

2015 -- H 6082

=====
LC002414
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

—————
A N A C T

RELATING TO TOWNS AND CITIES - GENERAL POWERS

Introduced By: Representative Blake Anthony Filippi

Date Introduced: April 15, 2015

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-2-35 of the General Laws in Chapter 45-2 entitled "General
2 Powers" is hereby amended to read as follows:
3 **45-2-35. Town of New Shoreham -- Landing fee.** – (a) The town of New Shoreham is
4 hereby authorized to charge, assess, or otherwise collect a fifty cent (\$.50) landing fee on each
5 passenger over the age of twelve (12) arriving on Block Island by public or private boat. All fees
6 collected less expenses of collection shall be utilized by the town of New Shoreham to promote
7 the health, safety, and welfare of all passengers, including, but not limited to, emergency medical
8 services, acquisition of property to support tourism related activities, to construct and maintain
9 tourism support facilities, and to establish a fund to assist the town of New Shoreham in resolving
10 problems which may arise due to growth in the tourism industry. The town may ~~enter into~~
11 ~~agreements with~~ require any common carrier regulated by the state and serving the town of New
12 Shoreham and ~~any~~ may enter into an agreement with the operator of a marina in the town of New
13 Shoreham or a common carrier not regulated by the state authorizing the carrier or marina
14 operator to collect the landing fee on behalf of the town of New Shoreham. The agreement may
15 provide for the payment of a fee by the town for the carrier or marina operator and the
16 indemnification of the carrier or marina operator from and against any liability to, or claim of
17 liability by third parties, arising from collection of the landing fee. Any common carrier may
18 collect the landing fee on behalf of the town of New Shoreham by including the amount of the fee
19 in its rate and charge to passengers without the necessity of approval of the landing fee from the

1 public utilities commission or the division of public utilities and carriers under title 39. The
2 landing fee authorized by this chapter does not apply to any persons receiving free transportation
3 from a public utility under § 39-2-5. The town council of the town of New Shoreham shall
4 promulgate rules and regulations to implement the provisions of this section.

5 (b) All landing fees collected pursuant to subsection (a) of this section shall be paid to the
6 town of New Shoreham on the fifteenth day following the last day of the month in which said
7 fees are collected by each and every common carrier providing service to the town. The payment
8 of said fees to the town shall be made pursuant to a monthly accounting, in writing, along with
9 copies of reports detailing the number of passengers utilizing its services and all reports provided
10 to any agency or department of the state or federal government, which accounting and reports
11 shall be maintained by the town clerk as a public record.

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

=====
LC002414
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TOWNS AND CITIES - GENERAL POWERS

1 This act would require that common carriers providing service to the town of New
2 Shoreham be required to collect landing fees, pay the fees on the fifteenth day following the last
3 day of the month in which fees are collected, and provide the town with a monthly accounting, in
4 writing, along with copies of reports detailing the number of passengers served, and any reports
5 provided to any department or agency of the state or federal government.

6 This act would take effect upon passage.

=====
LC002414
=====