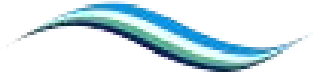


2018 LEGISLATIVE SUMMARY

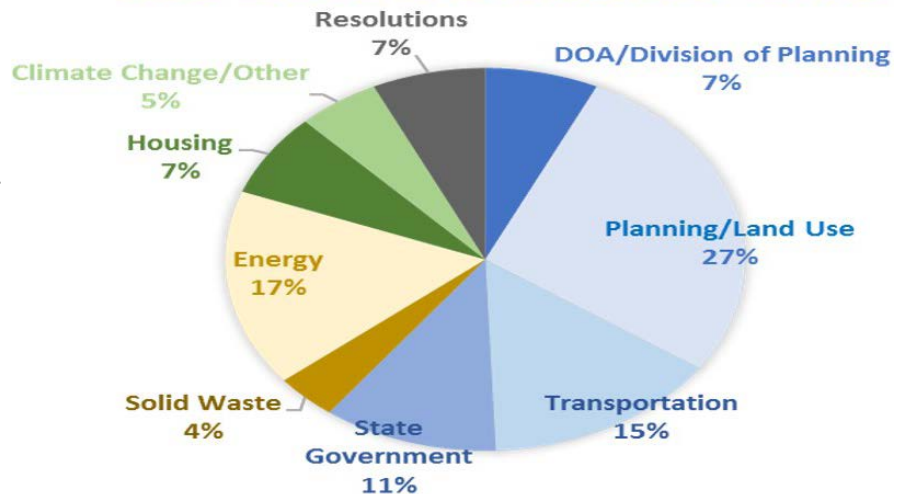


RHODE ISLAND DEPARTMENT OF ADMINISTRATION - DIVISION OF STATEWIDE PLANNING



When the General Assembly is in session, the Division of Statewide Planning reviews transportation and other planning related proposed bills. Designated by RI General Law [§42-11-10](#), as the central planning agency for Rhode Island, the Division recommends policy positions for new bills to the Director of Administration (DOA) and the Governor's Policy Office. This Summary has been prepared for information and use by the Division and other interested parties.

2018 LEGISLATIVE TRACKING TOPICS



Session Dates:

January 2, 2018 to June 23, 2018.

Total Bills Reviewed: 2,362 bills

House (H) Bills: 1,366

Senate (S) Bills: 996

Number of Bills Tracked: 156

The Division reviews bills concerning the implementation of duties created by [§42-11-10](#), as well as, bills which could affect local, regional, and statewide planning. The topics vary from year to year. For 2018 the range of topics reviewed are shown in the chart above. Where bills would create new or change responsibilities for the Division, letters and testimony are submitted to the legislative committees of concern regarding the Division's recommendation on the proposed bill(s). This summary is a brief synopsis of bills identified, accompanied by links to the bills and associated R.I. General Laws. Bills (directly affecting the Division) and their final statuses, are summarized first, followed by a summary of other selected bills related to transportation, state government, land use and development planning. Bills are presented together with the appropriate companion bill, where applicable, and final status at the end of the 2018 Session. Questions can be directed to Nancy Hess, Supervising Land Use Planner at Nancy.hess@doa.ri.gov

2018 Bills Related to the Division of Statewide Planning



11 BILLS TRACKED (2 ENACTED – 2 HELD FOR STUDY - 7 OF INTEREST)

Enacted

S 2026 – Chapter 061 & **H 7787** - Chapter 054

RI General Law Affected: §23-18.9-9 - Refuse Disposal - A facility's potential detrimental impact on the community must be considered when approving the construction or operation of a solid waste management facility. 06/25/2018 Signed by Governor.

- The Division was neutral on this topic because **Rule 1.6** of the State Planning Council sets the standards for review on solid waste disposal facility siting applications. Consideration of potential detrimental impacts is already included within this review along with a description of the alternatives considered, including alternative sites, and an assessment of their comparative environmental impacts.

H 7102 SUB A – Chapter 122 & **S 2239 SUB A** - Chapter 225

RI General Law Affected: Chapter 42-11 - Rhode Island Municipal Infrastructure Grant Program - Creates a municipal infrastructure grant program within the DOA to issue grants and aid with municipal and other public infrastructure projects that support job creation and expansion, housing development and rehabilitation, community development, and for the accommodation of future growth and redevelopment. 07/02/2018 Signed by Governor

- The Division supported this initiative. Strategic investments for improvement of publicly-owned infrastructure could help foster economic development. The program could assist municipalities in advancing projects to support job creation, affordable housing and rehabilitation. Grants awards would be made after consultation of the Statewide Planning Program and the RI Infrastructure Bank.

Proposed

S 2355 – Climate Change Coastal Adaptation Fund – Would have established a new trust fund. The trust would enable cities and towns and the State to apply for grants to fund projects that invest in measures that adapt infrastructure on public lands to address the impacts of climate change

- The Division supported this initiative. The Division would be represented on a technical advisory committee to the Department of Environmental Management.

S 2866 & H 8080 – Continuing Education for Local Planning and Zoning Boards – Would have required initial and continuing education in land use law and planning topics for local planning and zoning board and commission members. 04/26/2018 - House Municipal Government Committee – Heard & Held for Study

- The Division supported this initiative. The Division currently provides voluntary education for local officials through the Land Use Training Collaborative. Staff worked with various stakeholders and proposed revised language in a Sub A to the bill which would expand upon the existing framework and make best use of limited available funds. Sub A was not presented to the Committee.

H 7793 - Rhode Island Energy Resources Act – Would have required by July 1, 2019, the establishment of renewable energy siting ordinances in all municipalities which would meet the standards set by a working group within the Office of Energy Resources (OER) - 06/22/2018 – House (only) read and passed

- The Division supported this initiative. Staff worked with various stakeholders on revised language in a Sub A to reflect existing work of a stakeholder group of renewable energy siting interests. The Sub A would have made the production of standards a joint responsibility of OER and the Division with assistance from the Department of Environmental Management. Currently, the Division is the state agency charged under **§42-11-10** for developing standards and guidelines for the location of renewable energy resources and renewable energy facilities in RI.



Bills Related to Transportation

Enacted

24 BILLS TRACKED

(1 ENACTED - 16 HELD FOR STUDY - 2 WITH ACTIONS - 4 OF INTEREST)

S 2086 – Chapter 228 & **H 7104** - Chapter 123
RI General Law Affected: Chapter 42-13 - State Affairs and Government - Department of Transportation - Chapter 42-13 - Requires the Department of Transportation to identify the impact of Rhode Works projects and the realignment of the Newport Bridge ramps on Rhode Island small business commercial areas. 07/02&0 3/2018 Signed by Governor

H 8273 - Chapter 181 & **S 2907** – Chapter 276
RI General Law Affected: Chapter 39-18 - Public Utilities and Carriers – Public Transit Authority (RITPA) – Requires RIPTA to hold a public hearing at least 30 days prior any bus route change in the affected neighborhood and provide a neighborhood impact statement to local and state officials. 07/02/2018 Signed by Governor

Proposed

S 2666 – **Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund - Tolls** - 03/20/2018 Introduced, referred to Senate Finance (Did not have a hearing)

H7627 – **Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund – Tolls** - House Finance Committee - Heard & Held for further study

House Resolution No. 7399 - **A Proposition of Amendment to the Constitution – Restriction on Tolling** - House Finance Committee – Heard & Held for further study

House Resolution No. 7486 – **Joint Resolution to Approve and Publish and Submit to the Electors - A Proposition of Amendment to the Constitution – Restriction on Tolling** - House Finance Committee – Heard & Held for further study



Bills Related to State Affairs and Government

Enacted

17 BILLS TRACKED (1 ENACTED -16 HELD FOR STUDY)

S 2955 SUB A - Chapter 087 & **H 8319 SUB A** – Chapter 099

RI General Law Affected: Chapter 46-23 - Coastal Resources Management Council - This amends the composition, size, and requirements of memberships on the Coastal Resources Management Council. 06/28/2018 Signed by Governor

Resolutions Passed

11 BILLS TRACKED (1 PASSED BY BOTH – 5 PASSED BY HOUSE – 2 PASSED BY SENATE - 3 HELD FOR STUDY)

House Resolution No. 7381- Resolution 183 - Special Legislative Commission To Study the Efficiency and Cost of Implementing a Recycling Program for All Multi-Family Residential Units Including Condominium Complexes - 04/11/2018 House passed

House Resolution No. 7408 - Resolution 153 – Special Legislative Commission to Study the Establishment of Procedures to Regulate and License the Intentional Manipulation of the Global Environment through Geoengineering - 04/03/2018 House passed

House Resolution No. 7614 - Resolution 173 – Extending the Reporting Date of the Special House Commission to Study Implementation of a Food Recovery Incentive Program - 04/05/2018 House passed

House Resolution No. 8274 - Resolution 309 – Special Legislative Commission to Study the Low and Moderate-Income Housing Act - 06/13/2018 House passed

PASSED BY BOTH

Senate Resolution No. 2418 SUB A - Resolution 033 - House Resolution No. 7529 Resolution 355 - Special Legislative Commission to Study the Effects of Legalizing Marijuana 0 - 06/23/2018 House passed Sub A - 06/23/2018 Senate passed Sub A in concurrence



Bills related to Planning and Land Development

43 BILLS TRACKED (7 ENACTED -25 HELD FOR STUDY - 8 WITH ACTIONS - 3 OF INTEREST)

Enacted

S 2359 SUB A as amended – Chapter 241 & **H 7337 SUB A** - Chapter 142

RI General Law Affected: Chapter 34-9.1 - Maintenance of Private easements and Right-of-Way - Requires easement benefited property owners to pay costs to maintain easements or rights-of-way of property of another. 07/02/2018 Signed by Governor

S 2412 as amended - Chapter 243 & **H 7767 SUB A as amended-** Chapter 166

RI General Law Affected: Chapter 45-24 - Zoning (Merger Bill) - Requires when a proposed amendment to a zoning ordinance would cause a conforming lot of record to become nonconforming by lot area and/or frontage, and or result in a merger of lots, the city or town must provide written notice of the public hearing to all owners of real property whose lots are subject to merger clause and the impacts of common ownership of nonconforming lots. 07/02/2018 Signed by Governor

S 2413 SUB A – Chapter 244 & **H 7741 SUB A** Chapter 165

RI General Law Affected: Chapter 45-24 - Zoning - Amends the building height definition for property in special flood hazard areas. The building height would be measured from the base flood elevation. Effective March 1, 2019. 07/02/2018 Signed by Governor

S 2427 - Chapter 309 & **H 7616** – Chapter 331

RI General Law Affected: Chapter 44-5 - Levy and Assessment of Local Taxes - Requires notice to the assessor of new subdivisions of land and provides for a proration of real estate taxes to be applied thereto. 07/05/2018 Effective without Governor's signature

S 2682 – Chapter 261 & **H 7383 SUB A** - Chapter 145

RI General Law Affected: Chapter 34-20 - Property- Trespass and Actions for Possession - Prohibits encroachment upon open space land and allows the owner of open space land or holder of a conservation restriction to bring a civil action in superior court to remedy the encroachment of that land, and to recover damages. 07/02/2018 Signed by Governor

H 7426 - Chapter 212 & **S 2789** Chapter 268

RI General Law Affected: Chapter 45-23 - Subdivision of Land – Permits the substitution by a developer of sprinklers in new developments instead of cisterns or water reservoirs for fire suppression, if allowed by ordinance. 07/02/2018 Signed by Governor

H 7556 SUB A – Chapter 156

RI General Law Affected: Chapter 45-32 - Tax Increment Financing Act - Amends provisions of the tax increment financing act to encourage municipalities to use tax increment financing to facilitate economic development. 07/02/2018 Signed by Governor

Proposed

H 7769 – Subdivision of Land – Would have allowed residential only projects to remain minor and subject to the lesser time-period for certification. Adds more time for certification and resubmission at the master and preliminary plan phases on major projects but reducing such time for the final plan. Heard 03/08/2018 - House Municipal Government Committee - Held for further study. The Bill was endorsed by RI American Planning Association.

If you should have any questions regarding any of the bills listed above, please contact:

Nancy Hess, Supervising Land Use Planner, at nancy.hess@doa.ri.gov or 222-6480

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