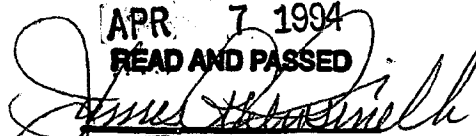
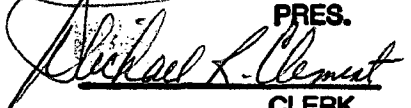


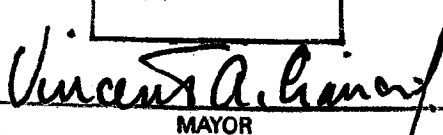
RESOLUTION OF THE CITY COUNCIL

No. 200

Approved April 15, 1994

RESOLVED, That the City Council endorses and urges passage by the General Assembly of Senate Bill 94-S 3057 and House Bill 94-H 8930 relating to the Public Drinking Act, in substantially the form attached.

IN CITY COUNCIL
APR 7 1994
READ AND PASSED

PRES.

CLERK

APPROVED
APR 15 1994

MAYOR

IN CITY COUNCIL

READ AND PASSED

BY

THE

IN CITY COUNCIL

FIRST READING
REFERRED TO COMMITTEE ON
~~FINANCE~~

Legislative Matters
Michael R. Clement CLERK

THE COMMITTEE ON

Legislative Matters
Approves Passage of
The Within Resolution *As Amended*
Barbara A. Gamin
3/31/94 *Cler*

Cancellation of Loan; Lombardi and Agazzi (By request)

PROVIDENCE WATER SUPPLY BOARD

Proposed Legislation

CONSERVATION TRUST FUND

This legislation proposes to amend the Public Drinking Water Act to establish a Conservation Trust Fund. The amendment will establish enabling legislation allowing water suppliers, whose governing Boards have determined that conservation is needed, to place into effect a funded conservation program. The essence of the program will be to allow rebates for the replacement of high-water-use toilets and to implement other conservation measures.

The proposal will also protect the State's water resources and will postpone the need for the construction of new source of supply facilities into the future.

The essence of the proposal is:

- Establishes enabling legislation for water suppliers to participate in water conservation.

- Funds to be used for retro-fitting of toilets with low volume commodes and other water conservation measures affecting end users.

- Levy 1.5¢ per Hundred Gallons, providing local City Councils or Water Boards determine that conservation is needed.

- Wholesalers receiving water from Providence must implement if Providence Water Board determines that conservation is needed.

- Suppliers may keep up to 10% for administration.

- Funds to be kept in restricted accounts by each supplier - no passing money to State and back.

- Primarily to be used for a rebate program for property-owners who replace toilets (approximately \$250 per toilet).

- Sunset clause after 15 years or if program finished earlier, plus 10-year extension if petitioned to legislature.

Approximate cost to customer using 75,000 gallons per year is less than \$12.

If approved, will save water, delay the need for building new reservoirs, reduce sewage disposal and treatment, improve water quality in the Bay, generate employment opportunities by plumbers and material suppliers.

PD1765

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1994

94-H 8930

A N A C T

RELATING TO WATER AND NAVIGATION --
PUBLIC DRINKING WATER PROTECTION

94-H 8930

Introduced By: Reps. Castro, S. Smith,
Moura, Lauzon, KushnerDate Introduced: February 17, 1994Referred To: Committee on Corporations

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Section 46-15.3-1.1 of the General Laws in Chapter
2 15.3 entitled "Public Drinking Water Protection" is hereby amended to
3 read as follows:
- 4 46-15.3-1.1. Legislative findings. -- The general assembly
5 hereby recognizes and declares that:
- 6 (a) Water is vital to life and comprises an invaluable natural
7 resource which is not to be abused by any segment of the state's popu-
8 lation or its economy. It is the policy of this state to restore,
9 enhance, and maintain the chemical, physical, and biological integrity
10 of its waters to protect public health;
- 11 (b) The waters of this state are a critical renewable resource
12 which must be protected to insure the availability of safe and potable
13 drinking water for present and future needs;
- 14 (c) It is a paramount policy of the state to protect the purity
15 of present and future drinking water supplies by protecting aquifers,
16 recharge areas, and watersheds;
- 17 (d) It is the policy of the state to restore and maintain the

1 quality of its waters to a quality consistent with its use for drink-
2 ing supplies and other designated beneficial uses without treatment as
3 feasible;

4 (e) Development of land areas near to supplies of drinking water
5 and related construction can threaten the quality of those supplies
6 and, therefore, can endanger public health; thus it is necessary to
7 take immediate and continuing steps to protect the watersheds of sur-
8 face waters and the reservoirs and recharge areas of ground waters
9 from land uses and activities which may degrade the quality of public
10 drinking water;

11 (f) Protection of water quality is necessary from the collection
12 source through the point of delivery to the ultimate consumer.

13 (g) The state of Rhode Island and Providence Plantations has been
14 endowed with many and abundant sources of water supplies located
15 advantageously throughout the state. The proper development, protec-
16 tion, conservation, and use of these water resources are essential to
17 health, safety, and welfare of the general public, and to the contin-
18 ued growth and economic development of the state;

19 (h) Adequate measures are needed to ensure that adequate drinking
20 water and fire suppression water supplies be available to the water
21 consumers in the state of Rhode Island.

22 (i) Adequate measures needed to postpone the construction of new
23 reservoirs and/or the development of alternate new sources of water
24 supply by promoting conservation and by providing funding for conser-
25 vation measures to the end water user.

26 (2) Adequate measures are needed to postpone the need to develop
27 new water supplies, to favorably impact conservation and the environ-
28 ment and will have a positive impact on the economy by infusing sub-
29 stantial dollar amounts into the marketplace.

30 (k) The establishment of a conservation trust fund will conserve
31 water, postpone rate increases for new sources of supply, create
32 employment opportunities (plumbers and material suppliers), protect
33 existing woodlands, decrease waste water treatment requirements, and

1 improve conditions of Narragansett Bay.

2 SECTION 2. Chapter 46-15.3 of the General Laws entitled "Public
3 Drinking Water Protection" is hereby amended by adding thereto the
4 following section:

5 46-15.3-15. Conservation trust fund. -- A statewide water con-
6 servation trust fund is hereby established to permit the levy of a
7 surcharge on all water users by the local water suppliers at a rate of
8 \$.015/100 gallons of water.

9 Prior to establishing the surcharge, each supplier, except
10 supplier's receiving water from the Providence water supply board,
11 shall determine whether there is a need for a funded conservation pro-
12 gram by first demonstrating the need for such a surcharge. If a find-
13 ing by the legislative body of the supplier is made that conservation
14 is not required, such a supplier shall not be required to levy a
15 surcharge. If a supplier, through its respective legislative body,
16 determines that a conservation program is needed, the supplier shall
17 be authorized to levy the surcharge and shall submit and incorporate a
18 conservation plan element, part of the supplier's of the water supply
19 management plan. Suppliers receiving water from the Providence water
20 supply board shall be required to levy the surcharge if the legis-
21 lative body of the Providence water supply board determines that con-
22 servation is needed and that the surcharge shall be levied to all con-
23 sumers of the Providence water supply board and all consumers of sup-
24 pliers receiving water from the Providence water supply board. This
25 surcharge shall be applicable to all consumers of water suppliers
26 within the state of Rhode Island which obtain, transport, purchase, or
27 sell more than fifty million dollars (\$50,000,000) gallons of water
28 per year.

29 Funds received from this charge are to be placed in a restricted
30 fund by each supplier and are to be used for water a conservation
31 projects exclusively. The funds shall be limited to end user water
32 efficiency improvements and shall not be used for system level
33 improvements; funds may be targeted at financing current water conser-

1 vation mandates such as residential retrofit and major user audits.
2 The primary use of these funds shall be to establish a rebate program
3 for retrofitting residential toilets with ultra low flow toilets.

4 Exceptions: If the surcharge is levied, it shall be levied from
5 all consumers, other than those exempted in Rhode Island general laws
6 section 46-15.3-5 from the water quality protection surcharges. Each
7 supplier shall retain these funds in a restricted account and adminis-
8 ter them consistent with the legislation. Use of the water conserva-
9 tion trust fund shall be consistent with an overall plan for the sys-
10 tem.

11 Each supplier levying the surcharge shall be authorized to retain
12 ten percent (10%) of the levy for administration and promotion of the
13 program and be required to expend the balance on direct end user water
14 facility improvements such as for retrofitting existing facilities
15 leading to water conservation.

16 The levy shall be discontinued upon completion of the program or
17 at the end of fifteen (15) years from the enactment of this legis-
18 lation, whichever occurs first. The legislature may authorize an
19 extension of this levy for another ten (10) years or until completion
20 of the program during that extension for suppliers who have not been
21 able to complete their conservation plan during the first period,
22 whichever occurs first.

23 Water suppliers who receive water from the Providence water
24 supply board shall implement the plan when the Providence water supply
25 board implements the plan and (a) shall use the fee for completion of
26 their conservation plan, and (b) when completed, each supplier shall
27 continue the levy and submit the fee to the Providence water supply
28 board until the water supply board completes its conservation plan.

29 Any supplier found in violation of the legislation shall be re-
30 quired to refund any and all funds collected.

31 The public utilities commission of the state of Rhode Island
32 shall not be required to review the levy of the surcharge, other than
33 the review of water management plans as currently provided for.

1 SECTION 3. This act shall take effect upon passage.

PD1765

94-H 8930

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO WATER AND NAVIGATION --
PUBLIC DRINKING WATER PROTECTION

1 This act amends Rhode Island general laws chapter 46-15.3 to
2 establish a Conservation Trust Fund to collect a surcharge of
3 \$.015/100 gallons of water from residential and commercial users
4 to be used for conservation measures.

5 This act would take effect upon passage.

PD1765

PROVIDENCE WATER SUPPLY BOARD

Proposed Legislation

CONSERVATION TRUST FUND

This legislation proposes to amend the Public Drinking Water Act to establish a Conservation Trust Fund. The amendment will establish enabling legislation allowing water suppliers, whose governing Boards have determined that conservation is needed, to place into effect a funded conservation program. The essence of the program will be to allow rebates for the replacement of high-water-use toilets and to implement other conservation measures.

The proposal will also protect the State's water resources and will postpone the need for the construction of new source of supply facilities into the future.

The essence of the proposal is:

Establishes enabling legislation for water suppliers to participate in water conservation.

Funds to be used for retro-fitting of toilets with low volume commodes and other water conservation measures affecting end users.

Levy 1.5¢ per Hundred Gallons, providing local City Councils or Water Boards determine that conservation is needed.

Wholesalers receiving water from Providence must implement if Providence Water Board determines that conservation is needed.

Suppliers may keep up to 10% for administration.

Funds to be kept in restricted accounts by each supplier - no passing money to State and back.

Primarily to be used for a rebate program for property-owners who replace toilets (approximately \$250 per toilet).

Sunset clause after 15 years or if program finished earlier, plus 10-year extension if petitioned to legislature.

Approximate cost to customer using 75,000 gallons per year is less than \$12.

If approved, will save water, delay the need for building new reservoirs, reduce sewage disposal and treatment, improve water quality in the Bay, generate employment opportunities by plumbers and material suppliers.

PD1773

9 4 --

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1994

94-S 3057

A N A C T

RELATING TO WATER AND NAVIGATION --
PUBLIC DRINKING WATER PROTECTION

94 - S - 3057

Introduced By: Senators Walton,
Goodwin, Perry,
Kells, O'Leary,
et. al.

Date Introduced: February 17, 1994

Referred To: Senate Committee on
Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 46-15.3-1.1 of the General Laws in Chapter
2 15.3 entitled "Public Drinking Water Protection" is hereby amended to
3 read as follows:

4 46-15.3-1.1. Legislative findings. -- The general assembly
5 hereby recognizes and declares that:

6 (a) Water is vital to life and comprises an invaluable natural
7 resource which is not to be abused by any segment of the state's popu-
8 lation or its economy. It is the policy of this state to restore,
9 enhance, and maintain the chemical, physical, and biological integrity
10 of its waters to protect public health;

11 (b) The waters of this state are a critical renewable resource
12 which must be protected to insure the availability of safe and potable
13 drinking water for present and future needs;

14 (c) It is a paramount policy of the state to protect the purity
15 of present and future drinking water supplies by protecting aquifers,
16 recharge areas, and watersheds;

17 (d) It is the policy of the state to restore and maintain the

1 quality of its waters to a quality consistent with its use for drink-
2 ing supplies and other designated beneficial uses without treatment as
3 feasible;

4 (e) Development of land areas near to supplies of drinking water
5 and related construction can threaten the quality of those supplies
6 and, therefore, can endanger public health; thus it is necessary to
7 take immediate and continuing steps to protect the watersheds of sur-
8 face waters and the reservoirs and recharge areas of ground waters
9 from land uses and activities which may degrade the quality of public
10 drinking water;

11 (f) Protection of water quality is necessary from the collection
12 source through the point of delivery to the ultimate consumer.

13 (g) The state of Rhode Island and Providence Plantations has been
14 endowed with many and abundant sources of water supplies located
15 advantageously throughout the state. The proper development, protec-
16 tion, conservation, and use of these water resources are essential to
17 health, safety, and welfare of the general public, and to the contin-
18 ued growth and economic development of the state;

19 (h) Adequate measures are needed to ensure that adequate drinking
20 water and fire suppression water supplies be available to the water
21 consumers in the state of Rhode Island.

22 (i) Adequate measures needed to postpone the construction of new
23 reservoirs and/or the development of alternate new sources of water
24 supply by promoting conservation and by providing funding for conser-
25 vation measures to the end water user.

26 (2) Adequate measures are needed to postpone the need to develop
27 new water supplies, to favorably impact conservation and the environ-
28 ment and will have a positive impact on the economy by infusing sub-
29 stantial dollar amounts into the marketplace.

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10 supplier's receiving water from the Providence water supply board,
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12 gram by first demonstrating the need for such a surcharge. If a find-
13 ing by the legislative body of the supplier is made that conservation
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16 determines that a conservation program is needed, the supplier shall
17 be authorized to levy the surcharge and shall submit and incorporate a
18 conservation plan element, part of the supplier's of the water supply
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21 lative body of the Providence water supply board determines that con-
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23 sumers of the Providence water supply board and all consumers of sup-
24 pliers receiving water from the Providence water supply board. This
25 surcharge shall be applicable to all consumers of water suppliers
26 within the state of Rhode Island which obtain, transport, purchase, or
27 sell more than fifty million dollars (\$50,000,000) gallons of water
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30 fund by each supplier and are to be used for water a conservation
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1 vation mandates such as residential retrofit and major user audits.
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9 tion trust fund shall be consistent with an overall plan for the sys-
10 tem.

11 Each supplier levying the surcharge shall be authorized to retain
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13 program and be required to expend the balance on direct end user water
14 facility improvements such as for retrofitting existing facilities
15 leading to water conservation.

16 The levy shall be discontinued upon completion of the program or
17 at the end of fifteen (15) years from the enactment of this legis-
18 lation, whichever occurs first. The legislature may authorize an
19 extension of this levy for another ten (10) years or until completion
20 of the program during that extension for suppliers who have not been
21 able to complete their conservation plan during the first period,
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26 their conservation plan, and (b) when completed, each supplier shall
27 continue the levy and submit the fee to the Providence water supply
28 board until the water supply board completes its conservation plan.

29 Any supplier found in violation of the legislation shall be re-
30 quired to refund any and all funds collected.

31 The public utilities commission of the state of Rhode Island
32 shall not be required to review the levy of the surcharge, other than
33 the review of water management plans as currently provided for.

1 SECTION 3. This act shall take effect upon passage.

PD1773

94-S 3057

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO WATER AND NAVIGATION --
PUBLIC DRINKING WATER PROTECTION

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PD1773
