



# House of Representatives

General Assembly

**File No. 97**

February Session, 2024

House Bill No. 5214

*House of Representatives, March 25, 2024*

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING BATTERSON PARK.**

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

1 Section 1. Section 23-15h of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 (a) There is established an account to be known as the Passport to the  
4 Parks account which shall be a separate, nonlapsing account within the  
5 General Fund. Moneys in such account shall be used to provide  
6 expenses of the Council on Environmental Quality, beginning with the  
7 fiscal year ending June 30, 2019, and for the care, maintenance, operation  
8 and improvement of state parks and campgrounds, the care,  
9 maintenance and operation of Batterson Park, the funding of soil and  
10 water conservation districts and the funding of environmental review  
11 teams, in accordance with subsection (b) of this section. All funds  
12 collected from the Passport to the Parks Fee established pursuant to  
13 section 14-49b, as amended by this act, shall be deposited into the  
14 Passport to the Parks account. Such account shall contain all moneys  
15 required by law to be deposited in such account. Such account may

16 receive funds from private or public sources, including, but not limited  
17 to, any municipal government or the federal government. Such account  
18 shall contain subaccounts as required by section 23-15b.

19 (b) For the fiscal year beginning July 1, 2018, and each fiscal year  
20 thereafter, the sum of one hundred thousand dollars shall be paid by the  
21 Department of Energy and Environmental Protection from the Passport  
22 to the Parks account to each of the following entities: (1) The Connecticut  
23 River Coastal Conservation District, (2) the Eastern Conservation  
24 District, (3) the North Central Conservation District, (4) the Northwest  
25 Conservation District, (5) the Southwest Conservation District, (6) the  
26 Connecticut Environmental Review Team, and (7) the Connecticut  
27 Council on Water and Soil Conservation.

28 Sec. 2. (NEW) (*Effective from passage*) The Department of Energy and  
29 Environmental Protection, the city of Hartford and Riverfront  
30 Recapture shall enter into a memorandum of understanding for the care,  
31 maintenance and operation of Batterson Park by Riverfront Recapture.  
32 Such agreement may include, but shall not be limited to: (1)  
33 Authorization for Riverfront Recapture, through its agents and  
34 employees, to enter upon, maintain and operate all areas of Batterson  
35 Park, including, but not limited to, any areas not under the care, custody  
36 and control of the city of Hartford, and (2) the provision of a grant-in-  
37 aid from the Department of Energy and Environmental Protection to  
38 Riverfront Recapture, each fiscal year, for the care, maintenance and  
39 operation of Batterson Park through funding available to such state  
40 agency in accordance with the provisions of section 23-15h of the  
41 general statutes, as amended by this act.

42 Sec. 3. Subsection (b) of section 14-49b of the general statutes is  
43 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
44 *2024*):

45 (b) (1) For each new registration or renewal of registration of any  
46 motor vehicle with the Commissioner of Motor Vehicles pursuant to this  
47 chapter, the person registering such vehicle shall pay to the  
48 commissioner a fee of fifteen dollars for registration for a triennial

49 period or ten dollars for registration for a biennial period for the  
 50 following registration types: Passenger, motorcycle, motor home,  
 51 combination or antique. Any person who is sixty-five years or older and  
 52 who obtains a one-year registration renewal under section 14-49 for  
 53 such registration type shall pay five dollars for the annual registration  
 54 period. The provisions of this subsection shall not apply to any motor  
 55 vehicle that is not self-propelled or that is exempted from payment of a  
 56 registration fee. This fee shall be identified as the "Passport to the Parks  
 57 Fee" on any registration form provided by the commissioner. Payments  
 58 collected pursuant to the provisions of this subsection shall be deposited  
 59 in the Passport to the Parks account established pursuant to section 23-  
 60 15h, as amended by this act. The fee required by this subsection is in  
 61 addition to any other fees prescribed by any other provision of this title  
 62 for the registration of a motor vehicle. No part of the "Passport to the  
 63 Parks Fee" shall be subject to a refund under subsection (z) of section 14-  
 64 49.

65 (2) Notwithstanding the provisions of subdivision (1) of this  
 66 subsection, for the fiscal year commencing July 1, 2025, the Passport to  
 67 the Parks Fee described in subdivision (1) of this subsection that is paid  
 68 to the Commissioner of Motor Vehicles shall, for any such triennial,  
 69 biennial or annual registration be increased by fifty cents. Every two  
 70 years thereafter, the Commissioner of Energy and Environmental  
 71 Protection, in coordination with the Commissioner of Motor Vehicles,  
 72 shall adjust the Passport to the Parks Fee to reflect changes in the  
 73 consumer price index.

|   |              |             |
|---|--------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |              |             |
| Section 1   | July 1, 2024 | 23-15h      |
| Sec. 2  | from passage | New section |
| Sec. 3  | July 1, 2024 | 14-49b(b)   |

**ENV**      *Joint Favorable*

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:**

| Agency Affected                                   | Fund-Effect                      | FY 25 \$         | FY 26 \$              |
|---|----------------------------------|------------------|-----------------------|
| Department of Energy and Environmental Protection | Passport to Parks - Cost         | At least 250,000 | At least 500,000      |
| Department of Energy and Environmental Protection | Passport to Parks - Revenue Gain | None             | Approximately 600,000 |

**Municipal Impact:**

| Municipalities                    | Effect    | FY 25 \$  | FY 26 \$  |
|-----------------------------------|-----------|-----------|-----------|
| Hartford; Farmington; New Britain | See Below | See Below | See Below |

**Explanation**

The bill results in an annual cost to the Passport to Parks account, beginning in FY 25, to pay for the care and operation of Batterson Park, which is owned by Hartford and located in Farmington and New Britain. It allows for the transfer of Passport to Parks funds to Riverfront Recapture, a nonprofit, as part of an agreement for the organization to operate the park. The bill additionally results in a revenue gain to the Passport to Parks account in FY 26 and in certain other out years.

The bill may mitigate costs of Hartford, Farmington, and New Britain associated with the park, but these costs have been minimal in recent years.

**Section 1** results in an annual cost to the Passport to Parks fund beginning in FY 25 as it requires that the fund support Batterson Park's care, maintenance, and operation effective July 1, 2024. The park is

owned by Hartford while located in Farmington and New Britain.<sup>1</sup>

The magnitude of the cost depends on the extent of operations and maintenance performed at the park. Given the bill's provisions in Section 2, the annual cost to operate Batterson Park is estimated to be at least \$500,000. Costs may be higher, depending on park activities, use, staffing levels, and decisions made by Hartford as the property owner. It is assumed that costs in FY 25 will be approximately half of the annual costs as park operations would ramp up over time. This estimate assumes a relatively passive-use park, similar to the state park model described in DEEP's January 2024 report on Batterson Park.<sup>2</sup>

Staffing including fringe benefits may cost an estimated \$350,000 per year for approximately four permanent staff (a supervisor, two maintainers, and an Environmental Conservation officer) and two seasonal staff, assuming these are not state employees.<sup>3</sup> Utilities and routine dam maintenance add approximately \$150,000 annually. If Hartford decides to resolve property encroachment issues, then an additional \$800,000 per year in staffing and other costs may be required, according to DEEP's report.

These cost estimates do not include capital improvements that would be needed to reopen the park (approximately \$6.4 million to \$9.6 million depending on desired amenities), or major repairs to or replacement of the dam (an estimated \$600,000 annually for ten years). There is approximately \$9 million remaining of a \$10 million carryforward General Fund allocation to Hartford for Batterson Park, which could be used for this work.

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<sup>1</sup> The park has been minimally used over the last several years, with annual expenses of approximately \$26,000 by the Department of Energy and Environmental Protection (DEEP) associated with the state-owned boat launch, and \$15,000 by the town of Farmington.

<sup>2</sup> Department of Energy and Environmental Protection. Batterson Park Study. January 15, 2024. [https://portal.ct.gov/-/media/DEEP/Public\\_Notice\\_Attachments/Batterson-Park/Final-Batterson-Park-Study-for-CGA-1-15-24.pdf](https://portal.ct.gov/-/media/DEEP/Public_Notice_Attachments/Batterson-Park/Final-Batterson-Park-Study-for-CGA-1-15-24.pdf)

<sup>3</sup> The personnel and other expenses estimates assume that swimming will not be offered at the park. If swimming is offered, costs will be higher.

Operating and capital costs will increase if more-active amenities are offered at the park, such as an event lawn or a splash pad. Hartford's Master Plan for the park contemplated these and several other options.

**Section 2** requires DEEP, the city of Hartford, and Riverfront Recapture to enter into an agreement for the care, maintenance, and operation of Batterson Park by Riverfront Recapture. The section additionally allows the agreement to include an annual grant from DEEP of Passport to Parks funds to Riverfront Recapture for its work in Batterson Park. According to DEEP, Hartford and Riverfront Recapture are working on a potential scope of work for a partnership. The estimated costs of a grant to Riverfront Recapture for the operation of Batterson Park are discussed above.

**Section 3** results in a one-time revenue gain of approximately \$600,000 in FY 26 for the Passport to Parks account within the General Fund by increasing the Passport to Parks fee on 1-year, 2-year, and 3-year motor vehicle registrations by 50 cents.

Additionally, beginning in FY 28 and every two years thereafter, the bill requires DEEP to adjust the base fee to reflect changes in the consumer price index (CPI), resulting in out year revenue gains commensurate with those adjustments.<sup>4</sup>

### ***The Out Years***

The bill has no fiscal impact to revenues of the Passport to Parks account in FY 27. Beginning in FY 28, there is expected to be a revenue gain to the account subject to the CPI adjustments.

The annualized ongoing cost to the Passport to Parks account due to funding the care and operation of Batterson Park would continue into the future subject to inflation and decisions regarding park amenities.

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<sup>4</sup> The first CPI adjustment would apply to current law fee levels because the bill only applies the 50 cents increase to FY 26. Current law revenues for the Passport to Parks fee derived from motor vehicle registration are expected to be between \$17 million - \$18 million annually in the out years.

**OLR Bill Analysis****HB 5214*****AN ACT CONCERNING BATTERSON PARK.*****SUMMARY**

This bill increases the Passport to the Parks fee that people registering vehicles in the state must pay by \$0.50 for Fiscal Year 2026. Currently, the fee is \$15 for a triennial registration, \$10 for a biennial registration, and \$5 for an annual registration. (Annual registrations are only available to those age 65 or over.) The bill requires the Department of Energy and Environmental Protection (DEEP) commissioner, with the motor vehicles commissioner, to then adjust the fee every two years to reflect changes in the consumer price index. By law, collected fees must be deposited in the Passport to the Parks account (see BACKGROUND).

The bill expands the purposes for which money in the Passport to the Parks account may be spent to include the care, maintenance, and operation of Batterson Park, which is owned by the city of Hartford and located in Farmington and New Britain.

Lastly, the bill requires DEEP, Hartford, and Riverfront Recapture to enter into a memorandum of understanding (MOU) about Batterson Park's care, maintenance, and operation. (Riverfront Recapture is a nonprofit organization that manages, maintains, and operates four riverfront parks and their connected riverwalks and trails.) Under the bill, the MOU may authorize (1) Riverfront Recapture's agents and employees to enter, maintain, and operate Batterson Park and (2) DEEP to give Riverfront Recapture a grant each fiscal year from the Passport to the Parks account for these purposes.

EFFECTIVE DATE: July 1, 2024, except for the MOU requirement, which takes effect upon passage.

**BACKGROUND*****Passport to the Parks Account***

Under existing law, the Passport to the Parks account must be used to pay for the care, maintenance, operation, and improvement of state parks and campgrounds; fund soil and water conservation districts and environmental review teams; and pay the Council on Environmental Quality's expenses. In addition, the law requires DEEP to pay \$100,000 each fiscal year to each of the following entities from the account:

1. Connecticut River Coastal Conservation District,
2. Eastern Conservation District,
3. North Central Conservation District,
4. Northwest Conservation District,
5. Southwest Conservation District,
6. Connecticut Environmental Review Team, and
7. Connecticut Council on Water and Soil Conservation.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable

Yea 27    Nay 6    (03/08/2024)