

2016 -- H 7721

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LC004940
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

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

Introduced By: Representatives Lancia, Chippendale, Costa, Nardolillo, and Filippi

Date Introduced: February 24, 2016

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.** -- (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%) retained by
17 the state and sixteen percent (16%) remitted to the municipality.

18 (f)(1) There is created within the general fund a restricted receipt account to be known as

1 the "beach fee account". All funds in the account shall be utilized by the department of
2 environmental management to effectuate the provisions of §42-17.1-9.1(f)(2). The general
3 treasurer is authorized and directed to draw their orders on the account upon receipt of properly
4 authenticated vouchers from the department of environmental management.

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

18 (3) The department shall prepare and deliver to the general assembly an annual report
19 showing the amounts collected and expended pursuant to this section.

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 -- USER FEES

1 This act would establish a restricted receipt account for beach and park user fees, and
2 direct the department of environmental management to report receipts and disbursements
3 annually to the general assembly.

4 This act would take effect upon passage.

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