

To: Town Council  
From: Linda Ujifusa and J. Mark Ryan  
Re: 2022 Rhode Island General Assembly Legislative Priorities  
Date: January 4, 2022

**Background:** Each year, Portsmouth Town Council and Schools Committee independently meet to develop their respective state legislative priorities, then present those priorities to Portsmouth state legislators. We will be meeting January 10, 2022 to discuss Town Council priorities and present them to state legislators at a joint Town Council and School Committee meeting on January 24, 2022. Below are our recommendations, followed by staff recommendations, for discussion and action.

### **1) Expand the Open Meetings Act to permit in-person, virtual and hybrid meetings**

The Omicron variant is extremely dangerous and we cannot limit public meetings to in-person events. See [letter](#) from American College of Emergency Physicians – RI Chapter and [op-ed](#) by Steven Brown, Executive Director, ACLU of Rhode Island, Linda Levin, President, ACCESS/RI, John Marion, Executive Director, Common Cause Rhode Island, Michael McDermott, Board Member, ACCESS/RI, John Pantalone, Associate Professor of Journalism, University of Rhode Island, Scott Pickering, Board Member, ACCESS/RI, Ethan Shorey, Co-President, R.I. Press Association, Justin Silverman, Executive Director, New England First Amendment Coalition.

We urge our legislators to push the Governor to reinstate his prior executive order or if he fails to act, immediately pass legislation permitting virtual and hybrid meetings.

### **2) Reverse past state tax cuts for the wealthiest Rhode Islanders**

The RI League of Cities and Towns has noted, “Every state dollar to cities and towns and schools is effectively a dollar in property tax relief.” The 2006 state tax cut for the wealthiest Rhode Islanders effectively raised municipal property taxes. See <http://www.rifuture.org/ris-tax-cuts-for-the-rich-were-2nd-biggest-of-decade/> and <https://www.washingtonpost.com/business/2020/12/23/tax-cuts-rich-trickle-down/>.

The middle class now pays more in taxes than the wealthy. See <https://www.economicprogressri.org/index.php/2018/10/18/study-finds-the-wealthy-pay-a-lesser-share-of-their-income-in-taxes-in-r-i/> <https://upriseri.com/2018-10-17-who-pays/> and <https://itep.sfo2.digitaloceanspaces.com/whopays-ITEP-2018.pdf>.

We urge our state legislators to adopt the Revenue for Rhode Island proposal set forth at <https://revenueforri.org/> so that those making more than \$450,000 in annual income pay their fair share. Myths about “trickle down” and “millionaire flight” must be refuted. See <https://itep.org/no-need-for-the-mythbusters-the-millionaire-tax-flight-myth-is-busted-again/>.

### **3) Improve and protect internet service**

The pandemic emphasized how essential the internet is to our daily lives (e.g., distance learning, telemedicine, public meetings, etc.). Although Portsmouth does not currently have the resources to create a municipal fiber network like [New Shoreham](#), we urge state legislators to support efforts to protect and improve our existing system. See [here](#).

### **4) Limit fossil fuel infrastructure construction**

Old Mill Lane has shown that a private corporation like National Grid (NGrid) presses for “solutions” that prioritize its profits over environmental or consumer benefits. See Linda Ujifusa memo to Town Council, 3/16/21 [here](#) and <https://calpirg.org/feature/cap/end-fossil-fuel-subsidies>

Moreover, PPL Corporation’s proposed purchase of NGrid’s RI component (Narragansett Electric

Company) threatens to exacerbate problems. Specifically, PPL has no experience working to meet emissions goals nor help municipalities with aggregation projects. See RI AG experts' [objections here](#).

These “public utilities” should be required to redirect their profits to funding projects that actually help consumers and the Rhode Island economy. State legislators should impose more restrictions on fossil fuel infrastructure construction (e.g., limiting corporate profits, requiring clean-up of abandoned assets, etc.) and oppose the PPL purchase.

### **5) Remove private corporate middlemen who make universal healthcare unaffordable**

Given the devastating effect that lack of health insurance has had before and during the COVID-19 pandemic and the enormous health insurance costs making up most Other Post-Employment Benefits (OPEB), state legislators should support [single payer legislation](#), including state legislation to remove private insurance company middlemen, especially Medicaid Managed Care Organizations ([MCOs](#)) and their contractor Pharmacy Benefit Managers ([PBMs](#)).

Every industrialized nation in the world, except the United States, offers guaranteed universal health insurance under a “single payer” type system and enjoys better health outcomes for about one-half the cost. See <https://pnhp.org> Even the most conservative analyses have found that Medicare for All would cost less than the current inefficient multi-payer health insurance system. See, e.g., <https://www.cbo.gov/publication/56811>

### **6) Recreational Marijuana**

It is no secret that RI will be heading down the path of legalizing recreational marijuana to attempt to close budget holes. Portsmouth currently has 1 of the 3 medical marijuana facilities in RI and they are sure to change to full service once recreational is approved. Portsmouth and other host communities need help in anticipated expenses from policing activities related to legalization of recreational marijuana. Each hosting community should receive a tax associated from each sale to help offset future expenses. The Massachusetts Statute provides 3% payments to communities plus the ability to apply a local sales tax not to exceed 3%. The Portsmouth Town Council would like to request these fees be the minimum included into any bill. We would also like to limit the number of facilities by population and suggest that a maximum of 1 facility per 50,000 residents per host communities.

#### **Staff Legislative Priorities list:**

- Promote State takeover and maintenance of Defense Highway / Stringham Road from the Navy. Working with Cornelia.
- Provide funding for Stone Bridge improvements.
- Ask again for our legislators to introduce the bill to amend the RI Zoning Enabling Act to state that municipalities may have provisions in their zoning ordinances to consider proposed land uses that are not specifically listed in the table of uses (which passed the Senate in the 2021 session (2021 S 0116) but was not acted upon by the House).
- Request our legislative delegation to introduce bills, in next year’s session, to amend our municipal court enabling statute in a similar fashion, so we could prosecute building code violations in a local municipal housing court (which would for all intents and purposes be the same court with the same judge, same clerk, etc.). If the legislature is giving such authority to other municipalities, I see no reason why it would not do the same for Portsmouth.
  - In 2017, the General Assembly amended Warren’s municipal court enabling statute, and in 2018, the General Assembly repealed and replaced Lincoln’s municipal court enabling

statute, to also establish a municipal housing court which would have jurisdiction over violations of the state building code. Here are links to the bills showing how those statutes were amended.

- <http://webservice.rilin.state.ri.us/PublicLaws/law17/law17360.htm>
- <http://webservice.rilin.state.ri.us/PublicLaws/law18/law18324.htm>
- In 2020, the General Assembly passed a new enabling statute for South Kingstown to have a municipal court, and a municipal housing court which would have jurisdiction over violations of the state building code. Here is a link to that statute.
  - <http://webservice.rilegislature.gov//Statutes/TITLE45/45-2/45-2-67.HTM>
- Create a centralized business database to effectively communicate with our businesses.
  - RIGL 6-1 requires a sworn paper form for municipality business registration. In the past five years, many unsuccessful attempts have been made by the legislators and State officials to improve the business registration process. The process needs to:
    - a. Provide for a uniform, electronic business registration system that provide an accurate and up-to-date data base of business information.
    - b. Enable town business development managers the ability to easily interact with businesses to assess their needs and quantify their effect on the economy.
- Create a cabinet-level position tasked to improve the coordination of electronic connectivity and commerce.
  - This will enable us to develop a “Smart-Town” strategy, supported by a comprehensive, actionable framework that coordinates and synergizes both existing and future technologies so that government can effectively communicate and interact with its citizens to:
    - Make the lives of the people who live, work and visit our town better through smart Information and Communications Technology.
    - Enable bold action to transform the town to benefit our people through technology
    - Make the Town “Smart and Connected” through
      - Reliable High Speed Internet Connectivity,
      - “Smart” Intra-activity and Collaboration
      - “Smart” Citizen Engagement
      - “Smart” Safety
      - “Smart” Government Transparency