

Re: House Bill H 8055 Proposed Legislation from the Special Legislative Commission to Study and Provide Recommendations on the Issues Relating to Lateral Access Along the Rhode Island Shoreline

Dear Representatives and Members of the Judiciary Committee:

My name is Scott Organ, my family and I own a home at 926 Charlestown Beach Road. One of the primary reasons I purchased the property in 2016 was because of the **private beach front**. I paid handsomely for it and pay taxes and upkeep yearly without regrets.

I'm writing to let you know that we vehemently oppose the Legislative Proposal from the Commission studying Shoreline Access (House Bill H 8055) and I would like you to vote against it.

The bill as currently proposed is akin to seizing private property. I have never, in all my time on the beach, seen a homeowner prevent anyone from walking, fishing, picking up seaweed or swimming along the shore. I walk up and down the beach all summer long, and have never been asked not to run, walk, fish or swim along the shore, in front of any beachfront home that owns beach to the mean high tide line.

Importantly, members of the public are asking for more than passage...they want to sit, congregate, set up chairs, umbrellas, etc. on privately owned land, that happens to include beach property to the mean high tide line. It is imperative that any new legislation, were it to pass, make clear that the shoreline, when on PRIVATE property, is for passage only.

The Commissioned study and derivative Bill is SERIOUSLY FLAWED, INACCURATE, and ILLEGAL. The 1663 Charter relates only to freedom to fish. RI Constitution (1843) Freedom to Fish states "NO NEW RIGHT IS INTENDED TO BE GRANTED... BY THIS DECLARATION"

Countless numbers of people pass along the shoreline across my property each year without interference. I believe ANY legislation should simply clarify the public's right to passage along the private beach property. It should be unequivocal that passage does not constitute chairs, blankets, umbrellas etc. Any clarification should simply state the public may PASS ALONG THE WATER LINE. This clarification is ALREADY a concession, as the MHTL is actually IN THE WATER most of the time.

As proposed, this legislation invites the public to trespass on private property and amounts to unconstitutional seizure. The negative ramifications including physical conflict, liability, safety and loss of tax revenue when property value plummets, are staggering.

We would hope the House will recognize the unconstitutionality of the Bill, the surreptitious attempt to seize private property and the inevitable collective legal challenge that will be forthcoming from private beach homeowners and businesses should the bill pass.

We implore you to vote against this proposed legislation.

Thank you for including my written testimony and your diligent, thoughtful consideration.  
Sincerely,

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