

2019 -- H 5792

LC002021

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Introduced By: Representatives Diaz, Millea, Mendez, Hawkins, and Morin

Date Introduced: March 01, 2019

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-17.1-9.1 of the General Laws in Chapter 42-17.1 entitled
2 "Department of Environmental Management" is hereby amended to read as follows:

3 **42-17.1-9.1. User fees at state beaches, parks, and recreation areas.**

4 (a) The department of environmental management in pursuance of its administrative
5 duties and responsibilities may charge a user fee for any state beach, or recreational area under its
6 jurisdiction, and fees for the use of its services or facilities.

7 (b) The fee may be on a daily or annual basis, or both, and may be based on vehicle
8 parking or other appropriate means. The fees may recognize the contribution of Rhode Island
9 taxpayers to support the facilities in relation to other users of the state's facilities. The fee
10 structure may acknowledge the need to provide for all people, regardless of circumstances.

11 (c) An additional fee for camping and other special uses may be charged where
12 appropriate. Rates so charged should be comparable to equivalent commercial facilities.

13 (d) All such fees shall be established after a public hearing.

14 (e) All daily fees from beach parking, which shall also include fees charged and collected
15 at Ninigret conservation area and Charlestown breachway, shall be shared with the municipality
16 in which the facility is located on the basis of seventy-three percent (73%) retained by the state
17 and twenty-seven percent (27%) remitted to the municipality; provided, further, from July 1,
18 2016, until October 1, 2016, the beach fees charged and collected under this subsection shall be

1 equal to those in effect on June 30, 2011. Further, purchasers of season passes between May 14,
2 2016, and June 30, 2016, shall be eligible to receive a credit for the difference between the
3 amount of the July 1, 2016, fee and the amount originally paid. Said credits may be applied
4 against the purchase of a season pass in 2017.

5 (f) Fifty percent (50%) of all user and concession fees received by the state shall be
6 deposited as general revenues. For the year beginning July 1, 1979, the proportion of user and
7 concession fees to be received by the state shall be sixty-five percent (65%); for the year
8 beginning July 1, 1980, eighty-five percent (85%); and for the year beginning July 1, 1981, and
9 all years thereafter, one hundred percent (100%). The general revenue monies appropriated are
10 hereby specifically dedicated to meeting the costs of development, renovation of, and acquisition
11 of state-owned recreation areas and for regular maintenance, repair and operation of state owned
12 recreation areas. Purchases of vehicles and equipment and repairs to facilities shall not exceed
13 four hundred thousand dollars (\$400,000) annually. Notwithstanding the provisions of § 37-1-1 or
14 any other provision of the general laws, the director of the department of environmental
15 management is hereby authorized to accept any grant, devise, bequest, donation, gift, or
16 assignment of money, bonds, or other valuable securities for deposit in the same manner as
17 provided above for user and concession fees retained by the state.

18 (g) No fee shall be charged to any school or other nonprofit organization provided that a
19 representative of the school or other organization gives written notice of the date and time of their
20 arrival to the facility.

21 (h) All daily and seasonal fees for beach parking authorized pursuant to this section shall
22 remain at the current rate for the 2019 beach season and shall continue at that rate until the
23 conclusion of the 2021 beach season.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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- 1 This act would provide that all beach parking fees remain at the current rate for the next
2 three (3) beach seasons.
3 This act would take effect upon passage.

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