

2021 -- H 6251

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Introduced By: Representatives Cortvriend, McGaw, Kislak, Potter, Cassar, Carson, McEntee, Speakman, and Donovan

Date Introduced: April 16, 2021

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 duties  
5 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 parking  
8 or other appropriate means. The fees may recognize the contribution of Rhode Island taxpayers to  
9 support the facilities in relation to other users of the state's facilities. The fee structure may  
10 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 appropriate.  
12 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 in  
16 which the facility is located on the basis of seventy-three percent (73%) retained by the state and  
17 twenty-seven percent (27%) remitted to the municipality; provided, further, from July 1, 2016, until  
18 October 1, 2021, the beach fees charged and collected under this subsection shall be equal to those

1 in effect on June 30, 2011.

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

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

18 (h) No fee shall be charged to any person that is eligible for a free or reduced lunch, or to  
19 automobiles transporting a non-driver that is eligible for a free or reduced lunch pursuant to § 16-  
20 8-10 and based on guidelines promulgated by the Rhode Island department of education. The  
21 following shall be proof sufficient that a person is eligible for a free pass:

- 22 (1) SNAP verification;
- 23 (2) RIWorks verification;
- 24 (3) Proof of HeadStart enrollment; or
- 25 (4) A letter from the child’s school verifying eligibility.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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ENVIRONMENTAL MANAGEMENT

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- 1           This act would waive beach parking fees at any state beach for any person that qualifies
- 2 for a free or reduced lunch pursuant to § 16-8-10.
- 3           This act would take effect upon passage.

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