



# House of Representatives

General Assembly

**File No. 512**

January Session, 2011

Substitute House Bill No. 5126

*House of Representatives, April 13, 2011*

The Committee on Planning and Development reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT INCREASING ANCHORAGE AND MOORING FEES PAID TO HARBOR MASTERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-113s of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) The commission may propose a fee schedule for a permit for a  
4 mooring or anchorage or any other activity within the scope of the  
5 plan to be adopted by vote of the legislative body of each town  
6 establishing the commission. The maximum annual fee for a mooring  
7 or anchorage shall be [two] four hundred dollars. The harbor master or  
8 deputy harbor master for the municipality shall collect such fee. Any  
9 fee collected pursuant to this section shall be deposited into a fund  
10 maintained by the municipality in which such fee was collected and  
11 shall be used for the maintenance and improvement of the harbor for  
12 the public and for expenses for personnel and equipment directly  
13 related to the function of the commission and the harbor master or

14 deputy harbor master.

15 (b) Not later than April 1, 2012, the commission may propose a fee  
 16 schedule for a permit for a mooring or anchorage that is not less than  
 17 ten per cent and not more than one hundred per cent greater than the  
 18 applicable permit fee as of October 1, 2011. Such proposed fee schedule  
 19 shall be implemented or rejected by the legislative body of each town  
 20 establishing the commission not later than July 1, 2012, provided if any  
 21 such legislative body does not act upon such proposed fee schedule by  
 22 said date, the applicable permit fee as of October 1, 2011, shall remain  
 23 in effect. The amount of such increase shall be deposited into a fund  
 24 maintained by the municipality in which such fee was collected and  
 25 shall be used by such municipality as such municipality deems  
 26 appropriate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	22a-113s

**PD** Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 12 \$</b>	<b>FY 13 \$</b>
Various Municipalities	Potential Revenue Gain	Up to \$160,000	Up to \$320,000

### **Explanation**

**Section 1(a)** could result in a revenue gain to municipalities as it permits harbor management commissions to increase, from \$200 to \$400, various anchorage and mooring fees. These funds must be used for the maintenance and improvement of the harbor and for personnel and equipment expenses directly related to the function of the harbor commission and the harbor or deputy harbor master.

There are 23 harbor management commissions in the state. The amount of the revenue gain would depend on the number of commissions that increase fees and by how much they are increased. It is estimated that the FY 12 and FY 13 revenue gain could range from \$3,000 - \$160,000 depending on the municipality.

**Section 1(b)** allows harbor commissions to propose a fee schedule that is not less than 10% and not more than 100% greater than the applicable permit fee as of October 1, 2011, effective July 1, 2012. These funds must be deposited into a fund to be used in a manner in which the municipality deems appropriate.

The amount of the revenue gain would depend on the number of commissions that increase fees and by how much. It is estimated that

the FY 13 revenue gain could range from \$3,000 - \$160,000 depending on the municipality.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the fee schedule set by the harbor management commissions.

**OLR Bill Analysis****sHB 5126*****AN ACT INCREASING ANCHORAGE AND MOORING FEES PAID TO HARBOR MASTERS.*****SUMMARY:**

This bill increases, from \$200 to \$400, the maximum annual fee a harbor management commission can charge for mooring and anchorage permits. By law, the fees must go into a municipal fund and be used for harbor maintenance and improvement and the expenses of the commission and harbor master or deputy harbor master.

The bill also allows each harbor management commission to propose a fee schedule for mooring and anchorage permits that is between 10% and 100% greater than the applicable fee as of October 1, 2011. The legislative body of the town that created the harbor management commission must implement or reject the proposed fee schedule by July 1, 2012. If it does not take action by that date, the permit fee in place as of October 1, 2011 remains in effect. The bill requires any fee increase to go to a municipal fund and be used as the municipality deems appropriate.

EFFECTIVE DATE: October 1, 2011

**BACKGROUND*****Legislative History***

The House referred the bill (File 170) to the Planning and Development Committee, which added the provision that if the town's legislative body does not implement or reject a proposed fee schedule increase by July 1, 2012, the permit fee in place as of October 1, 2011 remains in effect.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/09/2011)

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 0 (04/04/2011)