

Rhode Island General Assembly 2015-2016 Green Report Card

Rhode Island Senate Earns C, House of Representatives earns C+

Environmental champions emerge from General Assembly for clean energy, waste, and land and water conservation

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 2015 and 2016 legislative sessions. The report includes letter grades issued to individual General Assembly members based on bill votes and sponsorships, along with a qualitative evaluation of the governor. There are reflections on notable environmental policy developments in the two year span.

With climate change impacts increasingly apparent, energy issues are a top priority for ECRI. Rhode Island celebrates being home to America's first offshore wind farm. Deepwater Wind received full funding and began construction in 2015. The six turbines off the coast of Block Island are slated to be completed and operational in fall of 2016. The project will bring local clean energy and much needed new jobs to the state. ECRI is proud of the fact that the renewable energy statute that gave rise to the Deepwater Wind project was an ECRI priority in both 2008 and 2009.

On the other hand, through 2015-2016 the environmental community voiced serious concern against natural gas infrastructure proposals for Rhode Island. ECRI and our member organizations made it clear to our elected officials that a gas pipeline or a power plant are not the kind of investments that are necessary for our energy needs. These projects also will not help our state meet the greenhouse gas reduction goals established in 2014 as part of the Resilient RI Act.

ECRI is grateful for the efforts in the legislature that served to clean our energy supply and protect our natural spaces. During the 2015 session, ECRI's longtime priority, amendments to the RI Cesspool Act to phase out cesspools finally passed. The 2016 General Assembly saw triumphs in both the beginning and very end of the session. The Grow Green Jobs RI package introduced early in the session by Senate President Teresa Paiva Weed outlined many environmental initiatives; then at the close of the session, Representative Deborah Ruggiero and Representative Aaron Regunberg worked tirelessly to successfully rescue renewable energy efforts in a comprehensive bill. Thanks to the leadership of Representative Tanzi, Governor Raimondo's \$35 M Green Economy Bond was successfully incorporated into the final budget and will go before Rhode Island's voters in November. Rhode Island is fortunate to have environmental champions in the State House.

See Inside:

- **Gov. Raimondo's first two years**
- **General Assembly letter grades**
- **Looking ahead to the next session**

RENEWABLE ENERGY

Renewable energy adoption is growing steadily in Rhode Island. The costs to install a solar array have dropped dramatically and wind generation is also steadily climbing. To keep Rhode Island on track to reduce our greenhouse gas emissions, additional support for renewable projects is needed. The [Renewable Energy Package \(S-2450, H-8354\)](#), a collection of renewable energy strategies, was introduced and passed in the last days of the 2016 legislative session. ECRI supported the bill, which

does the following: (a) extends the state's Renewable Energy Fund (and the Systems Benefit Charge that helps fund it); (b) clarified language that third-party ownership of net metering is allowed in Rhode Island; and (c) expanded virtual net metering. The Renewable Energy Fund has raised and invested literally tens of millions of dollars in good, local renewable energy programs in the 10 years it has existed. All of the provisions of this bill were introduced earlier in the session as part of Governor Raimondo's Budget Article 18.

Unfortunately, despite widespread support for nearly all of the provisions of Budget Article 18, there was one small, controversial provision included in it. Instead of amending the Budget Article to remove the one offending provision, House Speaker Nicholas Matiello removed the entire article from the Annual Budget. With only a few days left in the legislative session, Rep. Aaron Regunberg (D-Providence) and Rep. Deborah Ruggiero (D-Jamestown) crafted this bill, with most of the non-controversial provisions taken from the previous Budget Article. Speaker Matiello's unwise action shows a lack of regard for the importance of renewable energy to the state's environment and economy. ECRI has special praise for Reps. Regunberg and Ruggiero for their successful effort to snatch victory from the jaws of defeat.

The Renewable Energy Standard (S-2185, H-7413) is the extension of the state's Renewable Energy Standard (called Renewable Portfolio Standard in some other states) that was initially passed in 2004 (and was going to expire in 2019). This bill was an ECRI Priority in both the 2015 and 2016 sessions; the bill passed in 2016 and was signed into law by Gov. Raimondo on June 26, 2016. The bill was the joint effort of a number of groups, including ECRI, Conservation Law Foundation, and People's Power & Light. The law does two major things: (a) continues the ramp-up of the renewable energy obligation on National Grid (the state's dominant utility) at an additional 1.5% per year (which was the largest incremental increases in allowed in the existing statute); and (b) fixes a small, but crucially important, ambiguity in the existing law about when, if ever, the Public Utilities Commission (PUC) is allowed to delay

one of the annual ramp-ups. Rep. Ruggiero deserves special appreciation for her work on the bill in both 2015 and 2016. Not only was she the lead sponsor both years, but her leadership late in the 2016 session led to a small tweak in the original language that was successful in getting the bill passed. It should also be noted that Sen. William Conley (D-East Providence, Pawtucket) was the lead sponsor on the Senate companion bill which expanded its scope to include the full renewable energy package.

LAND AND WATER CONSERVATION

Rhode Islanders are proud of our state's natural beauty. The biggest accomplishment of the 2015 session was the passage of cesspool phase out legislation. Sponsored by Senator Sosnowski (S 369 sub a) and Representative Tanzi (H 5668 sub a), the bill represented years of effort by advocates and key legislators. The law went into effect in January 2016 and requires the removal of Rhode Island's 25,000 polluting cesspools within one year of the sale or transfer of a property. Property owners must either replace them with modern septic systems or tie into an available sewer line. The state, in 1968, banned the installation of cesspools, underground chambers that collect solids and allow liquids to drain out. They do not treat waste. ECRI is deeply grateful to Chairwoman Sosnowski and Representative Tanzi for their strong leadership on this long-standing issue.

Climate change adaptation measures were advanced by the House Resolution on Flooding (2015, H5478) that created an 11-member commission to study economic risks relating to and resulting from sea rise and flooding. The Commission met regularly during the 2016 session and developed a series of recommendations that will be incorporated into upcoming legislation.

The 2015-2016 sessions saw mixed results for land protection efforts. The Conservation Easement Amendment Legislation (H7196, S2233) was a two-year effort sponsored by Sen. Louis DiPalma (D-Little Compton, Middletown, Newport, Tiverton) and Rep. Christopher Blazejewski (D-Providence). This legislation improves the criteria that courts use to

review and approve changes that are proposed to conservation easements. Conservation easements are legal restrictions that protect open space lands and prevent development. This legislation only allows the courts to approve changes that create a net gain in the overall conservation and that are consistent with public conservation interest.

In 2016 there was legislation sponsored by Sen. Susan Sosnowski (D-New Shoreham, South Kingstown) and Rep. Cale Keable (D-Burrillville, Glocester) to increase penalties for people who intentionally damage protected lands (H7606, S2718); this includes stealing stone walls and cutting trees. Currently, the penalties are a little more than a “hand slap”. This legislation increases the fines, enables land trusts and municipalities to recoup costs for restoring protected lands that are intentionally damaged, and establishes clear standard for appraising clear standards for appraising the damage when trees are cut. The bill managed to pass the House side but was stuck in the Senate Judiciary Committee.

The House passed a favorable House Resolution, H8265 sponsored by Rep. Keable and Rep. John Edwards (D-Portsmouth, Tiverton) to protect pollinators. The House Resolution declared: “Respectfully Requesting the Rhode Island Department of Environmental Management, Protecting and Enhancing Pollinator Habitat and Health in Rhode Island”. The Resolution ask the group to report to the Director of DEM and to the House of Representatives on or before February 15, 2017 and to provide recommendations on how the state can maintain, protect and enhance pollinator health and habitats. The Resolution also asks the Audubon Society of Rhode Island and the Rhode Island Nursery and Landscape Association (RINLA) to provide administrative, staff and logistical support for the working group.

Over ECRI’s opposition, the Legislature passed and the Governor signed 2016 wetlands legislation a.k.a. the “Drylands Bill”, (H7651, S2591). This bill requires municipalities to include wetland buffers in area calculations for lots and subdivisions and will result in increased density and more lots for subdivisions

when the property being developed has wetlands. This legislation was approved even through DEM has not yet finished regulations for the wetlands legislation that was adopted by the 2015 General Assembly. ECRI will continue to monitor implementation to ensure that sensitive natural areas protected from overdevelopment.

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 again in 2015 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 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 Rep. Stephen Ucci’s bill (H5273) challenged this. ECRI is pleased that the bill did not advance out of committee.

Once again, 2015-2016 saw 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 damage Rhode Island’s tourism economy. Lawmakers tabled a comprehensive bill to set up a framework system requiring producer responsibility over their products’ waste disposal (H5673), sponsored by Rep. Handy.

The Plastic Waste Reduction Act sponsored by Rep. Amore (H5151) proposed to “ban” plastic bags, i.e. prohibit the distribution of disposable plastic checkout bags the point-of-sale at retail establishments was held for further study.

Extended Producer Responsibility (EPR) program bills (H8266, S2905) were introduced for compact fluorescent (CFL) light bulbs. CFL bulbs contain trace amounts of mercury, a heavy metal pollutant and powerful neurotoxin. As originally written and passed by the Senate, the measure would have

required the producers of CFL bulbs and tubes up to 4 feet in length to fund and implement a statewide collection and recycling system. The bill was amended at the last minute, and was significantly weakened. For this reason, ECRI has removed the “Mercury Reduction” bill from the General Assembly grades.

TRANSPORTATION

Improving Rhode Island’s public transportation is vital to meet our communities’ needs and to reduce our dependence on single occupancy vehicles. ECRI

supported changes to the makeup of the Rhode Island Public Transit Authority board (RIPTA). The RIPTA Riders Alliance was the leading force behind the RIPTA Authority Appointment bill (H7329, S2373). It requires that the RIPTA board include at least one regular fixed-route rider and another individual with a disability. This amendment serves to improve the representation of stakeholders on the RIPTA board. The RIPTA Riders Alliance was specifically added to the legislation as an organization to give recommendations on board nominations. The amendment successfully passed in both the House and the Senate.

On the 2016 ballot:

The General Assembly adopted a budget for fiscal year 2017 that includes a \$35 million *Green Economy Bond* referendum. If approved by voters in November, this bond referendum will provide funding to continue 7 successful programs that improve Rhode Island's communities and strengthen our economy. The "Green Economy Bond" referendum was adopted as proposed in Governor Raimondo's budget with two minor changes as follows:

- Local Open Space Grants (\$4 million)
- RIDEM State Land Acquisition (\$4 million)
- Local Recreation Grants (\$5 million) (\$3 million more than was proposed)
- Historic State Park Development (\$4 million) (\$3 million less than was proposed)
- State Bikeway Development (\$10 million)
- Brownfield Restoration (\$5 million)
- Stormwater Pollution Prevention (\$3 million)

A broad coalition of organizations advocated for the General Assembly to approve the Green Economy Bond referendum. Senate President Paiva Weed and Speaker Mattiello supported the referendum. Key champions included Rep. Tanzi, Ruggiero, and Rep Tobon.

GOVERNOR RAIMONDO'S FIRST TWO YEARS

Boosts Rhode Island's Green Economy, Mixed Signals on Energy

Governor Gina Raimondo was elected as Rhode Island's first female governor in 2015. Formerly the state Treasurer, she campaigned that she was committed to improve the state's economy and promote healthy communities. In her first two years of office, she indeed delivered on that promise. However, her overall vision for Rhode Island's clean energy future conflicts with many environmental advocates.

Governor Raimondo's first budget in 2015 was celebrated for establishing the "Rhode Island Infrastructure Bank" (RIIB) to rebrand and expand the duties of the Clean Water Finance Agency. RIIB is responsible for providing financing and support to a range of projects, including brownfield remediation, energy efficiency, and renewable energy. The 2015 budget also included an ECRI priority, the extension of the Least Cost Procurement (LCP) mandate. The LCP mandate requires that the RI utility pay for efficiency measures if those measures are less costly than the cost of the supply of new energy. Saving energy rather than spending our dollars on expensive out of state supplies keeps money in Rhode Island and reduces our need for polluting fossil fuels. Later in December 2015, Governor Raimondo issued Executive Order 15-17 to "Lead By Example"; it charged state agencies to greatly reduce their energy consumption, match their energy usage with 100% renewable sources, adopt zero-emission vehicles for the state fleet, and more to meet the Resilient RI goals. The State is one of the largest consumers of energy in Rhode Island and the Lead By Example Executive Order serves to make widespread sustainable improvements. ECRI commends Gov. Raimondo for this Order.

Governor Raimondo's 2016 budget included Green Economy Bond and several laudable renewable

energy measures (until Article 18 was removed by Speaker Mattiello). She made the astute decision to appoint former Office of Energy Resources (OER) Commissioner Marion Gold to the Public Utilities Commission, and then appointed the highly capable Carol Grant as the new OER Commissioner. These experienced energy leaders will ensure Rhode Island remains on track to grow our clean energy industries. Also this year Governor Raimondo established the Outdoor Recreation Council which includes local conservation experts and environmental stewards and is charged with promoting Rhode Island's natural assets and engaging the public in outdoor activities.

The governor's record over the past two years is unfortunately blemished by her adamant support for the proposed power plant in Burrillville, despite widespread pushback from the public. ECRI issued a statement explicitly opposing the Invenergy plant because climate change is an urgent threat and the proposal to build new, long-lived natural gas generator would jeopardize our future. The natural gas proposal in Burrillville is one of the major issues facing Rhode Island in 2015-2016. ECRI is also disappointed that the Governor has refused to meet with the Council, despite repeated attempts. ECRI recognizes that individual ECRI member organizations were resources to Governor Raimondo's administration and appreciate the input they provided during her first two years.

ECRI members make it clear that clean energy, land and water conservation and environmental protection are not only cost effective, but are a vital investment in our future well-being.

2015-2016 Green Report Card Grades: **R.I. State Senate**

Senator	Least Cost Procurement S733	RI Cesspool Act S369	Wetlands and Buffers S737	Drylands Bill S2591	REF and Renewables S2450	RES Extension S2185	RIPTA Appointment S2186	Renewable Energy Growth S2181	Conservation Easements S2233	Voting Rate	Sponsor Points	Raw Score	Curved Score	Letter Grade
Algiere	+	+	+	-	+	+	+	+	-	56	0	56	63	D-
Archambault	+	+	+	-	+	+	+	+	+	60	5	65	72	C-
Ciccione	+	+	+	-	+	+	+	+	+	78	0	78	85	B
Conley	+	+	+	-	+	+	+	+	+	60	25	85	92	A-
Cote	+	+	+	-	+	+	+	+	-	48	0	48	55	F
Coyne	+	+	+	-	+	+	+	+	+	78	0	78	85	B
Crowley	o	+	+	-	+	+	+	o	+	66	0	66	73	C-
Da Ponte	+	+	+	-	+	+	+	o	+	72	0	72	79	C+
DiPalma	+	+	+	-	+	+	+	+	+	78	5	83	90	A-
Doyle	+	+	o	-	+	+	+	+	o	66	0	66	73	C-
Felag	+	+	+	-	+	+	+	+	+	78	0	78	85	B
Fogarty	+	+	+	-	+	+	+	+	+	78	10	88	95	A
Gallo	+	+	+	-	+	+	+	+	+	78	0	78	85	B
Gee	+	+	+	-	-	+	+	+	+	40	0	40	47	F
Goldin	+	+	+	-	+	+	+	+	+	78	5	83	90	A-
Goodwin	+	+	+	-	+	+	+	+	+	78	10	88	95	A
Jabour	+	+	+	-	+	+	+	+	+	60	0	60	67	D+
Kettle	+	+	+	+	o	o	+	o	-	59	10	69	76	C+
Lombardi	+	+	+	-	o	o	+	+	+	50	-5	45	52	F
Lombardo	+	+	+	-	o	o	+	+	+	66	0	66	73	C-
Lynch Prata	+	+	+	-	+	+	+	+	+	80	5	85	92	A-
McCaffrey	+	+	+	-	+	+	+	+	+	60	-5	55	62	D
Metts	+	+	+	-	+	+	+	o	+	72	0	72	79	C+
Miller	+	+	+	-	+	+	+	+	+	78	20	98	105	A+
Morgan	+	-	+	+	-	-	+	+	-	11	0	11	18	F
Nesselbush	+	+	+	-	o	o	+	+	+	70	5	75	82	B-
O'Neill	+	+	+	+	o	o	+	+	-	66	0	66	73	C-
Pagliarini	o	+	+	-	-	-	+	-	-	-17	0	-17	-10	F
Pearson	+	o	+	-	+	+	+	+	+	72	0	72	79	C+
Picard	+	+	+	-	+	+	+	+	+	78	0	78	85	B
Pichardo	+	+	+	-	+	+	o	+	+	72	10	82	89	B+
Raptakis	+	o	+	-	-	o	+	+	o	25	0	25	32	F
Ruggerio	+	+	+	-	+	+	+	+	+	78	0	78	85	B
Satchell	+	+	+	-	+	+	+	+	+	78	0	78	85	B
Sheehan	+	+	+	-	+	+	+	+	+	78	5	83	90	A-
Sosnowski	+	+	+	-	+	+	+	+	+	78	30	108	115	A+
Walaska	+	+	+	-	o	o	+	+	+	66	15	81	88	B+
President Paiva Weed	+	+	+	-	+	+	+	+	+	78	5	83	94	A
												Avg.	75	C

+ Voted with ECRI position
 - Voted against ECRI position
 o Did not participate in vote

See pages 9 & 10 for methodology and bill summaries

2015-2016 Green Report Card Grades: **R.I. State House of Representatives**

Representative	House Res. on Flooding H5478	RI Cesspool Act H5668	Wetlands and Buffers H5962	Drylands Bill H7651	REF and Renewables H8354	RES Extension H7413	RIPTA Appointment H7329	Damaging Land Penalties H7606	Conservation Easements H7196	House Res. for Pollinators H8265	Bill Points	Sponsor Points	Raw Total	Curved Grade	Letter Grade
Abney	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Ackerman	+	+	+	-	+	+	+	+	+	+	80	5	85	90	A-
Ajello	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Almeida	+	+	+	-	+	+	o	+	+	+	75	0	75	80	B-
Amore	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Azzinaro	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Barros	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Bennett	+	+	+	-	+	+	+	+	+	o	75	5	80	85	B
Blazejewski	+	+	+	-	+	+	+	+	+	+	80	5	85	90	A-
Canario	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Carnevale	+	+	+	o	o	+	+	+	o	+	85	5	90	95	A
Carson	+	+	+	-	+	+	+	+	+	+	80	35	115	120	A+
Casey	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Chippendale	+	-	+	+	o	-	+	+	-	+	35	0	35	40	F
Corvese	o	+	+	o	o	+	+	+	+	+	85	0	85	90	A-
Costa	+	+	+	+	-	-	+	+	-	+	40	0	40	45	F
Costantino	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Coughlin	o	+	o	-	+	+	+	+	o	+	65	0	65	70	C-
Craven	+	+	+	-	+	+	+	+	+	+	80	5	85	90	A-
DeSimone	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Diaz	+	+	o	-	+	+	+	+	+	+	75	0	75	80	B-
Edwards	+	o	+	-	+	+	+	+	+	+	75	0	75	80	B-
Fellela	+	+	+	-	o	+	+	+	+	+	75	0	75	80	B-
Filippi	+	+	+	+	+	-	+	+	-	+	60	0	60	65	D
Fogarty	+	+	+	+	+	+	+	+	+	+	100	0	100	105	A+
Giarrusso	+	+	+	+	-	-	+	+	-	+	40	0	40	45	F
Handy	+	+	+	o	o	+	+	+	+	+	90	45	135	140	A+
Hearn	+	+	+	-	+	+	+	+	o	-	55	5	60	65	D
Hull	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Jacquard	+	+	+	-	+	o	+	+	o	+	70	5	75	80	B-
Johnston	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Kazarian	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Keable	+	+	+	-	+	+	+	+	+	+	80	15	95	100	A+
Kennedy	+	+	-	o	+	+	+	+	+	+	75	0	75	80	B-
Lancia	+	+	-	+	-	+	+	+	-	+	40	0	40	45	F
Lima	+	+	-	-	+	+	+	+	+	+	60	0	60	65	D

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Lombardi	+	+	-	o	o	+	+	+	+	+	70	0	70	75	C
MacBeth	o	-	+	+	-	o	+	+	-	+	30	0	30	35	F
Maldonado	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Malik	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Marcello	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Marshall	+	+	+	o	+	o	+	+	+	o	85	0	85	90	A-
Mattiello	+	+	+	-	+	+	+	+	+	+	80	-5	75	80	B-
McEntree	+	+	o	+	+	+	+	+	+	+	95	0	95	100	A+
McKiernan	+	+	+	-	+	+	+	+	o	+	75	0	75	80	B-
McLaughlin	+	o	-	+	+	+	+	+	+	+	70	0	70	75	C
McNamara	+	+	+	o	+	+	+	+	+	+	95	0	95	100	A+
Melo	+	+	+	-	+	+	+	+	+	+	80	5	85	90	A-
Messier	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Morgan	+	+	+	+	-	-	+	+	-	+	40	0	40	45	F
Morin	+	+	+	-	+	+	+	+	+	+	80	5	85	90	A-
Nardolillo	+	-	+	-	-	+	+	+	-	+	20	0	20	25	F
Naughton	+	+	+	-	+	+	+	+	+	+	80	5	85	90	A-
Newberry	o	+	+	+	-	-	+	+	-	+	35	0	35	40	F
Nunes	+	-	+	o	o	+	+	+	o	+	65	0	65	70	C-
O'Brien	+	+	+	-	+	+	+	o	o	+	70	0	70	75	C
O'Grady	+	+	+	-	+	+	+	o	+	+	75	5	80	85	B
Palangio	+	+	+	o	o	o	o	+	o	o	70	0	70	75	C
Phillips	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Price	+	-	-	+	-	o	+	+	-	+	15	0	15	20	F
Regunberg	+	+	+	-	+	+	o	+	+	+	75	10	85	95	A
Reilly	+	-	+	+	-	+	o	+	-	o	30	0	30	35	F
Roberts	+	-	-	+	-	-	+	+	-	+	0	0	0	5	F
Ruggiero	+	+	+	-	+	+	+	+	+	+	80	20	100	110	A+
Serpa	+	+	+	-	+	+	+	+	+	+	80	5	85	90	A-
Sherkarchi	+	+	+	-	+	+	+	+	+	+	80	-5	75	80	B-
Slater	+	+	+	-	+	+	+	o	+	+	75	0	75	80	B-
Solomon	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Tanzi	+	+	o	+	+	+	+	+	+	+	95	5	100	110	A+
Tobon	+	+	+	-	+	+	o	+	+	+	75	10	85	90	A-
Trillo	+	-	-	-	+	+	+	+	-	+	20	0	20	25	F
Ucci	+	+	+	-	o	+	+	+	+	+	75	-5	70	75	C
Williams	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
Winfeild	+	+	+	-	+	+	+	+	+	+	80	0	80	85	B
													Avg:	77	C+

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 - Voted against ECRI position
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See pages 9 & 10 for methodology and bill summaries

Methodology for Report Card Grades

Vote scores

Vote scores in this Green Report card are based on a variety of ECRI priority and agenda issues that came to major votes 2015-2016. This analysis considers bills that made it to full votes in both the House and Senate sides. ECRI priority bills that only made it to the floor on one side of the General Assembly were also considered. The Senate Judiciary Committee votes for S3037 were also factored for those committee members.

Based on individual legislators’ floor votes (and the S3037 committee votes), a “voting rate” was calculated: the percentage of times that lawmaker voted with an ECRI position. Bills on which a lawmaker did not vote-either due to absence or abstention- did not hurt a legislator’s overall percentage.

Sponsor points

Additional credit was awarded to legislators who were sponsors on ECRI priority and agenda bills 2015-2016, regardless of whether it made it past committee. All co-sponsors on an ECRI priority bills were also awarded points. Additional points were given to Senate President Paiva Weed for introducing the Grow Green Jobs RI package, as well as Representative Ruggiero and Representative Regunberg for their extraordinary leadership on House bill 8354A, and finally Representative Tandy for her tireless efforts forwarding the Green Economy Bond measures. Lead sponsors of bills that ECRI opposed were penalized.

Curving and letter grades

Vote scores have been added to sponsorship points to yield raw scores which have then been “curved” into a standard letter grade distribution. A similar curve is used in the Senate and the House to adjust grades.

The curved score cutoffs for letter grades are as follows:

100	A+	87	B+	77	C+	<60	F
94	A	84	B	74	C		
90	A-	80	B-	70	C-		

Brief Descriptions of Graded Bills

Least Cost Procurement Mandate (2015, S733, H5904) – Rhode Island’s Least Cost Procurement (LCP) mandate ensures that energy procurement decisions maximize the use of the lowest-risk, lowest-cost, and cleanest resource available for supplying the state’s energy needs — energy efficiency. These bills extend Rhode Island’s LCP policy for energy efficiency until 2029.

RI Cesspool Act (2015, S369, H5668) – Cesspools endanger public health by contaminating ground and surface water – the current 200 foot buffer is inadequate to protect against migration of some viruses, nitrogen, pharmaceuticals and other effluents. For years, environmentalists and homebuilders have united to support legislation to gradually phase out cesspools by requiring their removal from property at its point-of-sale

Wetlands and Buffers (2015, S737, H5962) – Implements the recommendations of the 2014 Wetlands Taskforce.

House Resolution on Flooding (2015, H5478) – Create an 11 member commission to study economic risks relating to and resulting from sea rise and flooding, and who would report back no later than January 6, 2016, and expire on February 6, 2016.

Drylands Bill (2016, S2591, H7651) – ECRI opposed. Provides that wetland buffers not be excluded from the calculation of buildable lot areas, minimum lot sizes or in the calculation of buildable lots or units.

Renewable Energy Package (2016, S2185, H7413) – Extends the state's Renewable Energy Fund (and the Systems Benefit Charge that helps fund it); the Renewable Energy Fund has raised and invested literally tens of millions of dollars in good, local renewable energy programs in the 10 years it has existed. It clarified language that third-party ownership of net metering is allowed in Rhode Island; and expanded virtual net metering.

Renewable Energy Standard Extension (2016, S2185, H7413) – This act would extend the 2004 Renewable Energy Standard Schedule Program, which required the suppliers of retail electricity to obtain minimum increasing amounts of renewable energy resources, beyond 2019 to 2035.

RIPTA Appointment (2016, S2373, H7329) – Members to be appointed by the governor with the advice and consent of the senate; with at least one of the seven (7) being a regular user of fixed route RIPTA transportation and at least one of the seven (7) being a person with a disability.

Penalties for Damaging Protected Lands (2016, S2718, H7606) – Proposes to increase penalties for people who cut trees, steal stone walls, or otherwise intentionally damage protected open space lands. Current penalties are little more than a hand slap and are not a strong deterrent to keep people from damaging open space lands.

Conservation Easements (2016, S2233, H7196) – Addresses the unintended consequences of legislation adopted in 2011. The legislation distinguishes court review standards for proposals to terminate or amend conservation easements.

House Resolution to Protect Pollinators (2016, H8265) – Requests that the Dept. of Environmental Management convene a working group to make recommendations to maintain and protect pollinator health and habitat in Rhode Island.

LOOKING AHEAD

What's next for ECRI priority policies?

The 2015-2016 legislative sessions were overall praiseworthy. Major pieces of legislation that ECRI endorsed made it into law and Rhode Island as a whole is stepping up to become more sustainable across sectors. Planners and policy makers increasingly are looking longer term and in the context of combating or adapting to climate change. There are some measures, of course, that will require another round at Smith Hill.

In the next session, ECRI anticipates that member organizations will continue to strongly support effective renewable energy legislation. This is especially includes the extension of the Renewable Energy Growth program (REG) another 10 years to grow local green projects. The REG extension was included as an item in the Senate's Grow Green Jobs

RI package and would add an additional 400 MW of in-state renewable power. Also included in the Grow Green Jobs RI report was the measure to establish a much needed energy efficiency program for delivered fuel (aka heating oil and propane) customers. Those heating consumers are not eligible for the same system upgrade incentives and insulating support that Rhode Island natural gas customers enjoy.

Additionally, ECRI will continue to support legislation that puts a fair price on carbon dioxide emissions to curb our state's greenhouse gas output and reward sustainable choices. The EnergizeRI Act did not make it out of committee this year, but if passed it has the potential to put our state on track to complement other policies to effectively meet the

greenhouse gas reduction goals in the Resilient Rhode Island Acts.

The Green Building Amendments Act covers all public buildings and major properties of public agencies. Current law states that LEED, Green Globes, and the Northeast Collaborative for High Performance Schools are to be used as the rating systems for the design and construction of “public structures or buildings”. A proposed 2016 House amendment provides that LEED for Neighborhood Development and SITES shall be the rating systems to be used for the design and construction of property, grounds, and open spaces for public buildings. The amendment will likely be re-introduced in the next session.

ECRI will continue to monitor the final DEM wetlands regulations, local pollinators – and pursue recommendations of the Outdoor Recreation Council. Member organization will sustain our agriculture and advance land and water conservation initiatives.

Extended Producer Responsibility (EPR) packaging legislation will be critical in the future to reduce Rhode Island’s waste. ECRI supports the creation of an EPR task force as was proposed in 2015 or more stringent legislation to encourage companies to consider the full life-cycle of their products.

The Environment Council of Rhode Island looks forward to the 2017-2018 legislative sessions and to working with our elected officials to protect Rhode Island’s natural resources and well-being for years to come.

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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 law that protect and enhance the environment.