

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: HB2297

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Miyares

3. Committee: Passed Both Houses

4. Title: Oyster planting grounds; Marine Resources Commission to post.

5. Summary: Requires the Marine Resources Commission (Commission) to post notice of an application to lease oyster planting grounds for 30 days on its website and to notify by registered or certified mail written notice of its receipt of the application for lease to (i) the mailing address of the holder of a current lease for any oyster planting ground that is contiguous to the ground applied for, and (ii) the last known address, as shown on the current real estate tax assessment book or records, or the owner of any riparian property located within 200 feet of the ground applied for. The provision of notice to a common interest community as defined in § 55-528, Code of Virginia, will be deemed adequate to notify all associated unit owners or lot owners. The Commission will publish notice of the application at least once a week for two consecutive weeks in a newspaper of general circulation in the area in which the ground applied for lies. The notice will invite and provide information about the submission of written comments on the application. The cost of the notice will be borne by the applicant.

6. Budget Amendment Necessary: No. See Item 8 below.

7. Fiscal Impact Estimates: Final. See Item 8 below.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2017	\$0	0	N/A
2018	\$61,000	1	GF
2019	\$56,000	1	GF
2020	\$56,000	1	GF
2021	\$56,000	1	GF
2022	\$56,000	1	GF
2023	\$56,000	1	GF

8. Fiscal Implications: The Marine Resources Commission (MRC) anticipates this bill will generate additional records and recordkeeping that cannot be absorbed with existing resources in its Engineering and Surveying Department. This department is responsible for surveying and mapping subaqueous ground for public and private shellfish cultivation, leasing private shellfish grounds, and maintaining oyster ground lease records. The bill

requires MRC to conduct research to find all of the impacted parties, send notification letters, maintain records, and respond to applicants. Often these types of applications take months to be fully processed. However, the budget amendments to HB1500 proposed by the Conference Committee include \$172,879 from the general fund in FY 2018 to support oyster ground lease surveying services in the Surveying and Engineering Department at the Marine Resources Commission.

The Engineering and Surveying Department is general funded and any fees collected by the department are deposited to the general fund, except for the small amount of reimbursement monies MRC receives for survey work done for oyster ground leases. If the survey work payment is made in a subsequent fiscal year then that money goes to the general fund as a prior year general fund reimbursement. This bill requires the applicant to pay the cost for advertising and a nominal processing fee which will be deposited to the general fund.

MRC will need an additional clerical staff person in its Engineering and Surveying Department to handle the increase in additional records and recordkeeping that is anticipated to be generated by this bill. Salary and fringe benefits for an additional clerical staff person total \$56,000 and will be ongoing. The first year includes one-time costs of \$5,000 for a desk, chair, computer, etc.

9. Specific Agency or Political Subdivisions Affected: Marine Resources Commission.

10. Technical Amendment Necessary: No.

11. Other Comments: None.