

POLITICS

Shoreline access bill unanimously passes RI House; awaits Senate action



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A bill that would guarantee the public has the right to be 6 feet above the "recognizable high tide line" on any sandy or rocky shoreline passed the Rhode Island House of Representatives 64-0 on Thursday.

A majority of representatives in the chamber had signed on as co-sponsors of the bill, which was introduced by Rep. Terri Cortvriend, D-Middletown, and House Minority Leader Blake Filippi, R-Block Island.

"You did a wonderful job creating a fair piece of legislation," House Speaker K. Joseph Shekarchi told the sponsors.

The bill is intended to address the fact that Rhode Island's constitution guarantees access to the shoreline, but doesn't specify where the boundary between privately-owned waterfront property and publicly-accessible shoreline lies.

A 1982 Rhode Island Supreme Court decision set the boundary at the mean high tide line, which is extremely hard to find. Additionally, new scientific research has found that on ocean beaches with high levels of wave action, it is underwater for large periods of the day.

Where is it legal to walk on RI beaches? You might need to tread water, scientists say

Supporters say it's undoing a mistake

Supporters of the bill say that it would undo a mistake that the court unknowingly made back in the 1980s, and restore Rhode Islanders' constitutional rights. But opponents have argued that it would amount to a "taking" of private property, in part because people who have purchased beach homes since 1986 may have done so with the expectation that their property extended to the mean high tide line.

During discussion on the House floor, Rep. Samuel A. Azzinaro, D-Westerly, asked about whether the legislation would make it possible for people to "park a blanket" or "have a beer party" in the six-foot buffer zone.

"I'm going to vote for this because I don't want to deny access to anyone who wants to get to the beach, I'm just concerned that the lawyers are going to make a fortune on this," he said.

Filippi said that the General Assembly's charge was only to define the area where Rhode Islanders can exercise their constitutional rights to the shoreline.

"It's not up to us as the General Assembly to say what you can and cannot do in that area," he said. "That is really the court's role, to interpret our constitution."

Johnson's Pond: Plagued by toxic algae and dead fish, Coventry homeowners push for state oversight

Quahoggers unwelcome

Rep. Joseph McNamara, D-Warwick, said that he strongly supported the bill "as a Rhode Islander who's also a recreational quahogger."

Thirty years ago, he used to quahog in Shekarchi's neighborhood of Buttonwoods, he said. When pollution made that impossible, quahoggers moved south to Greenwich Bay, only to find "No Parking, Residents Only" signs appearing.

"Now we're going past Wickford to find quahogs, and we grew up in Warwick, the quahog capital of the state," he said. When he went quahogging in South Kingstown, he said, residents would leave fake parking tickets on outsider's cars to make clear that they were unwelcome.

Happy as a quahog: Learning how to dig up dinner

A companion bill has not been introduced in the Senate. In order to have a chance at becoming law this year, H8055 would need to undergo a committee hearing and a committee vote in the Senate, followed by a vote on the Senate floor if it gets voted out of committee.

The legislative session will wrap up at the end of this month, so there's only a limited amount of time for that to happen.

"The Senate President is focused passing Senate bills and on utilizing our record surplus to provide relief to struggling Rhode Islanders," spokesman Greg Paré wrote in an email. "This House bill is not a focus at this time."

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