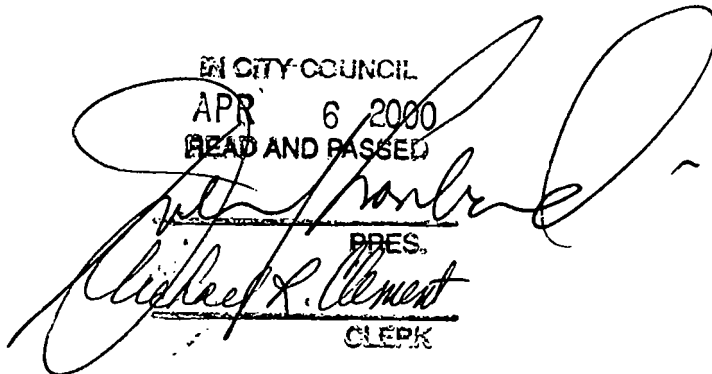


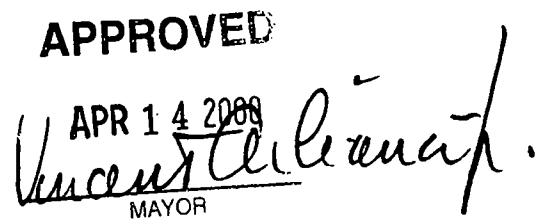
# RESOLUTION OF THE CITY COUNCIL

No. 201

*Approved* April 14, 2000

RESOLVED, that the City Council endorses and urges passage by the General Assembly of Senate Bill 2000-S 2671 and House Bill 2000-H 7689 Relating to Lead Paint Actions, in substantially the form attached.

IN CITY COUNCIL  
APR 6 2000  
READ AND PASSED  
  
PRES.  
CLERK

APPROVED  
APR 14 2000  
  
MAYOR

2000 --

=====  
LC01890  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2000

————— **2000-S 2671**  
A N A C T

RELATING TO LEAD PAINT ACTIONS

00-S 2671

Introduced By: Senators Goodwin, Perry, Igliazzi,  
Graziano, Kells, et al.

Date Introduced: February 10, 2000

Referred To: Senate Committee on Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby  
2 amended by adding thereto the following section:

3           9-1-14.4. Limitation on lead paint actions. -- Any action brought by or on behalf of  
4 any city, town, school committee or district, housing authority or any other agency or political  
5 subdivision of any city or town to recover any costs associated with lead paint/pigment and/or  
6 tetraethyl lead corrective actions, including, but not limited to, the removal and replacement of  
7 lead paint/lead paint pigment and materials containing them, the costs of special education and  
8 other education and other costs incurred on behalf of individuals damaged by exposure to lead  
9 paint/pigment and/or tetraethyl lead, the costs of any and all public education efforts related to the  
10 hazards of lead paint/pigment and/or tetraethyl lead, the costs of code enforcement, the costs of  
11 housing court, the costs of health care/screening programs/testing programs/medication, and the  
12 like necessitated by exposure to lead paint/pigment and/or tetraethyl lead, the recovery of all and  
13 any other legally recoverable damages resulting from lead exposure, lead pigment and/or  
14 tetraethyl lead exposure shall be commenced only within ten (10) years next after such city, town,  
15 school committee or district, housing authority or any other agency or political subdivision of any  
16 city or town incurred such expense.

17           (b) Notwithstanding the provisions of subsection (a), any city, town, school committee  
18 or district, housing authority or any other agency or political subdivision of any city or town may

# 2000-S 2671

1 commence an action to recover any of the costs enumerated in subsection (a) even if the recovery  
2 of all such costs would otherwise be barred as a result of the expiration of the applicable period  
3 of limitation of action of any time prior to January 1, 2001, provided, however, that such action is  
4 commenced prior to January 1, 2001. It is a specific intent of this legislation to, retroactively  
5 revive any time-barred causes of action concerning the above claims.

6 SECTION 2. This act shall take effect upon passage.

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LC01890  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO LEAD PAINT ACTIONS

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1 This act provides a statute of limitation in which certain entities may bring a law suit for  
2 damages involving lead paint.

3 This act would take effect upon passage.

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LC01886

# STATE OF RHODE ISLAND

## IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2000

A N A C T

**2000-H 7689**

### RELATING TO LEAD PAINT ACTIONS

2000-H 7689

Introduced By: Reps. McCauley, Abdullah-Odiase, Slater, Ajello,  
and Palangio

Date Introduced: February 3, 2000

Referred To: Committee on Judiciary

It is enacted by the General Assembly as follows:

- 1           SECTION 1. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby  
2   amended by adding thereto the following section:
- 3           9-1-14.4. Limitation on lead paint actions. -- Any action brought by or on behalf of  
4   any city, town, school committee or district, housing authority or any other agency or political  
5   subdivision of any city or town to recover any costs associated with lead paint/pigment and/or  
6   tetraethyl lead corrective actions, including, but not limited to, the removal and replacement of  
7   lead paint/lead paint pigment and materials containing them, the costs of special education and  
8   other education and other costs incurred on behalf of individuals damaged by exposure to lead  
9   paint/pigment and/or tetraethyl lead, the costs of any and all public education efforts related to the  
10   hazards of lead paint/pigment and/or tetraethyl lead, the costs of code enforcement, the costs of  
11   housing court, the costs of health care/screening programs/testing programs/medication, and the  
12   like necessitated by exposure to lead paint/pigment and/or tetraethyl lead, the recovery of all and  
13   any other legally recoverable damages resulting from lead exposure, lead pigment and/or  
14   tetraethyl lead exposure shall be commenced only within ten (10) years next after such city, town,  
15   school committee or district, housing authority or any other agency or political subdivision of any  
16   city or town incurred such expense.
- 17           (b) Notwithstanding the provisions of subsection (a), any city, town, school committee  
18   or district, housing authority or any other agency or political subdivision of any city or town may

# 2000-H 7689

1 commence an action to recover any of the costs enumerated in subsection (a) even if the recovery  
2 of all such costs would otherwise be barred as a result of the expiration of the applicable period  
3 of limitation of action of any time prior to January 1, 2001, provided, however, that such action is  
4 commenced prior to January 1, 2001. It is a specific intent of this legislation to, retroactively  
5 revive any time-barred causes of action concerning the above claims.

6 SECTION 2. This act shall take effect upon passage.

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LC01886  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO LEAD PAINT ACTIONS

\*\*\*

1 This act provides a statute of limitation in which certain entities may bring a law suit for  
2 damages involving lead paint.

3 This act would take effect upon passage.

# RESOLUTION OF THE CITY COUNCIL

No. 202

*Approved* April 14, 2000

RESOLVED, that the City Council endorses and urges passage by the General Assembly of Senate Bill 2000-S 2688 and House Bill 2000-H 8016 Relating to The Downcity Section of Providence, in substantially the form attached.

IN CITY COUNCIL  
APR 6 2000  
READ AND PASSED  
PRES.  
Michael R. Clement  
CLERK

APPROVED  
APR 14 2000  
Vincenzo A. Cianci  
MAYOR

100000

2000 --

=====  
LC02102  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2000

—————**2000-S 2688**  
A N A C T

RELATING TO THE DOWNCITY SECTION OF PROVIDENCE

00-S 2688

Introduced By: Senators Roney, Ruggerio, Igliazzi,  
Perry, Goodwin, et al.

Date Introduced: February 10, 2000

Referred To: Senate Committee on Finance

It is enacted by the General Assembly as follows:

1 SECTION 1.

2 WHEREAS. The Downcity section of Providence is an important state resource because  
3 of the high quality of its architecture, the important role that it has played in the history of the  
4 state, and the proximity of Downcity to the Capital Center and other areas of major investment;  
5 and

6 WHEREAS. Downcity is the home of such important institutions as Trinity Repertory  
7 Company, Johnson & Wales University, the Providence Performing Arts Center, the University  
8 of Rhode Island's Providence Campus, Roger Williams University's Providence Campus, the  
9 Rhode Island School of Design, the Rhode Island Convention Center and the Westin Hotel, both  
10 of which the state has a substantial investment in; and

11 WHEREAS. *In recent decades the Downcity area has suffered from loss of retail and*  
12 *office space, and currently has extensive vacancies on the upper floors; and*

13 WHEREAS. *New private investment is needed to rehabilitate buildings and introduce*  
14 *economically viable uses to the area, but investment has been insufficient because of the high*  
15 *cost of renovation and the difficulty of obtaining commercial tenants;*

16 THEREFORE. The General Assembly finds that is in the public interest to provide  
17 property tax incentives for owners of under-utilized property in the Downcity district, so that they  
18 may substantially rehabilitate their properties and attract new residential, commercial, and



1 institutional uses. The General Assembly also finds that it is in the public interest to offer these  
2 incentives for a limited period in order to bring about the rehabilitation of deteriorated properties  
3 on an expedited basis.

4 SECTION 2. The Providence City Council may by ordinance create a Downcity Tax  
5 District, and provide special tax considerations for designated properties within the district.

6 Upon enactment, property taxes levied on eligible properties as of December 31, 2000  
7 shall reflect the adopted tax considerations. Owners of eligible properties are required to begin  
8 renovations by December 31, 2003 in order to qualify for continued tax considerations.  
9 Properties that fail to meet this deadline will be required retroactively to pay the difference  
10 between their actual tax payments and what they would have paid if ineligible for the specified  
11 tax considerations.

12 Eligible properties shall be taxable properties located within the area bounded by  
13 Dorrance, Pine, Empire and Sabin Streets within the City of Providence; and shall have been  
14 more than fifty percent (50%) vacant as of December 31, 1999 or, although more than fifty  
15 percent (50%) occupied, shall be eligible if certified by the city Building Inspector as in need of  
16 substantial rehabilitation.

17 Buildings demolished after December 31, 1999 shall be ineligible. Properties already  
18 vacant as of this date shall be eligible if the owners construct new structures, including parking  
19 garages. Tax benefits for eligible properties shall be transferable to new owners or tenants, but  
20 the life of the tax considerations shall not be extended.

21 Substantial rehabilitation shall mean rehabilitation that adheres to the applicable building  
22 and fire codes, extends to all occupiable floors of the building, and equals at least fifty percent  
23 (50%) of the current replacement value of the structure, as certified by the city Building  
24 Inspector.

25 This statute shall not diminish the authority of any body to review and approve the  
26 construction plans for overall appearance or historical preservation standards.

27 The City of Providence shall have the authority to provide tax considerations for a period  
28 beginning with the assessments of December 31, 2000 up to and including December 31, 2010.  
29 During this period, eligible properties shall pay annual taxes on land and buildings in an amount  
30 equal to the tax assessed as of December 31, 1998. This tax shall be fixed regardless of changes  
31 in the tax rate, or of changes in valuation resulting from periodic revaluation. During this period  
32 of eligibility, the tax shall be fixed regardless of increased property value resulting from  
33 substantial rehabilitation.

## 2000-S 2688

1        During the period of eligibility, Providence shall also be authorized to use special  
2        considerations in taxing tangible property located in businesses in eligible properties. For the ten  
3        year period, the rate of thirty-three dollars and forty-four cents (\$33.44) shall be applied annually  
4        to tangible property value as it is determined and may change from year to year. This  
5        consideration shall apply to all taxable businesses occupying eligible properties during the period  
6        of eligibility, regardless of when they first occupied the property.

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

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LC02102  
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2000 --

LC02442

# STATE OF RHODE ISLAND

## IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2000

**2000-H 8016**

## A N A C T

### RELATING TO THE DOWNCITY SECTION OF PROVIDENCE

2000-H 8016

Introduced By: Reps. Moura, Slater, Costantino, McCauley  
and Cicilline

Date Introduced: March 8, 2000

Referred To: Committee on Corporations

It is enacted by the General Assembly as follows:

1           SECTION 1.

2           WHEREAS. The Downcity section of Providence is an important state resource because  
3 of the high quality of its architecture, the important role that it has played in the history of the  
4 state, and the proximity of Downcity to the Capital Center and other areas of major investment;  
5 and

6           WHEREAS, Downcity is the home of such important institutions as Trinity Repertory  
7 Company, Johnson & Wales University, the Providence Performing Arts Center, the University  
8 of Rhode Island's Providence Campus, Roger Williams University's Providence Campus, the  
9 Rhode Island School of Design, the Rhode Island Convention Center and the Westin Hotel, both  
10 of which the state has a substantial investment in; and

11          WHEREAS, In recent decades the Downcity area has suffered from loss of retail and  
12 office space, and currently has extensive vacancies on the upper floors; and

13          WHEREAS, New private investment is needed to rehabilitate buildings and introduce  
14 economically viable uses to the area, but investment has been insufficient because of the high  
15 cost of renovation and the difficulty of obtaining commercial tenants;

16          THEREFORE, The General Assembly finds that is in the public interest to provide  
17 property tax incentives for owners of under-utilized property in the Downcity district, so that they  
18 may substantially rehabilitate their properties and attract new residential, commercial, and

1 institutional uses. The General Assembly also finds that it is in the public interest to offer these  
2 incentives for a limited period in order to bring about the rehabilitation of deteriorated properties  
3 on an expedited basis.

4 SECTION 2. The Providence City Council may by ordinance create a Downcity Tax  
5 District, and provide special tax considerations for designated properties within the district.

6 Upon enactment, property taxes levied on eligible properties as of December 31, 2000  
7 shall reflect the adopted tax considerations. Owners of eligible properties are required to begin  
8 renovations by December 31, 2003 in order to qualify for continued tax considerations.  
9 Properties that fail to meet this deadline will be required retroactively to pay the difference  
10 between their actual tax payments and what they would have paid if ineligible for the specified  
11 tax considerations.

12 Eligible properties shall be taxable properties located within the area bounded by  
13 Dorrance, Pine, Empire and Sabin Streets within the City of Providence; and shall have been  
14 more than fifty percent (50%) vacant as of December 31, 1999 or, although more than fifty  
15 percent (50%) occupied, shall be eligible if certified by the city Building Inspector as in need of  
16 substantial rehabilitation.

17 Buildings demolished after December 31, 1999 shall be ineligible. Properties already  
18 vacant as of this date shall be eligible if the owners construct new structures, including parking  
19 garages. Tax benefits for eligible properties shall be transferable to new owners or tenants, but  
20 the life of the tax considerations shall not be extended.

21 Substantial rehabilitation shall mean rehabilitation that adheres to the applicable building  
22 and fire codes, extends to all occupiable floors of the building, and equals at least fifty percent  
23 (50%) of the current replacement value of the structure, as certified by the city Building  
24 Inspector.

25 This statute shall not diminish the authority of any body to review and approve the  
26 construction plans for overall appearance or historical preservation standards.

27 The City of Providence shall have the authority to provide tax considerations for a period  
28 beginning with the assessments of December 31, 2000 up to and including December 31, 2010.  
29 During this period, eligible properties shall pay annual taxes on land and buildings in an amount  
30 equal to the tax assessed as of December 31, 1998. This tax shall be fixed regardless of changes  
31 in the tax rate, or of changes in valuation resulting from periodic revaluation. During this period  
32 of eligibility, the tax shall be fixed regardless of increased property value resulting from  
33 substantial rehabilitation.

# 2000-H 8016

1           During the period of eligibility, Providence shall also be authorized to use special  
2   considerations in taxing tangible property located in businesses in eligible properties. For the ten  
3   year period, the rate of thirty-three dollars and forty-four cents (\$33.44) shall be applied annually  
4   to tangible property value as it is determined and may change from year to year. This  
5   consideration shall apply to all taxable businesses occupying eligible properties during the period  
6   of eligibility, regardless of when they first occupied the property.

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

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LC02442  
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