation—and fee increases.

But while advocates have applauded lawmakers for finally connecting mass transit investment with the state's infrastructure needs, the initial amount that RIPTA will receive under this allocation is insufficient for long-term sustainability, and still suffers from the self-defeating loop between private gasoline consumption, gas tax revenues, and public transit demand. RIPTA's ridership continues to grow as driving declines due to increased fuel costs, car ownership costs, and a changing lifestyle for new urban residents. In order to expand service in growing communities and provide reasonable transportation options, RIPTA will need to increase its operating budget year over year.

In 2014, the General Assembly began to tackle these complex transit related issues, and some initial and significant steps were taken in the right direction. More questions are on the horizon about how Rhode Island will continue to modernize and sustain its transportation infrastructure to accommodate an evolving community.

Open space protection

Land conservation programs protect the open spaces that define the character of our communities, and protect water quality, scenic landscapes, working farms, and parks where we can get outdoors to renew our spirits and improve our health. In 2013 and 2014, the General Assembly had mixed results on these issues.

Commendable progress was made in 2013 to safeguard Rhode Island's protected lands with the bill *Defending Open Space Lands from Condemnation* [[S0214/H5386](#)], sponsored by Sen. Sue Sosnowski and Rep. Donna Walsh, which helps keep open space land that is protected by conservation easements secure from condemnation. However, the General Assembly passed up an opportunity offered by the same lead sponsors in 2014 to defend protected land from encroachment (vandalism, theft, and destruction) [[S2619/H7684](#)], with a bill that proposed to increase penalties for cutting trees, stealing stone walls, and otherwise intentionally damaging protected open space lands. This legislation, supported by the Attorney General's office and based on effective legislation in Connecticut, passed the Rhode Island House but was never scheduled for a vote in the Senate.

The General Assembly also took some opportunities to fund land conservation while missing others. In 2013, the proposed *Community Preservation Act* [[S0696/H5633](#)], sponsored by Sen. Lou DiPalma and Rep. Deb Ruggiero, attempted to replicate a very successful Massachusetts program for funding land conservation by giving local governments the authority to establish dedicated funding for land conservation, park development, and historic preservation. The bill received very positive hearings but stalled in committee and was never scheduled for a vote.

Then in 2014, conservation funding issues played out with mixed results in the budget process. As part of his budget proposal to the General Assembly, Gov. Chafee included the *Clean Water, Open Space, & Healthy Communities Bond* referendum for voter approval on the November ballot. In the negotiation process, the House Finance Committee removed all funding for local open space grants and DEM land acquisition from the bond. On the House floor, an amendment was proposed by Rep. Mike Chippendale to return \$3 million for these projects to the bond; the motion failed, however, with just one third of House members voting in favor. Fortunately, the bond referendum approved by the General Assembly does include \$3

million for the state's farmland protection program and \$4 million for recreation grants to municipalities.

Water quality

We all rely on clean water for our drinking water supply. Moreover, in the Ocean State, our waterways and coastal areas are some of our most critical natural assets; visitors to Narragansett Bay and our beaches drive our tourism economy. Best practices for land use and development can protect and enhance water quality, while poor practices cause pollution or ecosystem damage that lead to degraded water quality.

Unfortunately, although it had opportunities at its fingertips, the General Assembly did not follow through on action for clean water in 2013 – 14. For example, in a blow to erosion prevention and water quality, the "Steep Slopes" bill [[S0544/H5703](#)], sponsored by Sen. Michael McCaffrey and Rep. Ray Gallison, was passed in 2013 to restrict municipal authority to protect steep slopes from development during the land subdivision process. In the same year, Johnston legislators worked to roll back hard fought clean water victories from the past by exempting Johnston from the state requirement to prepare a plan to update water meters and increase billing frequency to consumers [[S0969/H5534](#)]. This narrow-sighted effort to save money will cost residents who will no longer receive quarterly bills or real-time data regarding potential water leaks.

In the 2014 *Clean Water, Open Space, & Healthy Communities Bond*, as with land protection (discussed in the previous section), the General Assembly took some opportunities while missing others on water protection. The bond referendum proposed by Gov. Chafee and approved by the General Assembly includes an impressive \$20 million to finance water pollution abatement infrastructure and \$3 million in grants for restoring rivers and floodplains. Unfortunately, the governor also proposed that the bond provide \$4 million for green infrastructure investment, which would reduce nutrient pollution into Narragansett Bay and other waterways, while creating more resilient coastal communities that are able to use natural buffer systems to withstand coastal erosion and extreme storm events. Along with the open space and land acquisition funding, this money was cut from the final bond by the General Assembly. Rep. Teresa Tanzi proposed a floor amendment to restore some of this green infrastructure funding, but the amendment did not receive majority support.

The General Assembly also failed to follow through on legislation to protect Narragansett Bay from sewage. Bacteria and nitrogen pollution continue to threaten the Bay with algae blooms, fish kills, beach closings, and more. Some of the most outrageous remaining sources of this pollution are cesspools, an outdated wastewater management method—still used by tens of thousands in R.I.—that contaminates groundwater in the Bay’s watershed. While environmentalists and home builders united to support legislation to gradually phase out these cesspools by requiring their removal from property at its point-of-sale [*S2684/H7724*], short-sighted opposition from realtors ended up killing the bill—which was even scheduled for a Senate vote that never happened. The 2014 bill was sponsored by Sen. Sue Sosnowski and Rep. Teresa Tanzi, the latter of whom also sponsored a House-only bill in 2013 [*H5732*].

Solid waste

Solid waste management poses a unique challenge for a small, dense state like Rhode Island.

ECRI’s long-term engagement in solid waste issues was underscored in both 2013 and 2014 when environmental advocates were successfully able to make the economic and environmental arguments against incinerating municipal solid waste. Incineration is an expensive option for disposing waste that also works against recycling. Its operation results in toxic fly-ash that needs to be disposed as hazardous waste and slag that has little use other than landfilling. Rhode Island’s longstanding ban on trash incineration is a proud accomplishment, but various 2013 – 14 bills challenged this: legislation sponsored by Sen. Sue Sosnowski in 2013 [*S0728* & *S0603*] and by Sen. Dominick Ruggerio and Rep. Stephen Ucci in 2014 [*S2437/H7411*] could have opened the backdoor to incineration, either directly or indirectly, but were thankfully not advanced out of committee by the General Assembly.

2013 – 14 saw both progress and missed opportunities on legislation to address litter and debris, including marine trash. Besides its impact on wildlife and ecosystems, trash in the environment exacts cleanup costs on taxpayers and damages Rhode Island’s tourism economy. The General Assembly took a good step with a 2013 mattress recycling bill [*S0261/H5799*], sponsored by Sen. Dominick Ruggerio and Rep. Art Handy, creating a Mattress Stewardship Council to establish a system of funding the collection of discarded mattresses and box springs. However, lawmakers tabled a more comprehensive bill that year to set up a

larger framework system requiring producer responsibility over their products’ waste disposal [*S0406/H5264*], sponsored by Sen. Catherine Cool Rumsey and Rep. Donna Walsh.

General Assembly leadership also failed to respond to widespread support from the public, small businesses, and rank-and-file lawmakers for the Plastic Waste Reduction Act. The legislation proposed to “ban” plastic bags, i.e. prohibit the distribution of disposable plastic checkout bags at the point-of-sale at retail establishments. Both years—the 2013 bill [*S0404/H5403*] sponsored by Rep. Maria Cimini and Sen. Donna Neselbush, and the 2014 bill [*S2314/H7178*] sponsored by Cimini again and by Frank Lombardo in the Senate—the measure saw highly supportive committee hearings but never advanced to a vote.

Arguably the biggest solid waste accomplishment from the General Assembly in 2013 – 14 was on food scrap recycling. After several years of public education and advocacy by environmentalists, legislation to require food oriented businesses to responsibly handle food waste (turning it into compost or animal feed) was introduced and passed [*S2315/H7033*]. The sponsors, Sen. Catherine Cool Rumsey and Rep. Donna Walsh, modeled the law on programs in Connecticut and Massachusetts. While the legislation represents a landmark step in Rhode Island’s approach to organic waste, political timidity and lobbying by retail interests weakened the bill from its original version; while all of the largest food scrap producers will begin a composting program in 2016, provisions dealing with smaller businesses were removed from the final bill language. Further legislation is needed to bring food scrap recycling programs to small businesses and to the residential sector.

Department of Environment Management

The Department of Environmental Management (DEM) continues to be targeted by some lawmakers who oppose how the state regulates private activity and protects natural resources in the public interest. While Gov. Chafee held the line on maintaining agency staffing levels in both the 2014 and 2015 budgets, little has been done by the legislature to improve DEM’s enforcement and local oversight programs. New programs requiring DEM staff time and resources have been created by the legislature while no additional funds or staff positions have been added in well over a decade.

The 2013 attempt by House leadership to subjugate the DEM to a new “Commerce Czar” was of particular concern to ECRI, as it would have put environmental protections such as water quality and wetlands protections under the control of a business-dominated agency. Such a move would have compromised the agency’s ability to meet federal Clean Air and Clean Water Act standards as set by the Environmental Protection Agency. This proposal was met with swift opposition from the environmental community, however, and House leadership backed away from seeking a power transfer from the DEM.

2014 did include a small victory for helping the DEM handle its new responsibilities associated with the passage of climate change legislation. The Regional Greenhouse Gas Initiative budget allocation was amended to allow for both DEM and the Office of Energy Resources (OER) to use an additional amount of auction proceeds for administrative and staff costs associated with meeting new state and regional emissions reduction goals, and to provide staff resources to climate change programs.

Governor Lincoln Chafee: 2013 – 2014 assessment

Wrapping up his tenure

With Lincoln Chafee stepping down after his current term winds down as Rhode Island’s governor, the environmental community will surely remember his administration in overall positive light. In particular, the engagement and hard work of the governor’s staff, especially agency leaders at the Department of Environmental Management (DEM) and the Office of Energy Resources (OER), deserve recognition—particularly in the face of a hostility some lawmakers bear toward regulatory agencies.

In 2013 – 14 specifically, the Chafee administration has taken leadership on critical environmental issues from conservation to energy, and has been an essentially—though not entirely consistent—pro-environment force.

Environmental protection and conservation

Among the Chafee administration’s most critical environmental policy undertakings these two years has been its effort to include a ballot question for critical environmental funding in the governor’s budget proposal to the General Assembly in 2014. With Rhode Island voters overwhelmingly support-

ive of bonding for clean water and conservation, Gov. Chafee’s proposal has successfully placed a referendum on the November ballot asking voters to approve \$53 million in funding for clean water, open space, and other environmental protection work. As noted earlier, the General Assembly stripped the governor’s original proposal of \$7 million for open space protection, \$4 million for green infrastructure, and \$1 million for lake restoration funding.

Aside from its impressive day-to-day enforcement work in the context of a challenging funding environment, Chafee’s DEM has also played an important role in policy advocacy at the State House on conservation and environmental protection issues, and has been willing to stick its neck out on sometimes politically controversial issues such as cesspool phase-out.

Where Gov. Chafee himself could have stood stronger in 2013 – 14 would have been by playing an outspoken role in opposition to anti-environment bills. Chafee signed the 2013 “Steep Slopes” bill and, while he did not sign it, did not veto the 2013 water monitoring rollback bill (see earlier discussions of these bills’ substance).

On the 2014 ballot

Governor Chafee’s *Clean Water, Open Space & Healthy Communities Bond* referendum will be on the November ballot. If approved by voters, it will provide a total of \$53 million in bond funding for capital investment as follows:

- | | |
|---------------------------|--------------|
| • Clean Water Financing | \$20 million |
| • Roger Williams Zoo | \$15 million |
| • Brownfield Remediation | \$5 million |
| • Local Recreation Grants | \$4 million |
| • Flood Prevention Grants | \$3 million |
| • Farmland Protection | \$3 million |
| • Roger Williams Park | \$3 million |

Climate change leadership

Chafee’s DEM and OER both played roles in helping design and advocate for key pieces of climate change and renewable energy legislation in 2013 – 14, including PACE financing, renewable energy growth (a.k.a. the DG program), and the Resilient Rhode Island Act. Among important actions taken by the OER was commissioning a report analyzing the economic impacts of the proposed expansion of the Distributed Generation (DG) Program, which it administers along with other energy programs.

The administration has also done important work to move the ball forward on climate/energy issues outside the legislative arena. For instance, Gov. Chafee and DEM Director Janet Coit deserve credit for helping pave the way for a comprehensive climate bill by creating the Executive Climate Change Council (EC3) and driving it to be productive in a limited timeframe.

Mixed record on a regional level

The Chafee administration’s more mixed record has come in its regional collaborations with other northeast governors. On a positive note, the 2013 reforms made to the Regional Greenhouse Gas Initiative (RGGI)—in which Chafee played a role—stand out as one of the most important regional energy accomplishments in recent years. RGGI is a groundbreaking cap-and-trade program for northeast power plants that caps total power plant emissions, auctions permits to pollute, and uses the auction proceeds to fund clean energy programs in the nine participating states. The 2013 reforms have lowered the overall cap to help the states make more significant progress on greenhouse gas emissions reductions, and Gov. Chafee was among the supporters of this change.

Unfortunately, Chafee has been an active proponent of Rhode Island’s support for regional energy infra-

structure developments to accommodate large hydroelectric power and expanded gas infrastructure, which other New England governors are championing as well, ostensibly to bring greater energy diversity and price stability to the region. Environmentalists’ objections to large hydro—especially hydro from Canada—include concerns that this energy source would be prioritized over new, local renewable energy with more net carbon reduction benefits; and that new hydro transmission lines would destroy habitat between Quebec and southern New England. Chafee’s dogged commitment in 2013 – 14 to foreign hydro has left many environmental and energy experts scratching their heads.

In 2013, the General Assembly turned down the governor’s proposal to carve out space in Rhode Island’s energy mix for large hydro. Since then, Chafee and the other New England governors have built on their regional energy vision to include an expansion of natural gas infrastructure, and in 2014, while backing off mandated carve-outs for hydro, Chafee renewed his advocacy with the General Assembly by seeking to codify in legislation Rhode Island’s support for both large hydro and upgraded gas pipeline. This bill passed, and while it made no direct policy changes (essentially just giving nominal support for the hydro-gas expansion plan), environmentalists have been concerned that (a) expanded gas infrastructure will compromise our state’s new climate change goals; (b) insufficient analysis has been done to evaluate clean energy as a cheaper, more effective price stabilizing tool; and (c) this whole undertaking has been pushed forward largely outside the range of public review by New Englanders. Chafee’s determined support for this questionable direction in energy policy has been puzzling and disappointing given his otherwise laudable record on climate change and energy issues.

Understanding the report card

The following pages contain the voting records and bill sponsor points that yield individual legislators’ grades in the 2013 – 14 Green Report Card, first for state senators and then for state representatives, based primarily on ten ECRI priority issues that came to a vote (most of them in both chambers) in 2013 – 14. A description of each of these items is found on pages 10 and 11. Besides earning credit based on their voting records, legislators were also given points (positive or negative) for being a named sponsor of ECRI priority legislation (pro or con) even if it did not see a floor vote. We also recognize that members of leadership in both the House and Senate play a role far beyond their individual votes by setting the tone for and against environmental protection, and through their power to greenlight or stall particular bills. Although leadership control cannot be as objectively measured as votes and sponsorships, it is useful to remember that leadership should be held partly responsible for the overall tone of the session on environmental matters.

2013 – 2014 Green Report Card Grades

R.I. State Senate

See pages 10 & 11 for methodology and brief bill descriptions.

- + voted with ECRI position
- voted against ECRI position
- did not participate in vote

| | PACE financing (S0900) | Steep Slopes (S0544) | Condemn. Protc. (S0214) | Water Monitoring (H5534) | Mattress Recycling (S0261) | Resilient R.I. (S2952) | Composting (S2315) | Renewables Growth (S2690) | Freshwater DEM (S2688) | Voting rate (%) | Sponsor credit | Raw score | Curved score | Letter grade |
|---------------------------|------------------------|----------------------|-------------------------|--------------------------|----------------------------|------------------------|--------------------|---------------------------|------------------------|-----------------|----------------|-------------|--------------|--------------|
| Dennis L. Algieri | + | + | + | - | + | + | + | + | + | 88.9 | 0 | 88.9 | 92 | A- |
| Stephen R. Archambault | + | - | + | - | + | + | + | + | + | 77.8 | -2 | 75.8 | 82 | B- |
| David E. Bates | + | - | + | - | + | + | + | + | + | 77.8 | 4 | 81.8 | 87 | B+ |
| Frank A. Ciccone III | + | • | + | - | • | • | + | • | • | 75.0 | 0 | 75.0 | 82 | B- |
| William J. Conley, Jr. | + | - | + | - | + | + | + | + | + | 77.8 | 8 | 85.8 | 90 | A- |
| Catherine Cool Rumsey | + | + | + | + | + | + | + | + | + | 100.0 | 10 | 110.0 | 107 | A+ |
| Marc A. Cote | + | - | + | - | + | + | + | • | + | 75.0 | 0 | 75.0 | 82 | B- |
| Elizabeth A. Crowley | • | - | + | - | + | + | + | + | • | 71.4 | 0 | 71.4 | 79 | C+ |
| Daniel DaPonte | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Louis P. DiPalma | + | - | + | - | + | • | + | • | + | 71.4 | 6 | 77.4 | 83 | B |
| James E. Doyle, II | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Walter S. Felag Jr. | + | - | + | - | + | + | + | + | + | 77.8 | 2 | 79.8 | 85 | B |
| Paul W. Fogarty | + | - | + | - | + | + | + | + | + | 77.8 | 2 | 79.8 | 85 | B |
| Hanna M. Gallo | + | - | • | - | + | + | + | + | + | 75.0 | 0 | 75.0 | 82 | B- |
| Gayle L. Goldin | • | - | + | + | + | + | + | + | + | 87.5 | 5 | 92.5 | 94 | A |
| Maryellen Goodwin | + | - | + | - | + | + | + | + | + | 77.8 | 3 | 80.8 | 86 | B |
| Dawson Tucker Hodgson | + | + | + | - | + | + | + | + | + | 88.9 | 0 | 88.9 | 92 | A- |
| Paul V. Jabour | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Nicholas D. Kettle | + | + | + | - | + | + | + | + | + | 88.9 | 1 | 89.9 | 93 | A |
| Frank S. Lombardi | + | - | + | - | + | + | + | + | + | 77.8 | 1 | 78.8 | 84 | B |
| Frank Lombardo, III | + | - | + | - | + | + | + | • | + | 75.0 | 4 | 79.0 | 85 | B |
| Erin P. Lynch | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Michael J. McCaffrey | + | - | + | - | + | + | + | + | + | 77.8 | -3 | 74.8 | 81 | B- |
| Harold M. Metts | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Joshua Miller | + | - | + | + | + | + | + | + | + | 88.9 | 5 | 93.9 | 95 | A |
| Donna M. Nesselbush | + | - | • | - | + | + | + | + | + | 75.0 | 3 | 78.0 | 84 | B |
| Edward J. O'Neill | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Christopher Scott Ottiano | + | - | + | - | + | + | + | + | + | 77.8 | 1 | 78.8 | 84 | B |
| M. Teresa Paiva Weed | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Ryan W. Pearson | + | - | + | - | + | + | + | + | + | 77.8 | 1 | 78.8 | 84 | B |
| Roger A. Picard | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Juan M. Pichardo | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Leonidas P. Raptakis | + | - | • | • | + | + | + | + | + | 85.7 | 0 | 85.7 | 89 | B+ |
| Dominick J. Ruggiero | + | - | + | - | + | + | + | + | + | 77.8 | 0 | 77.8 | 84 | B |
| Adam J. Satchell | + | • | + | + | + | + | + | + | + | 100.0 | 2 | 102.0 | 101 | A+ |
| James C. Sheehan | + | + | + | - | + | + | + | • | + | 87.5 | 0 | 87.5 | 91 | A- |
| V. Susan Sosnowski | + | - | + | + | + | + | + | + | + | 88.9 | 14 | 102.9 | 102 | A+ |
| William A. Walaska | + | - | + | - | + | + | + | + | + | 77.8 | 1 | 78.8 | 84 | B |
| | ← | 2013 votes | → | ← | 2014 votes | → | | | | | | Avg: | 87 | B+ |

2013 – 2014 Green Report Card Grades

R.I. State House of Representatives

See pages 10 & 11 for methodology and brief bill descriptions.

- + voted with ECRI position
- voted against ECRI position
- did not participate in vote

| | PACE financing (H6019) | Steep Slopes (H5703) | Condemn. Prot. (H5386) | Mattress Recycling (H5799) | Resilient R.I. (H7904) | Composting (H7033) | Renewables Growth (H7727) | Encroach. Protection (H7684) | Enviro. bond floor amndts. (green inf., open space) | Voting rate (%) | Sponsor credit | Raw score | Curved score | Letter grade |
|---------------------------------|------------------------|----------------------|------------------------|----------------------------|------------------------|--------------------|---------------------------|------------------------------|-----------------------------------------------------|-----------------|----------------|-----------|--------------|--------------|
| Rep. Marvin L. Abney | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B |
| Rep. Mia A. Ackerman | + | + | + | + | + | + | + | + | - , - | 88.9 | 3 | 91.9 | 94 | A |
| Rep. Edith H. Ajello | + | + | + | + | + | + | + | + | + , + | 100.0 | 2 | 102.0 | 101 | A+ |
| Rep. Joseph S. Almeida | + | - | + | + | + | + | + | + | + , - | 83.3 | 1 | 84.3 | 88 | B+ |
| Rep. Gregg Amore | + | - | + | + | + | + | + | + | + , - | 83.3 | 1 | 84.3 | 88 | B+ |
| Rep. Samuel A. Azzinaro | + | - | + | + | • | + | + | + | - , - | 75.0 | 1 | 76.0 | 82 | B- |
| Rep. Lisa Baldelli-Hunt | + | - | + | + | • | • | • | • | • , • | 75.0 | 2 | 77.0 | 83 | B |
| Rep. David A. Bennett | + | - | + | + | + | + | + | + | - , - | 77.8 | 4 | 81.8 | 87 | B+ |
| Rep. Christopher R. Blazejewski | + | - | + | + | + | + | + | + | - , + | 83.3 | -1 | 82.3 | 87 | B+ |
| Rep. Dennis M. Canario | + | + | + | + | + | • | + | + | - , - | 87.5 | 2 | 89.5 | 92 | A- |
| Rep. John M. Carnevale | + | - | + | + | + | + | + | + | - , - | 77.8 | -5 | 72.8 | 80 | B- |
| Rep. Stephen M. Casey | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B |
| Rep. Michael W. Chippendale | + | + | + | - | - | + | - | + | + , + | 66.7 | 4 | 70.7 | 78 | C+ |
| Rep. Maria E. Cimini | + | + | + | + | + | + | + | + | + , + | 100.0 | 6 | 106.0 | 104 | A+ |
| Rep. Elaine A. Coderre | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B |
| Rep. Arthur J. Corvese | + | - | + | + | • | + | • | + | - , - | 71.4 | 0 | 71.4 | 79 | C+ |
| Rep. Doreen Marie Costa | - | + | + | + | - | - | - | + | - , + | 50.0 | 0 | 50.0 | 63 | D |
| Rep. Gregory J. Costantino | + | - | + | + | + | + | + | + | + , + | 88.9 | -3 | 85.9 | 90 | A- |
| Rep. Robert E. Craven, Sr. | + | - | + | + | + | • | + | + | - , - | 75.0 | -1 | 74.0 | 81 | B- |
| Rep. John J. DeSimone | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B |
| Rep. Grace Diaz | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B |
| Rep. Spencer E. Dickinson | + | - | • | + | + | + | + | + | - , + | 81.3 | 0 | 81.3 | 86 | B |
| Rep. John G. Edwards | + | - | + | + | • | + | + | • | - , - | 71.4 | 1 | 72.4 | 80 | B- |
| Rep. Deborah A. Fellela | + | - | + | + | + | + | + | + | - , - | 77.8 | -3 | 74.8 | 81 | B- |
| Rep. Frank Ferri | + | - | • | + | • | + | + | • | + , - | 75.0 | 3 | 78.0 | 84 | B |
| Rep. Linda D. Finn | + | - | + | + | + | + | + | + | + , + | 88.9 | 3 | 91.9 | 94 | A |
| Rep. Gordon D. Fox | + | - | + | + | • | • | • | • | + , - | 70.0 | 0 | 70.0 | 78 | C+ |
| Rep. Raymond E. Gallison Jr. | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B |
| Rep. Antonio Giarrusso | + | - | + | - | - | - | - | + | + , + | 44.4 | 1 | 45.4 | 60 | D- |
| Rep. Scott J. Guthrie | + | - | + | + | + | + | + | + | - , - | 77.8 | 1 | 78.8 | 84 | B |
| Rep. Arthur Handy | + | + | + | + | + | + | + | + | + , + | 100.0 | 24 | 124.0 | 118 | A+ |
| Rep. Joy Hearn | + | + | + | + | + | + | + | + | + , + | 100.0 | 1 | 101.0 | 101 | A+ |
| Rep. Raymond A. Hull | + | - | + | + | + | + | + | + | - , - | 77.8 | 5 | 82.8 | 87 | B+ |
| Rep. Robert B. Jacquard | + | - | + | • | + | + | + | • | - , - | 71.4 | 0 | 71.4 | 79 | C+ |
| Rep. Raymond H. Johnston, Jr. | + | - | + | + | + | + | + | + | - , - | 77.8 | 1 | 78.8 | 84 | B |
| Rep. Katherine S. Kazarian | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B |
| Rep. Cale P. Keable | + | + | + | + | + | + | + | + | • , - | 94.1 | 3 | 97.1 | 98 | A |
| Rep. Brian Patrick Kennedy | + | + | + | + | + | + | + | + | - , - | 88.9 | 0 | 88.9 | 92 | A- |

← 2013 votes → ← 2014 votes →

2013 – 2014 Green Report Card Grades

R.I. State House of Representatives

See pages 10 & 11 for methodology and brief bill descriptions.

- + voted with ECRI position
- voted against ECRI position
- did not participate in vote

| | PACE financing (H6019) | Steep Slopes (H5703) | Condemn. Prot. (H5386) | Mattress Recycling (H5799) | Resilient R.I. (H7904) | Composting (H7033) | Renewables Growth (H7727) | Encroach. Protection (H7684) | Enviro. bond floor amndts. (green inf., open space) | Voting rate (%) | Sponsor credit | Raw score | Curved score | Letter grade | |
|----------------------------|----------------------------------|----------------------|------------------------|----------------------------|------------------------|--------------------|---------------------------|------------------------------|-----------------------------------------------------|-----------------|----------------|-----------|--------------|--------------|----------|
| Rep. Donald J. Lally Jr. | • | - | • | + | + | + | + | + | - , - | 71.4 | 0 | 71.4 | 79 | C+ | |
| Rep. Charlene Lima | + | - | + | + | • | + | + | + | - , - | 75.0 | 0 | 75.0 | 82 | B- | |
| Rep. John J. Lombardi | + | - | + | + | + | + | + | + | + , + | 88.9 | 0 | 88.9 | 92 | A- | |
| Rep. Karen L. MacBeth | + | + | + | + | + | + | - | + | + , + | 88.9 | 2 | 90.9 | 93 | A | |
| Rep. Jan Malik | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. Michael J. Marcello | + | - | + | + | + | + | - | + | + , + | 77.8 | -1 | 76.8 | 83 | B | |
| Rep. Kenneth A. Marshall | + | - | + | + | + | + | + | + | - , - | 77.8 | 1 | 78.8 | 84 | B | |
| Rep. Peter F. Martin | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. Nicholas A. Mattiello | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. James N. McLaughlin | + | + | + | + | + | • | - | + | • , + | 86.7 | 0 | 86.7 | 90 | A- | |
| Rep. Joseph M. McNamara | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. Helio Melo | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. Mary Messier | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. Patricia L. Morgan | + | - | + | - | - | + | - | + | + , + | 55.6 | 0 | 55.6 | 67 | D+ | |
| Rep. Michael A. Morin | • | • | • | • | + | + | + | + | - , - | 80.0 | 0 | 80.0 | 85 | B | |
| Rep. Eileen S. Naughton | + | - | + | + | + | + | + | + | - , - | 77.8 | 2 | 79.8 | 85 | B | |
| Rep. Brian C. Newberry | - | - | + | - | - | + | - | + | - , + | 38.9 | 0 | 38.9 | 55 | F | |
| Rep. Jared R. Nunes | • | - | • | + | + | + | + | + | + , + | 85.7 | 0 | 85.7 | 89 | B+ | |
| Rep. William W. O'Brien | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. Jeremiah T. O'Grady | • | - | • | + | + | • | + | + | - , - | 66.7 | 5 | 71.7 | 79 | C+ | |
| Rep. J. Patrick O'Neill | + | + | + | + | + | + | + | + | - , - | 88.9 | 0 | 88.9 | 92 | A- | |
| Rep. Thomas A. Palangio | + | - | + | + | + | + | + | + | - , - | 77.8 | 1 | 78.8 | 84 | B | |
| Rep. Peter G. Palumbo | + | - | + | • | + | + | + | + | • , • | 85.7 | 0 | 85.7 | 89 | B+ | |
| Rep. Robert D. Phillips | • | - | + | + | + | + | + | + | - , - | 75.0 | 0 | 75.0 | 82 | B- | |
| Rep. Deborah Ruggiero | + | - | + | + | + | + | + | + | + , + | 88.9 | 12 | 100.9 | 101 | A+ | |
| Rep. William San Bento Jr. | • | - | • | + | • | • | + | • | • , • | 66.7 | -1 | 65.7 | 75 | C | |
| Rep. Patricia A. Serpa | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| Rep. K. Joseph Shekarchi | + | - | + | + | + | + | + | + | - , - | 77.8 | 1 | 78.8 | 84 | B | |
| Rep. Agostinho Silva | + | - | + | + | + | + | + | + | - , - | 77.8 | 1 | 78.8 | 84 | B | |
| Rep. Scott Slater | + | - | + | + | + | + | + | + | - , - | 77.8 | 2 | 79.8 | 85 | B | |
| Rep. Teresa Ann Tanzi | + | + | + | + | + | + | + | + | + , + | 100.0 | 11 | 111.0 | 108 | A+ | |
| Rep. Lisa P. Tomasso | + | + | + | + | + | + | + | + | - , - | 88.9 | 1 | 89.9 | 93 | A | |
| Rep. Joseph A. Trillo | - | - | + | - | - | - | + | + | - , + | 38.9 | 0 | 38.9 | 55 | F | |
| Rep. Stephen R. Ucci | + | - | + | + | + | + | + | + | - , - | 77.8 | -4 | 73.8 | 81 | B- | |
| Rep. Larry Valencia | + | + | + | + | + | + | + | + | + , + | 100.0 | 5 | 105.0 | 104 | A+ | |
| Rep. Donna M. Walsh | + | + | + | + | + | + | + | + | + , + | 100.0 | 11 | 111.0 | 108 | A+ | |
| Rep. Anastasia Williams | + | - | + | + | + | + | + | + | - , + | 83.3 | 1 | 84.3 | 88 | B+ | |
| Rep. Thomas Winfield | + | - | + | + | + | + | + | + | - , - | 77.8 | 0 | 77.8 | 84 | B | |
| | ← 2013 votes → ← 2014 votes → | | | | | | | | | | | | Avg: | 86 | B |

Methodology

Vote scores

Vote scores in this Green Report Card are based on ten ECRI priority issues that came to a vote in 2013 – 14; most overlap between the House and Senate, but some votes occurred in only one chamber. Not all environmental bills on which ECRI took a position or which came to a vote are included in the report card. Votes with the greatest environmental impact and votes that serve to best distinguish legislators’ voting records from one another have been given priority.

Based on individual legislators’ floor votes on included bills, a “voting rate” was calculated: the percentage of times that lawmaker voted with the ECRI position. Bills on which lawmakers did not vote—either because they were absent or abstained—are not included in this calculation.

In two instances—the House vote on renewable energy growth and the Senate vote on composting—two votes actually occurred on the same legislation: an initial vote for the bill, and a second vote once a slightly amended bill had been sent back by the other chamber. In both the House renewables and Senate composting cases, no lawmaker voted for one version of the legislation but against the other, or vice versa; however, in both cases, some lawmakers did not participate in one vote but did participate in the other. In these instances, lawmakers were given credit for the vote they did cast, whether on the earlier or amended version of the bill, the differences between them being minor.

Sponsor points

Purely vote-based grades could not adequately account for work that goes on behind the scenes at the legislature. To capture this, our grade assessment includes not only floor votes, but also sponsorships of important bills on ECRI’s legislative agenda, whether they saw a floor vote or not.

In this report card, named sponsors of core 2013 – 14 ECRI agenda bills are given an additional two points for each bill on which they were the lead sponsor, and an additional single point for each bill on which they were a non-lead named sponsor: positive for ECRI supported bills and negative for ECRI opposed bills. For identical or similar bills that appeared in both 2013 and 2014, lawmakers have been given credit for each year they were listed as a sponsor. However, for similar bills appearing in the same year, named sponsors do not get credit more than once. In the case of floor amendments that led to priority ECRI votes, the lawmakers proposing the amendments are considered equivalent to lead sponsors.

Curving and letter grades

Vote scores have been added to sponsorship points to yield raw scores, which have then been “curved”, or projected onto a standard letter grade distribution. The same curve is used in the Senate and House.

The curved score cutoffs for letter grades are as follows:

| | | | | | | | | | |
|-----|----|----|----|----|----|----|----|-----|---|
| 100 | A+ | 87 | B+ | 77 | C+ | 67 | D+ | <60 | F |
| 93 | A | 83 | B | 73 | C | 63 | D | | |
| 90 | A- | 80 | B- | 70 | C- | 60 | D- | | |

Descriptions of graded bills

PACE financing (2013: S0900, H6019) — PACE, or Property-Assessed Clean Energy, creates a financing mechanism for property owners for clean energy improvements, allowing them to repay the loan via a special assessment on their property taxes. This legislation enables Rhode Island municipalities to use PACE. ECRI supported. Bill passed.

Steep Slopes (2013: S0544, H5703) — Restricts municipal authority to protect steep slopes from development during the land subdivision and development process, undermining erosion control and water quality. ECRI opposed. Bill passed.

Condemnation Protection (2013: S0214, H5386) — Helps protect open space land that is conserved with a conservation easement from condemnation. ECRI supported. Bill passed.

Water Monitoring (2013: S0969, H5534) — Exempts Johnston from the state requirement to prepare a plan to update water meters and increase billing frequency to consumers. ECRI opposed. Bill passed. [Note: (a) The Senate voted on the House bill rather than their own bill; (b) Only the Senate vote was counted for the purposes of this report card, as the House considered and passed the bill before ECRI advocacy against the legislation began.]

Mattress Recycling (2013: S0261, H5799) — Requires that mattresses be recycled through a program administered by a new Mattress Stewardship Council to be established by July 1, 2015; the Council will set fees to cover fixed costs and refunds for recovered/recycled mattresses. ECRI supported. Bill passed.

Resilient R.I. (2014: S2952, H7904) — Mitigates climate change by establishing science-based greenhouse gas emissions reduction targets for the state; at the same time, helps Rhode Island adapt to the climate change impacts the state is already experiencing. ECRI supported. Bill passed.

Composting (2014: S2315, H7033) — By January 2016, institutions of higher education, industrial food manufacturers and processors, conference centers, and others will be required to recycle food scrap, provided that an authorized commercial composting facility is located within 15 miles of the generator. ECRI supported. Bill passed.

Renewables Growth (2014: S2690, H7727) — Expands the Distributed Generation (DG) program, which carves out space in the Rhode Island energy mix for new local renewable energy generation; this legislation adds a four-fold increase to the DG program's megawatt carve-out, broadens its scope to include residential systems, and makes various mechanical improvements. ECRI supported. Bill passed.

Freshwater DEM (2014: S2688) — Creates a new position within the water resources division of the Department of Environmental Management which would have oversight over all freshwater lakes, streams, and ponds within the state. ECRI supported. Bill passed in the Senate only.

Encroachment Protection (2014: S2619, H7684) — Increases penalties for people who intentionally damage protected lands by cutting trees, stealing stone walls, etc. ECRI supported. Bill passed the House; no Senate vote.

Environmental bond floor amendments (2014) — Two House floor amendments to the 2014 budget proposed to add funding for green infrastructure and local open space grants to the *Clean Water, Open Space, & Healthy Communities Bond* referendum. ECRI supported. Neither motion passed. Note: For the purposes of this report card, these amendments together are considered one ECRI agenda item, so each vote is weighted at half other votes on bills.

Looking to the next session

In 2013 and especially 2014, the Environment Council saw the Rhode Island General Assembly beginning to connect the dots between pro-environment policies and the economic benefits they will create, both immediate and long-term. Indeed, these two years have

seen important progress on growing our clean energy economy, addressing climate change, and reforming waste management. For Rhode Island, what this *economy-environment* connection comes down to is encapsulated in our name: the Ocean State. Whether it's our

historic marine industries like fishing and boatbuilding, the many thousands of Rhode Islanders whose jobs depend on tourism to our beaches and coast, or those of us and our kids who swim, boat, and fish in the Bay—our lives in Rhode Island are uniquely connected to the ocean. With new faces at the General Assembly and in the governor’s office in 2015 – 16, lawmakers can continue to build Rhode Island’s economy through environmental opportunities.

Climate change is one example. It was very big news that our General Assembly took meaningful action against climate change in 2014. Climate change impacts are already having real economic costs here in terms of disaster recovery and property damage from storms, floods, and coastal erosion. And as a state without any real fossil fuel resources, we can create new local jobs if we stop sending our energy dollars out-of-state and shift to more local, homegrown power sources like solar and wind. The General Assembly should be applauded for expanding renewable energy in 2013 – 14, and it should continue to do so in the next session by restoring past tax credits for residential renewable energy.

Lawmakers can also create exciting economic opportunities by shifting how we generate and manage waste. The General Assembly took important steps in 2013 – 14 with bills facilitating the recycling of mattresses and food scraps—reducing landfill-bound waste, and boosting our fledgling compost industry while creating a useful new agricultural product. In the next session, lawmakers can continue working on waste issues. For example, lawmakers should finally ban plastic checkout bags to protect the marine trade and tourism industries by keeping our state and its coast clean, healthy, and beautiful. This is a simple measure that has received the support of over 170 small Rhode Island businesses. Reducing our landfill-bound waste will also increase our landfill’s life and

put off the cost of finding a new location after Johnston.

The way we dispose of sewage is also critical to Rhode Island’s economy, especially in terms of the health of Narragansett Bay, which so many Rhode Islanders depend on for their livelihoods. Cesspools, for instance, pollute groundwater and contribute to beach closings and fish kills that hurt our economy. In 2014, the General Assembly came frustratingly close to legislation that would have finally required the phase-out of this polluting wastewater management method. Narragansett Bay cannot afford to let another session go by while lawmakers bicker over the politics of the issue; cesspools must go.

Future budget cycles will also give the next governor and General Assembly a chance to bolster protection for Narragansett Bay and other special places in Rhode Island by establishing predictable funding for open space protection and park development, initiating environmental bonds for investments in land conservation and other green infrastructure that were cut by the General Assembly from the 2014 budget. Green infrastructure will enhance our communities, reduce costly damage from flooding, and reduce polluted runoff into the Bay—all while creating new Rhode Island jobs.

The Environment Council of Rhode Island is a coalition of over 60 environmental groups, small businesses, and individuals who are united by a common understanding: that the health of our state, the health of our families, and the health of our economy are fundamentally entwined. We invite the 2015 – 16 General Assembly to join our cause—for the quality of life, sense of place, and vibrant economy that we know are the same.

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The Environment Council of Rhode Island is a coalition of organizations and individuals whose mission is to serve as an effective voice for developing and advocating policies and laws that protect and enhance the environment.