



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration
BUDGET OFFICE
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Memorandum

To: The Honorable Steven M. Costantino
Chairman, House Finance Committee

The Honorable Daniel DaPonte
Chairman, Senate Finance Committee

From: Rosemary Booth Gallogly *RB Gallogly*
Executive Director/State Budget Officer

Date: April 2, 2009

Subject: Revised Article 9 for the FY 2010 Appropriations
Act (09-H-5983)

The Governor requests that Article 9, Relating to Municipal Tipping Fees be replaced with the attached version. The amended version corrects the recycling rate brackets upon which the municipal tipping fee rates are based. This amendment is requested to eliminate any ambiguity as to what tipping fee rates municipalities are to be charged with the varying municipal recycling rates. The amended sections are indicated by shading.

If you have any questions regarding this amendment, feel free to call me at 222-6300 or Gregory Stack at 222-2194.

RBG:sm09-138
cc: Michael O'Keefe
Peter Marino
Tim Costa
Michael Cronan
Gregory Stack

REVISED ARTICLE 9

RELATING TO MUNICIPAL TIPPING FEES

SECTION 1. Section 39-3-11.2 of the General Laws in Chapter 39-3 entitled "Regulatory Powers of Administration" is hereby amended to read as follows:

§ 39-3-11.2 Interim rates. – Notwithstanding the provisions of titles 23 and 39, the municipal tipping fee charged by the resource recovery corporation shall be as follows:

(1) Thirty-two dollars (\$32.00) per ton from ~~July 1, 2008 to June 30, 2009~~ July 1, 2009 to June 30, 2010, for any municipality that recycles between zero percent (0%) and ~~twenty four percent (24%)~~ twenty-three and ninety-nine hundredths percent (23.99%) of its solid waste at the corporation's material recycling facility ("MRF") in Johnston.

(2) Thirty-one dollars (\$31.00) per ton from ~~July 1, 2008 to June 30, 2009~~ July 1, 2009 to June 30, 2010, for any municipality that recycles between ~~twenty five percent (25%)~~ twenty four percent (24%) and ~~twenty nine percent (29%)~~ twenty-nine and ninety-nine hundredths percent (29.99%) of its solid waste at the Corporation's ("MRF") in Johnston.

(3) Thirty dollars (\$30.00) per ton from ~~July 1, 2008 to June 30, 2009~~ July 1, 2009 to June 30, 2010, for any municipality that recycles between thirty percent (30%) and ~~thirty four percent (34%)~~ thirty-four and ninety-nine hundredths percent (34.99%) of its solid waste at the Corporation's ("MRF") in Johnston.

(4) Twenty-nine dollars (\$29.00) per ton from ~~July 1, 2008 to June 30, 2009~~ July 1, 2009 to June 30, 2010, for any municipality that recycles thirty-five percent (35%) or more of its solid waste at the Corporation's ("MRF") in Johnston.

(5) The corporation shall issue a rebate not later than ~~August 1, 2009~~ September 1, 2010 to those municipalities qualifying for a year end tipping fee adjustment according to the municipality's actual recorded tonnage delivered to the MRF in Johnston, and in accordance

with the provisions of the municipality's current-year signed solid waste and recycling services agreement with the corporation.

SECTION 2. This article shall take effect as of July 1, 2009.

Projected Municipal Tip Fee Rebates FY09 - Revised 3/24/09

Municipality	Refuse Tons (12 Months Ending 2/28/09)	Municipal Solid Waste Cap FY09	Projected FY09 MRF Rate (7 Months Ending 2/28/09)	Projected Municipal Tip Fee Rebate for FY09	Projected Over Cap Tons FY09	Projected Over Cap Charges (\$26 Per Ton)	Projected FY09 Total Charges	Charges at Statutory Rate (\$51.36)
Barrington	5,945	6,222	28.02%	\$ 5,945	-	\$ -	\$ 184,303	\$ 299,403
Bristol	7,686	8,438	17.18%	\$ -	-	\$ -	\$ 245,944	\$ 394,740
Burrillville	5,343	6,016	23.41%	\$ -	-	\$ -	\$ 170,960	\$ 274,391
Central Falls	4,274	7,105	24.71%	\$ 4,274	-	\$ -	\$ 132,501	\$ 215,251
Charlestown	792	3,142	33.49%	\$ 1,584	-	\$ -	\$ 23,759	\$ 39,092
Coventry	13,093	12,907	21.11%	\$ -	186	\$ 4,837	\$ 423,814	\$ 677,296
Cranston	27,482	29,684	21.72%	\$ -	-	\$ -	\$ 879,432	\$ 1,411,488
Cumberland	12,015	12,081	24.71%	\$ 12,015	-	\$ -	\$ 372,476	\$ 605,094
East Greenwich	4,483	4,981	28.90%	\$ 4,483	-	\$ -	\$ 138,966	\$ 225,753
East Providence	14,406	17,656	24.33%	\$ 14,406	-	\$ -	\$ 446,595	\$ 725,500
Exeter	2,080	2,352	24.76%	\$ 2,080	-	\$ -	\$ 64,482	\$ 104,751
Foster	1,943	1,644	23.92%	\$ -	299	\$ 7,774	\$ 69,950	\$ 107,566
Glocester	3,152	3,852	23.39%	\$ -	-	\$ -	\$ 100,860	\$ 161,881
Jamestown	2,657	2,196	27.06%	\$ 2,196	461	\$ 11,997	\$ 94,838	\$ 146,285
Johnston	15,559	10,618	12.91%	\$ -	4,941	\$ 128,454	\$ 626,327	\$ 927,541
Lincoln	7,412	7,999	22.12%	\$ -	-	\$ -	\$ 237,198	\$ 380,703
Little Compton	1,911	1,361	20.15%	\$ -	550	\$ 14,301	\$ 75,453	\$ 112,451
Middletown	2,243	6,365	43.61%	\$ 6,729	-	\$ -	\$ 65,048	\$ 108,473
Newport	7,657	9,470	23.34%	\$ -	-	\$ -	\$ 245,040	\$ 393,289
New Shoreham	2,184	1,840	22.63%	\$ -	344	\$ 8,952	\$ 78,849	\$ 121,137
North Kingstown	7,012	10,027	34.88%	\$ 14,024	-	\$ -	\$ 210,366	\$ 346,123
North Providence	11,398	12,158	18.90%	\$ -	-	\$ -	\$ 364,729	\$ 585,390
North Smithfield	3,800	3,948	27.22%	\$ 3,800	-	\$ -	\$ 117,811	\$ 191,386
Pawtucket	19,726	26,899	16.86%	\$ -	-	\$ -	\$ 631,222	\$ 1,013,111
Portsmouth	6,711	6,534	17.95%	\$ -	177	\$ 4,600	\$ 219,350	\$ 349,274
Providence	68,324	60,629	10.13%	\$ -	7,695	\$ 200,066	\$ 2,386,429	\$ 3,709,178
Richmond	4,050	2,921	14.69%	\$ -	1,129	\$ 29,353	\$ 158,952	\$ 237,360
Scituate	4,653	3,949	21.50%	\$ -	704	\$ 18,308	\$ 167,209	\$ 257,294
Smithfield	6,834	7,875	26.10%	\$ 6,834	-	\$ -	\$ 211,839	\$ 344,136
Narragansett	-	-	0.00%	\$ -	-	\$ -	\$ -	\$ -
South Kingstown	5,442	10,877	27.62%	\$ 5,442	-	\$ -	\$ 168,687	\$ 274,034
Tiverton	-	-	0.00%	\$ -	-	\$ -	\$ -	\$ -
Warren	3,939	4,226	22.81%	\$ -	-	\$ -	\$ 126,045	\$ 202,302
Warwick	28,362	31,349	27.01%	\$ 28,362	-	\$ -	\$ 879,228	\$ 1,428,320
West Greenwich	1,268	2,064	21.89%	\$ -	-	\$ -	\$ 40,589	\$ 65,146
West Warwick *	9,824	-	23.66%	\$ -	9,824	\$ 255,419	\$ 569,780	\$ 759,968
Westerly	9,477	8,794	31.71%	\$ 17,588	683	\$ 17,750	\$ 303,417	\$ 486,886
Woonsocket	9,430	15,618	26.59%	\$ 9,430	-	\$ -	\$ 292,334	\$ 474,901
Total	342,568	363,797		\$ 139,193	26,993	\$ 701,810	\$ 11,524,782	\$ 18,156,893

* West Warwick has failed to agree to a Municipal Solid Waste Services Agreement for Fiscal Year 2009 and is therefore being billed at the \$58 over cap rate. The cap allotment under the agreement would be 11,064 tons.