

2015 -- S 0226

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

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

Introduced By: Senators Sheehan, Sosnowski, DiPalma, Gee, and Algieri

Date Introduced: February 11, 2015

Referred To: Senate 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.** -- (a) The
4 department of environmental management in pursuance of its administrative duties and
5 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
15 collected at Ninigret conservation area and Charlestown breachway, shall be shared with the
16 municipality in which the facility is located on the basis of ~~eighty-four percent (84%)~~ eighty
17 percent (80%) retained by the state and ~~sixteen percent (16%)~~ twenty percent (20%) remitted to
18 the municipality.

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would increase the percentage of state beach fees payable to the city or town
- 2 where the facility is located from sixteen percent (16%) to twenty percent (20%).
- 3 This act would take effect upon passage.

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