

2017 -- H 5076

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT--STATE BEACH, PARK AND RECREATION AREA USER FEES

Introduced By: Representatives Lancia, Solomon, Chippendale, Mendonca, and Quattrocchi

Date Introduced: January 11, 2017

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.~~ **User fees at state**
4 **recreation areas.**

5 (a) The department of environmental management in pursuance of its administrative
6 duties and responsibilities may charge a user fee for any state ~~beach, or~~ recreational area under its
7 jurisdiction, and fees for the use of its services or facilities; provided, however, no user fee may
8 be charged for access to any state beach.

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

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

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

16 (e) All daily fees ~~from beach parking, which shall also include fees~~ charged and
17 collected at Ninigret conservation area and Charlestown breachway, shall be shared with the
18 municipality in which the facility is located on the basis of seventy-three percent (73%) retained

1 by the state and twenty-seven percent (27%) remitted to the municipality; ~~provided, further, from~~
2 ~~July 1, 2016, until October 1, 2016, the beach fees charged and collected under this subsection~~
3 ~~shall be equal to those in effect on June 30, 2011. Further, purchasers of season passes between~~
4 ~~May 14, 2016, and June 30, 2016, shall be eligible to receive a credit for the difference between~~
5 ~~the amount of the July 1, 2016, fee and the amount originally paid. Said credits may be applied~~
6 ~~against the purchase of a season pass in 2017.~~

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT--STATE BEACH, PARK AND RECREATION AREA
USER FEES

- 1 This act would eliminate all user fees for access to any state beach.
- 2 This act would take effect upon passage.

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