

Legislative History for Connecticut Act

SB 785 PA 388 1989

House 14191-14207 (17)

Senate 946, 3239-3254, 3255-3256,
4647-4649 (22)

Environment 374-378, 438, 445-447,
455-456, 2776-2777 (13)

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1989

VOL. 32
PART 40
14181-14559

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House of Representatives

Wednesday, June 7, 1989

If all the members have voted, the machine will be locked. The Clerk will take a tally.

The Clerk please announce the tally.

CLERK:

HB5593, as amended by House Amendment "A".

Total Number Voting	146
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Necessary for Passage	74
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Those voting Yea	146
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Those voting Nay	0
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Those absent and not Voting	5
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DEPUTY SPEAKER SMOKO:

The bill as amended is passed.

CLERK:

Page 2, Calendar 640, Substitute for SB785. AN ACT CONCERNING MANDATORY BOATING EDUCATION AND CERTIFICATES OF BOATING OPERATION AND PROHIBITING THE RECKLESS OPERATION OF VESSELS. (As amended by Senate Amendment Schedules "A" and "B").

Favorable Report of the Committee on JUDICIARY.

REP. MUSHINSKY: (85th)

Mr. Speaker.

DEPUTY SPEAKER SMOKO:

Representative Mary Mushinsky of the 85th District.

REP. MUSHINSKY: (85th)

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I move acceptance of the Joint Committee's Favorable Report and passage in concurrence with the Senate.

DEPUTY SPEAKER SMOKO:

The question is on acceptance and passage of this bill in concurrence with the Senate. Will you remark?

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. The Clerk has LCO8402, marked Senate "A". Please call and may I summarize.

DEPUTY SPEAKER SMOKO:

The Clerk is in possession of LCO8402, which has been designated Senate Amendment "A". Will the Clerk please call.

CLERK:

LCO8402, Senate "A", offered by Senator Powers.

DEPUTY SPEAKER SMOKO:

Representative Mushinsky has asked leave of the Chamber to summarize. Is there objection? Seeing none, Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. Senate "A" changed the file copy in several ways as an attempt to clean up the bill, but also included some changes in Section 5 that removed some due process. What we will do now is reject Senate "A" and replace it with a House Amendment

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which keeps much of the same language, but returns the due process.

At this time I move rejection of Senate "A".

DEPUTY SPEAKER SMOKO:

The question is on the rejection of Senate "A". Will you remark? Will you remark on the rejection of Senate "A"? If not, all those in favor of rejecting Senate "A" please signify by saying aye.

REPRESENTATIVES:

REP Aye.

DEPUTY SPEAKER SMOKO:

Those opposed.

Senate "A" is rejected.

Will you remark further? Representative Mushinsky.

REP. MUSHINSKY: (85th)

The Clerk has LC07832, marked Senate "B". Will the Clerk please call and may I summarize.

DEPUTY SPEAKER SMOKO:

The Clerk is in possession of LC07832, Senate "B". Will the Clerk please call.

CLERK:

LC07832, Senate "B", offered by Senator Powers.

DEPUTY SPEAKER SMOKO:

Representative Mushinsky has asked leave to summarize. Is there objection? Seeing none,

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Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. Senate "B" adds the vessel noise enforcement provisions. I move adoption of Senate "B".

DEPUTY SPEAKER SMOKO:

The question is on adoption of Senate "B". Will you remark? Will you remark? If not, all those in favor of the amendment please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER SMOKO:

Those opposed.

The ayes have it.

The amendment is adopted.

Will you remark further on this bill?

REP. MUSHINSKY: (85th)

Thank you. The Clerk has LCO8923. Would the Clerk please call and may I summarize.

DEPUTY SPEAKER SMOKO:

One moment. The Clerk is in possession of LCO8923, which will be designated House "A". Will the Clerk please call.

CLERK:

LCO8923, House "A", offered by Representative

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Mintz, et al.

DEPUTY SPEAKER SMOKO:

Representative Mushinsky has asked leave of the Chamber to summarize. Is there objection? Seeing none, Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. This amendment is similar to Senate "A", but retains the Section 5 of the file copy concerning certificate suspension which does include the due process language.

I move adoption of LCO8923.

DEPUTY SPEAKER SMOKO:

The question is on adoption of House "A". Will you remark? Will you remark? If not, all those in favor of the amendment please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER SMOKO:

Those opposed.

House "A" is adopted.

House Amendment Schedule "A".

Strike lines 1 to 11, inclusive, in their entirety and insert the following in lieu thereof:

"Section 1. (NEW) (a) Upon adoption of regulations pursuant to section 2 of this act, no resident of the state, person owning real property in the state or person owning a vessel in the state shall operate on

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the waters of the state a vessel required to be registered or numbered pursuant to chapter 268 of the general statutes unless such person has obtained a certificate of boating operation issued by the commissioner. A certificate shall be valid for the life of the person to whom it is issued."

In line 32, delete "(1)"

In line 33, delete the semi-colon and insert the following in lieu thereof: ". Any person who fails an equivalency examination shall be required to successfully complete a course in safe boating operation approved by the commissioner."

Delete lines 34 to 64, inclusive, in their entirety and insert the following in lieu thereof:

"(d) Any person who violates any provision of this section shall be fined not less than one hundred dollars nor more than five hundred dollars for each such violation."

In line 131, delete "taken" and insert in lieu thereof "completed"

In line 132, after "handling" insert "approved by the commissioner of environmental protection"

In line 170, insert an opening bracket before "(1)"

In line 183, insert a closing bracket after "(2)"

In line 237, after "sent" insert "WITHIN THIRTY DAYS OF CONVICTION"

In line 318, before "(4)" insert "or"

In line 321, delete ", (5) operates a vessel" and insert in lieu thereof a period

Delete lines 322 to 324, inclusive, in their entirety

In line 344, before "12" insert "11,"

Delete section 25 in its entirety and insert the following in lieu thereof:

"Sec. 25. This act shall take effect from its passage except that section 1, sections 3 to 8, inclusive, and section 10 shall take effect October 1, 1989."

DEPUTY SPEAKER SMOKO:

Will you remark further? Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you. The Clerk has LCO8015. The Clerk

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please call and may I summarize.

DEPUTY SPEAKER SMOKO:

The Clerk is in possession of LCO8015, which will be designated House "B". Will the Clerk please call.

CLERK:

LCO8015, House "B", offered by Representative Tulisano.

DEPUTY SPEAKER SMOKO:

Representative Mushinsky has asked leave of the Chamber to summarize. Is there objection? Seeing none, Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. This amendment narrows the coverage of the bill to larger boats. It eliminates small boats, including fishing vessels. It also reduces the holding of the drunk driver's boat to 24 hours.

I move adoption of the amendment.

DEPUTY SPEAKER SMOKO:

The question is on adoption of House Amendment "B". Will you remark? Will you remark? If not, all those in favor of the amendment please signify by saying aye.

REPRESENTATIVES:

Aye.

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DEPUTY SPEAKER SMOKO:

Those opposed.

House "B" is adopted.

House Amendment Schedule "B".

In line 4, after the word "state" insert the following: "which is powered by a motor in excess of thirty-five horsepower and is"

In line 154, bracket the word "five" and insert in lieu thereof "THIRTY-FIVE"

In line 346, delete the word "may" and insert "shall" in lieu thereof

Delete lines 377 to 379, inclusive, in their entirety

In line 380 delete "court." and insert "(b)" in lieu thereof

In line 382, delete "forty-eight" and insert "twenty-four" in lieu thereof

DEPUTY SPEAKER SMOKO:

Will you remark further?

REP. MUSHINSKY: (85th)

The Clerk has LCO9063. Would the Clerk please call and may I summarize.

DEPUTY SPEAKER SMOKO:

The Clerk indeed has LCO9063, which will be designated House "C". Will the Clerk please call the amendment.

CLERK:

LCO9063, House "C", offered by Representative Dyson, et al.

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DEPUTY SPEAKER SMOKO:

Representative Mushinsky has once again asked leave of the Chamber to summarize. Is there objection? Seeing none, Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. This appropriates \$10,000 of the FAC to the City of Bridgeport for education on aquaculture.

I move adoption of the amendment.

DEPUTY SPEAKER SMOKO:

The question is on adoption of House Amendment "C". Will you remark? Will you remark?

REP. JAEKLE: (122nd)

Mr. Speaker.

DEPUTY SPEAKER SMOKO:

Representative Jaekle.

REP. JAEKLE: (122nd)

Actually, Mr. Speaker, I was probably going to stand up and just ask a couple of questions since we had just this second received a copy of the amendment from the other side. I understand this steamroller effect that seems to be building now, but --.

DEPUTY SPEAKER SMOKO:

I'm just trying to move business, sir.

REP. JAEKLE: (122nd)

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Fortunately, the first couple of lines jumped right out at me and I'm sure even if I had had this ten minutes or twenty minutes ago even, a lot of time, I would have asked questions. The \$10,000 that's coming out of FAC, I'd just like to ask, through you, Mr. Speaker, to the proponent, how much does this bring the total FAC appropriations to at this point?

DEPUTY SPEAKER SMOKO:

Would you care to respond?

REP. MUSHINSKY: (85th)

Mr. Speaker, I don't have a list. I can't give that an answer.

DEPUTY SPEAKER SMOKO:

You still have the floor, sir.

REP. JAEKLE: (122nd)

Through you, Mr. Speaker, to the proponent, how much total is in the FAC account?

DEPUTY SPEAKER SMOKO:

Representative Mushinsky.

REP. MUSHINSKY: (85th)

Through you, Mr. Speaker, \$1.5 million.

DEPUTY SPEAKER SMOKO:

You have the floor, sir.

REP. JAEKLE: (122nd)

Through you, Mr. Speaker, is the proponent aware of

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any money being left in the FAC account?

REP. MUSHINSKY: (85th)

Through you, Mr. Speaker, I'm not a member of Appropriations and I can't answer the question.

DEPUTY SPEAKER SMOKO:

Representative Jaekle.

REP. JAEKLE: (122nd)

Mr. Speaker, then if this money is in excess of the funds available, the available sums appropriated to the Finance Advisory Committee, will any monies go towards operating supplies for the aquaculture program, through you, Mr. Speaker?

DEPUTY SPEAKER SMOKO:

If you care to respond, Madam.

REP. MUSHINSKY: (85th)

Through you, Mr. Speaker, please repeat the question.

DEPUTY SPEAKER SMOKO:

Would you be so kind, Representative Jaekle.

REP. JAEKLE: (122nd)

Through you, Mr. Speaker, if all \$1.5 million has been allocated from the Finance Advisory Committee, this \$10,000 appropriation out of FAC, will it lapse? Will it be a deficiency? Will it become zero? What becomes of this \$10,000 appropriation if all

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\$1.5 million out of FAC has been allocated prior to let's say the Governor signing this bill?

DEPUTY SPEAKER SMOKO:

Representative Mushinsky.

REP. MUSHINSKY: (85th)

Through you, Mr. Speaker, it is my understanding from the Appropriations Committee that the entire \$1.5 million has not been appropriated.

DEPUTY SPEAKER SMOKO:

You still have the floor, sir.

REP. JAEKLE: (122nd)

Mr. Speaker, through you, to the proponent, I'm just curious about what type of operating supplies we're talking about for the aquaculture program.

DEPUTY SPEAKER SMOKO:

If you care to respond.

REP. MUSHINSKY: (85th)

Through you, Mr. Speaker, at this time I'd like to yield to Representative Biafore.

DEPUTY SPEAKER SMOKO:

Do you accept the yield, sir?

REP. BIAFORE: (125th)

Yes, I do, Mr. Speaker.

DEPUTY SPEAKER SMOKO:

Proceed.

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REP. BIAFORE: (125th)

Mr. Speaker, through you, the supplies we're talking about are specialized lumber, sealed material, fiberglas, special hardware which is used in an aquaculture program, not agriculture, through you, Mr. Speaker.

DEPUTY SPEAKER SMOKO:

You still have the floor, Representative Jaekle.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker, I appreciate the description. I'm just wondering the aquaculture school, I'm not aware that it's been built yet. Is that correct, through you, to the proponent?

REP. BIAFORE: (125th)

Through you, Mr. Speaker, the school itself has not been built, but we are using a building on Archer which is Captain's Cove and also Trumbull High School where the children go back and forth to use both facilities.

DEPUTY SPEAKER SMOKO:

You still have the floor.

REP. JAEKLE: (122nd)

Thank you. Through you, Mr. Speaker, are there going to be teachers actually teaching these programs?

DEPUTY SPEAKER SMOKO:

Representative Biafore.

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REP. BIAFORE: (125th)

Through you, Mr. Speaker, yes, the City of Bridgeport is going to supply three teachers.

DEPUTY SPEAKER SMOKO:

Continue.

REP. JAEKLE: (122nd)

And, through you, Mr. Speaker, there are no state funds presently allocated, appropriated other than this \$10,000 proposal to operate, man, supply, anything, for the aquaculture school in Bridgeport? Is that correct, through you?

DEPUTY SPEAKER SMOKO:

If you care to respond.

REP. BIAFORE: (125th)

Through you, Mr. Speaker, not that I'm aware of, any state funds.

REP. JAEKLE: (122nd)

Thank you.

DEPUTY SPEAKER SMOKO:

Thank you. Will you remark further on the adoption of House "C"? Will you remark? If not, all those in favor of the amendment please signify by saying aye.

.REPRESENTATIVES:

Aye.

DEPUTY SPEAKER SMOKO:

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Those opposed.

REPRESENTATIVES:

No.

DEPUTY SPEAKER SMOKO:

House "C" is adopted.

House Amendment Schedule "C".

Strike section 25 and insert the following in lieu thereof:

"Sec. 25. The sum of ten thousand dollars is appropriated to the department of environmental protection, for the fiscal year ending June 30, 1990, from any available sums appropriated to the finance advisory committee for such fiscal year, for 1989 acts without appropriations, for a grant to the Bridgeport board of education for operating supplies for the aquaculture program of studies.

Sec. 26. This act shall take effect from its passage, except that section 25 shall take effect July 1, 1989, and section 1, sections 3 to 8, inclusive, section 10 and section 24 shall take effect October 1, 1989."

DEPUTY SPEAKER SMOKO:

Will you remark further on this bill as amended?

Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. The bill itself sets up a new system of boating certificates and an educational program and assists in enforcement against reckless operation while under the influence of alcohol or drugs, unsafe boating practices and violation of state

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boating laws and regulations.

The law parallels our motor vehicle laws and I urge your support.

DEPUTY SPEAKER SMOKO:

Will you remark further on this bill as amended? Will you remark? If not, will all staff and guests please come to the well of the House. Staff and guests to the well. The machine will be opened.

CLERK:

The House of Representatives is voting by roll.
Members report to the Chamber. Members to the Chamber please. The House is taking a roll call vote.

DEPUTY SPEAKER SMOKO:

Have all the members voted? Please check the roll call machine to be sure your vote is accurately recorded. If all the members have voted, the machine will be locked. The Clerk will take a tally.

The Clerk please announce the tally.

CLERK:

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SB785, as amended by Senate Amendment "B" and House Amendments "A", "B" and "C".

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	140
Those voting Nay	6
Those absent and not Voting	5

DEPUTY SPEAKER SMOKO:

The bill as amended is passed.

REP. FRANKEL: (121st)

Mr. Speaker.

DEPUTY SPEAKER SMOKO:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, I move this item be transmitted immediately to the Senate.

DEPUTY SPEAKER SMOKO:

Is there objection? Seeing none, this item is transmitted to the Senate.

CLERK:

Calendar 572, Page 8, SB922. AN ACT CONCERNING ADOPTION. (As amended by Senate Amendment Schedule "A" and House Amendment Schedule "A")

Favorable Report of the Committee on HUMAN SERVICES.

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VOL. 32
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741-1136

MONDAY
April 3, 1989

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REFERRED TO: JUDICIARY

Education

Substitute SB469 An Act Concerning Reimbursement
for the Costs of Special Education

REFERRED TO: APPROPRIATIONS

Human Services

Substitute SB723 An Act Concerning Court-Sanctioned
Permanent Foster Homes.

REFERRED TO: EDUCATION

Environment

Substitute SB785 An Act Concerning Mandatory
Boating Education and Certificates of Boating
Operation.

REFERRED TO: JUDICIARY

Education

Substitute SB1031 An Act Concerning an Early
Retirement Incentive Plan for Teachers.

REFERRED TO: APPROPRIATIONS

4. ADJOURNMENT, SUBJECT TO THE CALL OF THE CHAIR

END SENATE AGENDA

THE CHAIR:

Is there any further business on the Clerk's desk?

THE CLERK:

Madam President, there is no further business on
the Clerk's desk.

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2916-3261

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facility requests by delaying the deadline from August 1 to September 1. It distinguishes between the respective rolls of the Office of Policy and Management, and the Public Works Department in preparing the revision, and amplifies the responsibilities of both.

Abbreviates the review process, requires a completion plan to be used as an advisory document for lease and related capital expenditures. Renames the plan for state facilities plan at seven. Rewords the statutes extensively to clarify the process of developing the plan. Mr. President, if there are no further questions, I'd ask that this be placed.

THE CHAIR:

Without objection, the item is placed on the Consent Calendar.

THE CLERK:

Turning to Calendar Page 3, Calendar #390, File #611. Substitute SB785, AN ACT CONCERNING MANDATORY BOATING EDUCATION AND CERTIFICATES OF BOATING OPERATION AND PROHIBITING THE RECKLESS OPERATION OF VESSELS. Favorable Report of the Committee on JUDICIARY. Clerk is in possession of about eight amendments.

THE CHAIR:

Senator Spellman.

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SENATOR SPELLMAN:

Thank you, Mr. President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Clerk, please call the first amendment.

SENATOR SPELLMAN:

In regard to the Democratic amendments, Mr. President, I would ask that

SENATOR UPSON:

Mr. President.

THE CHAIR:

Senator Upson, do you wish to be recognized?

SENATOR UPSON:

A ruling from the Chair, Mr. President. This has not been either Appropriations or to Finance Committee.

THE CHAIR:

What is your motion?

SENATOR UPSON:

I'm asking for a rule if it should be sent by you to one of those committees.

THE CHAIR:

What is your reason?

SENATOR UPSON:

The reason is it has to do with, for example,

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education course which will be provided by the state of Connecticut which would cost money.

THE CHAIR:

What is your response, Senator Spellman?

SENATOR SPELLMAN:

Mr. President, I believe that the fiscal not indicates that any expenses of DEP would be paid for from the Boating Fund, and that there would not be any resulting cost to the state of Connecticut.

THE CHAIR:

Chair rules that it is properly before us. Senator Spellman.

SENATOR SPELLMAN:

In regard to the Democratic amendments, Mr. President, I would ask that LC07832 and LC08402 be called, and the remaining amendments be withdrawn. I would ask, perhaps it would be appropriate to call 8402 first.

THE CLERK:

LC08402, designated Senate Amendment Schedule "A"
offered by Senator Powers of the 20th district.

THE CHAIR:

Senator Spellman. Senator Powers. Senator Spellman.

SENATOR SPELLMAN:

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I move adoption of the amendment, Mr. President.

THE CHAIR:

Wish to remark.

SENATOR SPELLMAN:

If I waive the reading, ask leave to summarize.

THE CHAIR:

Without objection, you may proceed.

SENATOR SPELLMAN:

The amendment is basically technical in nature. It does provide some language in regard to provisions into the bill requiring that anyone who feels an equivalency examination for purposes of a boating certificate is thereafter complete a course in state boating operation. And it also revises the language in the bill which did previously establish a point system in terms of violations that would then result in possible suspension of boating certificates. DEP does not have a central computer which is capable of maintaining records as to who has how many points. Therefore, we revised it to give authority to DEP for the most serious violations to make revocation of boating certificates.

THE CHAIR:

Further remarks on the amendment. All those in favor of the amendment, signify by saying aye.

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SENATORS:

Aye.

THE CHAIR:

Opposed. The amendment is adopted. Call the next amendment.

THE CLERK:

LC07832, designated Senate Amendment Schedule "B"
offered by Senator Powers of the 20th district.

THE CHAIR:

Senator Spellman. Senator Powers.

SENATOR POWERS:

Thank you, Mr. President. I move acceptance of the amendment, and waive its reading, and ask for permission to summarize, please.

THE CHAIR:

Without objection, you may proceed.

SENATOR POWERS:

Thank you, Mr. President, Members of the Circle. Current state statute sets decibel levels for noise that can be emitted by motorboat engines. The amendment that we have before us puts a little bit of teeth into that law by allowing that if that violation has occurred, if the decibel level has been exceeded, the vessel can be moored and proper modifications to the boat can be made.

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In addition there are, there's a fine of not less than \$100 and not more than \$500 and I would move its adoption, Mr. President.

THE CHAIR:

Further remarks on the amendment. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. If I might direct a question to Senator Powers?

THE CHAIR:

You may proceed.

SENATOR SMITH:

Thank you, sir. Senator Powers, could you describe the methodology in which this decibel level would be recorded and what kind of equipment would be necessary, and whether in fact, those required, or those officials required to administer the boating laws in the state of Connecticut are properly equipped to do so.

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Through you, Mr. President. That's a legitimate question, Senator Smith. It's my understanding that the Department of Environmental Protection currently has equipment that can measure the noise being emitted, the decibel level. They do have staff on board already

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to accomplish that. Through you, Mr. President.

THE CHAIR:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Senator Powers, through you, Mr. President, does that mean that those individuals who are empowered by the state boating laws, that may be local officials, may not be DEP officials, for example, are going to be required to acquire the necessary equipment to administer the decibel laws as you have defined them?

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Mr. President, all the local officials that may be effected by this law will not be required to purchase any equipment. Through you, Mr. President.

THE CHAIR:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. If he could repeat the response, because I think what I heard was that local officials are not going to responsible for administering the law?

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You want to repeat?

SENATOR POWERS:

Through you, Mr. President. If I heard Senator Smith correctly, he asked me if local officials were going to have to purchase equipment in order to fulfill the requirements of the law and I said the local officials would not have to purchase equipment.

Through you, Mr. President.

SENATOR SMITH:

Thank you, Mr. President. I think my question still remains unanswered. Does this mean that only those bodies of water that are going to be monitored officially by DEP and not those monitored by local enforcement officials. I know that in many communities, the responsibility for boating law may in fact be administered by local constables and others. Does this mean that in those instances where DEP is not directly responsible, that there will be not be a requirement that local officials administer the law?

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Mr. President, through you, it's my understanding, I would give an example of my home town, Pattagansett Lake which is oftentimes, when there's a problem there,

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state officials are called in. So if the point of the question is there's a problem with noise on a local piece of water, local body of water, it would be perfectly allowable for the DEP to come in and test the noise levels of a motorboat. We are looking for municipalities to purchase, again, as I said, any equipment, to fulfill the law that we are hopefully going to be passing this evening. Through you, Mr. President.

THE CHAIR:

Further remarks.

SENATOR SMITH:

Yes, Mr. President. I don't want to belabor this, but I really would like to get on the public record, as to whether, in fact, local constables who must administer the boating laws in a particular municipality, are going to be required to enforce this law. And I really have not heard for the public record, whether in fact that is the case.

And I will give you an instance. In some of the communities that I represent, there are local constables who are assigned as boating officials by the town, to administer the laws of the state of Connecticut, with regard to boating regulations. My question is a very specific one. Are they going to be

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responsible to administer this law? If in fact they are, are they going to be required to acquire the necessary equipment to carry out the sanctions that this particular provisions requires? If not, then I think the public record should so indicate.

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Thank you, Mr. President. Again, unless I'm missing something, Senator Smith is asking if local officials are going to be required, in order to fulfill the law, to purchase equipment. If that's the question, Senator Smith, I think I've answered it, and in my opinion, the answer is no, they will not be required to purchase equipment. If I could jump a step forward, so that we don't, we can continue this as long as you want but, if the concern that you have is that municipalities will have to purchase the noise machines, for lack of a better term, the DEP already has, in my opinion, the answer is no. That's not the purpose of this. Through you, Mr. President.

THE CHAIR:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I think I'm satisfied,

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but for the public record, it would appear to me that if in fact the municipality does not have the equipment, this becomes a responsibility of the Department of Environmental Protection to enforce this law, and if in fact you have local boating officials, that is officials who are assigned as constables, special constables to administer this particular provision, they will not be required by this law, by this provision that Senator Powers has indicated, to administer it. It would appear to me that for the public record, that if there is a complainant who has a problem with specific noise problems, it would not be the responsibility of the local enforcement official to enforce the law. Is that correct, Senator Powers? Through you, Mr. President.

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Through you, Mr. President. Try again. As I mentioned in my opening statement, the law itself is not being changed, so there's no change there. There's no impact at all, I don't think, upon elected officials. There are already decibel levels on the books.

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Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. From my understanding of this, and for the public record. This is permissive on the part of the municipality. It is their determination as to whether in fact they want to enforce this law. If there's further enforcement provisions that go beyond what the local municipality is prepared to administer, it would be the responsibility of the Department of Environmental Protection to take care of that.

THE CHAIR:

Further remarks on the amendment. All those in favor, of the amendment, signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed. The amendment is adopted.

Call the next amendment.

THE CLERK:

No further amendments, Mr. President.

THE CHAIR:

No further amendments. Senator Spellman.

SENATOR SPELLMAN:

Thank you, Mr. President. On the bill itself. The

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bill creates a new crime of reckless operation of a vessel while under the influence of alcohol or drugs. It implements a procedure in terms of blood/alcohol content which is basically identical to the procedure which we have for driving under the influence on highways. It redefines various unsafe boating practices as reckless operation in the second degree.

It also establishes a procedure for obtaining certificate of boating, which would be similar to your motor vehicle license, and establishes a procedure where, prior to 1991, a certificate may be issued under one of four circumstances, to anyone who has successfully completed a course in safe boating, to anyone who has passed an equivalency examination, to anyone who owns a registered boat or a numbered vessel at any time between January 1, 1986 and January 1, 1991 or to anyone who has been issued a vessel operator license by the Coast Guard.

Thereafter the bill establishes a phase-in procedure in terms of having to take a safe boating course that is age related. The bill also allows the Commissioner of Environmental Protection to suspend certificates for violations of state boating laws and it contains a provision in regard to personal water craft, which is popularly known as "jet skis" which

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would require that those vehicles, after December 31, 1990, be subject to the same laws in terms of boating certificates.

In particular, I believe that the most important aspects of this bill are in regard to reckless operation under the influence of alcohol and reckless operation in the second degree, I think we're taking a long overdue in step in terms of safety on our waterways, and will encourage all Members of the Circle to join me in supporting this bill.

THE CHAIR:

Further remarks. Senator Freedman.

SENATOR FREEDMAN:

Thank you, Mr. President. A question, through you, to Senator Spellman. I noticed in the OLR Report, that it says a person must be a resident or own property in the state, or operate a boat here, must have the boat registered here. We have a lot of people that come into our area for the summer, who do not live here, and the same thing, I assume, applies to the licensing. What do these people have to do in order to be able to operate their boat for the three months that they're renting property?

THE CHAIR:

Senator Spellman.

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SENATOR SPELLMAN:

The extent of our jurisdiction is limited to residents of Connecticut or persons who would be subject to licensing laws in the state of Connecticut, in terms of someone who's visiting and does not have a boat which is docked in Connecticut, and therefore subject to our boating requirements, or is not a resident himself, then we don't have any jurisdiction.

SENATOR FREEDMAN:

To carry it one step further. If this person should then get themselves into some sort of trouble, would we not have any recourse?

THE CHAIR:

Senator Spellman.

SENATOR SPELLMAN:

Thank you, Mr. President. For purposes of clarification, I'm talking about jurisdiction in terms of requiring certificates of operation. In terms of reckless operation, of operation under the influence, we have jurisdiction over any waters that we are patrolling, regardless of what your residence.

SENATOR FREEDMAN:

I guess my comment, having been a sailor, and spent a lot of time on the water, is it seems that the people that come in for the summer are the ones who are the

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reckless drivers, and I would have hoped that we could have made a provision for some sort of temporary permitting or licensing for these people to make sure that they meet the same standards that we have here.

I wonder, through you, Mr. President, if Senator Spellman could tell me if New York has some sort of requirement for licensing of their boaters?

THE CHAIR:

Senator Spellman.

SENATOR SPELLMAN:

I have no knowledge as to that, Mr. President.

SENATOR FREEDMAN:

Thank you.

THE CHAIR:

Further remarks. Senator Spellman.

SENATOR SPELLMAN:

If there's no objection, I'd ask it to be placed on Consent.

THE CHAIR:

Without objection, so ordered.

Senator O'Leary.

SENATOR O'LEARY:

Thank you, Mr. President. I think we'll head this boat up into the wind, drop the sails, or maybe we won't. Senator Sullivan probably has four or five more

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bills he's like to pursue.

THE CHAIR:

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. For purpose of an announcement, there will be a meeting of the Education Committee tomorrow morning at 9 a.m. in room 1E to act upon a bill referred by Consent today.

THE CHAIR:

We do have a Consent Calendar. We'll keep the announcements in abeyance until we dispose of this.

Clerk, please make an announcement for an immediate roll call.

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the Chamber.

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the Chamber.

THE CHAIR:

Please give your attention to the Clerk who will read the items that have been referred to the Consent Calendar.

THE CLERK:

2nd Consent Calendar, Mr. President, begins on Page 3. Calendar #390, Substitute SB785. Calendar Page 8,

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Calendar #496, SB982. Calendar Page 13, Calendar #536,
Substitute HB7401. Calendar Page 18, Calendar #180,
Substitute SB728. Calendar Page 19, Calendar #417,
Substitute SB898. Calendar Page 20, Calendar #229,
SB920. Calendar Page 24, Calendar #454, Substitute
SB1036. Calendar Page 26, Calendar #405, Substitute
HB7126.

Mr. President, that completes the 2nd Consent
Calendar.

THE CHAIR:

Are there any changes or omissions?

The machine is open, please record your vote.

Has everyone voted?

The machine is closed.

Clerk, please tally the vote.

The result of the vote:

35 Yea

0 Nay

The 2nd Consent Calendar is adopted.

Senator Spellman.

SENATOR SPELLMAN:

Thank you, Mr. President. I'd like to announce
that there will be a meeting of the Environment
Committee tomorrow at 9:45 a.m. in room 2B to act on
two bills referred from the House Floor.

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ago. If the Clerk would please call that.

THE CLERK:

Returning to Senate Agenda #6, SB785, AN ACT CONCERNING MANDATORY BOATING EDUCATION AND CERTIFICATES OF BOATING OPERATION AND PROHIBITING THE RECKLESS OPERATION OF VESSELS, as amended by House Amendment Schedules "A" and "B" and House Amendment Schedules "A", "B" and "C". The House rejected Senate Amendment Schedule "A". Favorable Report of the Committee on Judiciary.

THE CHAIR:

Senator Spellman.

SENATOR SPELLMAN:

Thank you, Mr. President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

Would you remark?

SENATOR SPELLMAN:

Thank you, Mr. President. The House Amendments restore due process procedures in terms of revocation of licensing. It also contains language which narrows the coverage in terms of requirement of a license, to only boats having motors of 35 horsepower or more.

In House Amendment "C" it appropriates \$10,000 to

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Bridgeport for education on aquaculture.

THE CHAIR:

Further remarks? The Clerk please make an announcement for an immediate roll call.

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the Chamber.

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the Chamber.

THE CHAIR:

The question before the Chamber is a motion to adopt Substitute SB785...

SENATOR SPELLMAN:

Mr. President, could we stand at ease for one moment before the vote.

THE CHAIR:

The Senate will stand at ease.

Senator Spellman.

SENATOR SPELLMAN:

I think we can proceed to a roll call vote, Mr. President. Thank you.

THE CHAIR:

The motion before the Chamber is a motion to adopt Substitute SB785, as amended by Senate "B" and House "A", "B" and "C". The machine is open. Please record

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your vote. Senator Matthews. Senator Avallone and
Senator Scarpetti. The machine is closed. The Clerk
please tally the vote.

Result of the vote.

35 Yea

0 Nay

The bill is adopted.

Senator O'Leary.

SENATOR O'LEARY:

Thank you, Mr. President. The Clerk has some
housekeeping Resolutions at this point.

THE CLERK:

Mr. President, the Clerk is in possession of Joint
Convention, correction SR37, RESOLUTION RAISING A
COMMITTEE TO INFORM THE HOUSE THAT THE SENATE IS READY
TO MEET IN JOINT CONVENTION.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

I move the adoption of the Resolution.

THE CHAIR:

The question is on adoption of the Resolution. All
those in favor signify by saying aye.

SENATORS:

Aye.

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loophole and maybe other ramifications so we would support a feasibility study prior to enacting any legislation along these lines.

SB785, AN ACT CONCERNING MANDATORY BOATING EDUCATION AND CERTIFICATES OF SAFE BOATING OPERATION.

This is an agency bill and it's one of our high priority bills. It addresses a problem of a rapidly growing boating population. In 1978 we registered something like 67,000 boats. This past year we probably registered close to 100,000 boats. We've got a situation where boating is an attractive sport. It's a form a recreation to people and if they have a few extra bucks in their pocket, they go out and buy a boat and put it on the water and don't know anything about what they're doing either the rules of the road, the regulations or how to operate the boat.

I can be very dangerous. Operating a boat can be more dangerous than operating a motor vehicle, yet we have no mandatory education. The Coast Guard Auxiliary and the Power Squadron do provide courses. We, as an agency, also provide courses. What we're recommending specifically is mandatory education and mandatory certification. It's not something that we could handle in one year and it needs to be phased in.

What we're suggesting is that a person, for the first couple of years, can take an equivalency test, which means he has to gather the knowledge in some way, whether it takes a course or he just simply takes an equivalency exam and passes it, that's fine. We would also be willing to grandfather in anyone who has registered a boat within the last five years.

The bill also provides for the suspension of operating privileges in violations concerning the boating laws and regulations and it addresses an area which we consider more and more of a problem every year and that's the area of jet skis. It's the one-man operated vessel that doesn't have a propeller. It operates by a jet. We would like to have mandatory certification and mandatory education of anyone who operates a jet ski. We

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think it's important. It's a unique type of vessel. It takes a certain type of skill to operate it and it's probably the single biggest problem we have in boating and those are basically the provisions that we are recommending in the bill.

So it would be mandatory certification, mandatory education. However, we will provide a grandfathering clause and also an equivalency test, an opportunity for an equivalency test over the first couple of years.

SEN. SPELLMAN: Commissioner, in regard to the jet skis, they come within the definition of personal watercraft?

DEP. COMM. DENNIS DECARLI: Yes.

SEN. SPELLMAN: Lines 127 to -- that includes jet skis?

DEP. COMM. DENNIS DECARLI: Right.

SEN. SPELLMAN: Representative Mushinsky.

REP. MUSHINSKY: Dennis, in the past we've had a problem sending our boating bills to Judiciary. Has your staff worked with the Judiciary LCO on this bill?

DEP. COMM. DENNIS DECARLI: I'm not sure that we have on this particular bill. They know it's coming. We do have two other boating bills that are in Judiciary and hopefully we will continue to work with the Judiciary Committee on it. We know that it's important and we know that without them we can't get this through.

SEN. SPELLMAN: Representative Collins.

REP. COLLINS: On the (inaudible, not using mic) could you clarify the five years --?

DEP. COMM. DENNIS DECARLI: Okay, yes, the way it reads I think in error. I think it was one of our first drafts and I don't think it's a real practical way to do it. What we need to do is show one year of registration within the last five. I think the way the bill reads, you need to show registration for

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all five. I don't think that's necessary, and as a matter of fact, I don't know that Motor Vehicles could even handle that should the people not have proof that they've had registration and I don't think that's reasonable.

SEN. SPELLMAN: Senator Matthews.

DEP. COMM. DENNIS DECARLI: One year within the last five, right.

SEN. MATTHEWS: In order to take the equivalency exam, will there be a manual or something that people can review before they take the exam?

DEP. COMM. DENNIS DECARLI: We have a manual -- the department has a manual and we certainly wouldn't put anything in the exam that wasn't in the manual and the Coast Guard Auxiliary and the Power Squadron also have their own manual so there are plenty of sources to gather the information on your own if you choose to do it that way.

SEN. MATTHEWS: And if a person takes the Power squadron exam or course, would that qualify them for equivalence?

DEP. COMM. DENNIS DECARLI: Yes, we have certified both the Power Squadron course and the Coast Guard Auxiliary course and courses that would be acceptable, certainly.

SEN. MATTHEWS: Thank you.

SEN. SPELLMAN: Representative Smith.

REP. SMITH: You talk about jet skis. What would this do to rental markets or people who go and rent jet skis for an hour or two hours? Would that virtually eliminate that market?

DEP. COMM. DENNIS DECARLI: I really don't know how to answer that. I think that the course will certainly not be a difficult one. I mean it won't be impossible. I think anyone that wants to operate a jet skis enough should be able to take the course. I don't see that it solves the problem by allowing people to rent a jet ski and operate it

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without the certificate because this may be the majority of the people out there. I don't really have a good handle on that, but I don't see an exemption for them.

SEN. SPELLMAN: Other questions from the committee? Representative Tiffany.

REP. TIFFANY: Denny, do you have any indication of how much it would cost the department to set up this registration? It's in DEP, the certificate, it's in DEP, not Motor Vehicles.

DEP. COMM. DENNIS DECARLI: Right. I think -- you're talking about the certification. Yes, it's strictly within our agency. If we had to depend on the General Fund, I certainly even wouldn't suggest this, but the money for this will come out of the Boating Fund and we do feel that with the increase in registrations this past year that the boating fund can sustain it without any increase in revenues.

SEN. SPELLMAN: Representative Knopp.

REP. KNOPP: I'm going to ask you about a bill you did not testify on and it's on the agenda.

DEP. COMM. DENNIS DECARLI: Pardon.

REP. KNOPP: I'm going to ask you a question about a bill on the agenda that you did not testify on.

DEP. COMM. DENNIS DECARLI: I still have more to go. Maybe I'll get to it, I don't know.

SEN. SPELLMAN: Representative Casey.

REP. CASEY: Dennis, the jet ski, the person items, there's a couple recreational devices today, not only the jet skis, they've got also a little water scooter that two people can sit on it and take off. I mean, if somebody has these on their beach and their relatives come in from Boise, Idaho and they want to go for a ride, they're not going to be able to try this because they're not going to be registered?

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DEP. COMM. DENNIS DECARLI: You mean the one other than the jet ski?

REP. CASEY: Yes, there's another one out there. My question is, it's not the jet ski, but you know, it falls into the same category because it does have a jet powered -- it's a jet powered boat.

DEP. COMM. DENNIS DECARLI: What we're really concerned about is the jet ski itself. I would agree that we don't have that degree of concern over the other types of two-man watercraft or the other one that looks more like a snowmobile. Yes, we could be a little bit more flexible on that, but I really -- the problem is with the jet ski itself.

REP. CASEY: But in essence, you had one, and a friend came and wanted to try it, he couldn't try it because he would have been schooled?

DEP. COMM. DENNIS DECARLI: True, that's true.

SEN. SPELLMAN: Commissioner, we're running into problems with the one hour, so if you could move along as quickly as possible.

DEP. COMM. DENNIS DECARLI: Okay, all right. As I said, I will be handing testimony so I'll probably just try to skim through the next few.

HB5374, AN ACT CONCERNING MUNICIPAL BOAT ORDINANCES. We would oppose this bill.

What it provides for, first of all, I think the Legislature has made it clear as to who is to occupy the area of boating. Currently towns can pass ordinances or create ordinances on boating within their own ponds that must be approved by the Commissioner.

This would provide an exemption for that. I think it would create chaos. It would create a diversity of laws and regulations out there and I just think it would be too confusing for the boat operator to go to one pond to the other and all the regulations are different and I really -- I don't think it would work in the best interest of the boater. I recognize that there are problems in a lot of

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REP. TIFFANY: Questions from the committee? Thank you Mr. Paine, Jonathan Simpson to be followed by Bob Crook.

JONATHAN SIMPSON: Thank you Mr. Chairman, members of the committee. I'm here today to make a few comments on two bills, one is Raised Bill No. 785, An Act Concerning the Voting Education and Certificates and the other bill is the grass carp bill.

I'm the executive director of the Candlewood Lake Authority. Candlewood Lake, the largest lake in the state. I'm also the principal of a consulting firm called Lake Management Consultants, based in New Fairfield, Connecticut.

Also, an active member of the North American Lake Management Society and I serve it as Associate Editor of the international journal called Lake and Reservoir Management. I've earned a bachelor's degree in fisheries and a master's degree in lake management, both from Michigan State University. And I've worked for the DEP's in the state of Michigan and in the Commonwealth of Kentucky, in lake and water reser...lake and water resource management.

On behalf of the Candlewood Lake Authority, I'm speaking today in opposition to Raised Bill No. 788, An Act Concerning the Grass Carp. In 1987 this committee studied and passed along the bill which became law as Public Act No. 87-492.

This Act established the Connecticut Clean Lakes Program. A program with the purpose of providing matching state funds to towns and lake associations to improve the water quality of recreational lakes.

Regulations were developed by the DEP and approved by Attorney General in May of 1988. And this legislation represented three years of hard work by many legislators, scientists, local officials and citizens. And the final product is a lake improvement program that stretches...that stresses scientific study, unbiased evaluation of the causes of water quality problems, and the implementation of measures to solve those problems.

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building a buffer zone around the lake, and not bring that well, obviously well-fertilized green lawn right down to the water's edge. And maybe get that dog to chase some of the ducks that, or geese that they may be feeding there.

Checking out the septic systems making sure it's not leaking and practice some of the good lake management practices that are, is the really underlying concept between the Clean Lakes Bill, which we passed a couple of years.

Which, by the way, is still not in place. It's due to go in front of the bonding commission this spring. So...

REP. TIFFANY: Any further questions from the committee? Thank you.

JONATHAN SIMPSON: If not, I would like to very briefly comment on Raised Bill No. 785, An Act Concerning Mandatory Boating Education and Certificates of Boating Operation. Again, on behalf of the Candlewood Lake Authority, I'm speaking today in favor of this bill.

I have four specific comments. Section 5 states that no person less than 12-years of age shall operate a motor-powered vessel, unless accompanied on-board by a person more than 18 years of age, who has been issued a certificate of safe boating operation.

We need to, this section needs to be made clear that this requirement should not take effect until on or after January 1st 1991 to match it up with the first section or else this summer and the next summer if this bill passes we'll have a lot of violations in that, saying kids have to go with somebody who has a certificate and there's no certificate being issued. So it's just a housekeeping chore, matching up the start-date of that.

Section 6A, I believe should be eliminated. It's acting upon the complaint of any person concern any allege of violation, will quickly bog down the system. The Candlewood Lake Authority, for example, takes several phone calls a day during the

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summer season from people complaining about alleged violations. Trying to plug each and every complaint into the system, will quickly bog it down.

Number three, the penalties described in section 6B, are too stiff for some basic violations of boating law. For example, a boater may accidentally put his or her boat numbers on backward or in the wrong color.

As written, this means an automatic suspension of his or her boating license for three months to a year. For some of these simple offenses, it's just not appropriate to suspend their licenses. I'd like to ask that these penalties, therefore, be broken down to the seriousness of the boating violation.

And lastly, all license suspension should be defined to occur during the months of the boating season. For example, suspending somebody's licenses for, boating license for three months, is not appropriate if the suspension month happened to fall in the months of December, January and February.

Again, just a housekeeping to make sure the suspension of boating, of the boating license occurs during the boating season and not during the down-time of the winter.

And that concludes my comments on the boating bill.

REP. TIFFANY: Questions from the committee? Thank you. Bob Crook to be followed by John Dommers.

BOB CROOK: Senator Spellman, members of the committee. My name is Bob Crook, I'm executive director of the Connecticut Sportsman's Alliance. First bill I'd like to testify on and in support of is Raised Bill No. 785, Mandatory Boating Education.

Sportsman's Alliance wholeheartedly supports this bill. We think it's pretty well written. There are a few errors in it already been brought on the penalties and the five-year grandfather clause. We think, overall, when those are corrected, will

ensure, will have the goal accomplished of ensuring boaters with registered vessels have the basics in safe boating.

It should be pointed out that this bill only addresses those vessels that are registered. It does not address vessels that are not registered. Sailboats 19-1/2 feet below and non-powered boats.

I'm also legislative chairman of the boating advisory council to the commissioner of the DEP. This council comprises all the boating groups within the state, both commercial and recreational. And we've debated this, the concept of this bill for about two years now, and we've debated this specific bill for about several months.

The bill has the council's approval, although not unanimously. There are some problems, one group or a couple of groups have with it. We, both Sportsman's Alliance and the Advisory Council believe this bill will be beneficial to the boating public and will promote safety on the water. So we'd urge passage.

Second bill is Raised Bill no. 7281, An Act Concerning Hunting and Fishing in Connecticut. We're testifying in opposition to this bill. In section 1, which is really Proposed Bill 5030, the intent of the bill is to ensure license fees generated are used for wild life purposes. We applaud that philosophy.

However, we believe the intent is already included in the statutes. Both federal aid for fish restoration, that's a (inaudible) funding, federal and federal aid for wildlife restoration, Pittman-Robinson, of which sportsman pay 10% or 11% in order to generate these funds, have the same conditional requirements for apportionment of monies to the state.

That is, a prohibition against the diversion of license fees paid by hunters for any other purpose other than the administration's said state, fish and game department. This provision is found in Section 26-14 relating to fish. That's under (inaudible) and 26-15A relating to wildlife.

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explicit reference to the fact that local constables do have the authority to enforce local fish and game rules.

BOB CROOK: Yes, that's true.

: That said that in the statute.

BOB CROOK: Yes.

: So, the statute suggests that there's no pre-emption of local fish and game laws, otherwise why constables the authority to...

BOB CROOK: No, the statute says that there may, the legal term is filling the field. If the state has in fact filled the field, then there can be no local ordinances. If the state has not filled the field as the case I used in my newsletter the last time on dangerous weapons, they have not filled the field on BB guns, on the purchase of BB guns by age. So, the town can write any ordinance they want to and implement any kind of an age limitation on that, but anything else to do with BB guns that the state has filled the field on, they can't do anything. When the state fills the field on the 250 foot limit or the state, in the case of Westport, fills the field on firearms, the town has no legal authority to write anything. That's why their ordinance is illegal.

: That's what the debate is about.

REP. TIFFANY: Any other questions. John Dommers to be followed by Mr. Hauhuth.

JOHN DOMMERS: Good morning Mr. Chairman, Committee members. My name is John Dommers and I represent the Humane Society of the United States, I am the New England Regional Director. First, I'd like to speak as a citizen of Connecticut as a taxpayer and as a boat owner. I fully support and endorse SB785, AN ACT CONCERNING MANDATORY BOATING EDUCATION AND CERTIFICATES OF BOATING OPERATION. I feel that this can be enacted very easily and for those who may feel inconvenienced by having to take a course today with 20th century technology upon us, even in this room, people can take video courses and purchase a video cassette of a complete

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boating course, study it in their home at their own leisure, at their own pace and take a test thereafter.

I know this proposal will be studied by those involved in designing such courses. I'm going to address the helium balloon issue, but would first like to state that we support fully the proposed bill HB5613, prohibiting the purchase of Islandic fish. We fully endorse the testimony presented by Doctor Robbins Barstow and by the Green Fees Representative. We fully endorse proposed HB6468, AN ACT PROHIBITING THE SALE OF ANIMALS FOR RESEARCH OR MEDICAL TESTING. That will be addressed by Julie Lewin from the Fund For Animals. She has signed onto my testimony on the HB7294, the lighter than air balloon issue.

You've heard ample testimony on the damages that the latex balloons do. I would just like to add a couple of incidental notes. Right now here in Connecticut and elsewhere where it's legal, helium balloons are just a legal and festive way to litter. Littering is against the law and it's another way of ocean dumping. People, when it's out of sight, it's out of mind, they don't think these balloons will land. If you think about the balloon, it's not just the balloon itself, the latex balloon or the mylar balloon, but it's the steel clamp, if you ever see how these things are affixed, there's a little steel clamp with little jaws on it, are pinched shut by a machine to seal the helium within the balloon.

These are quite dangerous also. Many marine mammals and birds that may be able to pass a piece of latex through their digestive system, cannot get that steel clamp through whatsoever. There's also the issue of the string to which the balloon is affixed or is affixed to the balloon. These are non-biodegradable nylon strings that are often found wrapped around the intestines and internal organs of the animals that ingest them. Sometimes there are messages tied to the string too, so that's just more solid waste going up. The balloons launched here in Connecticut will surely end up in the Atlantic Ocean due to prevailing winds aloft, that's for certain.

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purposes by the DEP. It could, it's a multi-facet instrument. It could find many violators of deer poaching, many other things it could be used. And, you would not have to hire a pilot. There are several pilots within the DEP. And, therefore, you wouldn't have to do anything.

The whole thing can be done for \$80,000, and I can see the Legislators approving \$80,000 and not megabucks, which some of these proposals that have been made will cost.

SEN. ATKIN: Thank you. Do you have any questions or comments?

SEN. GUNTHER: Al, we don't have the bill here, the bill in our Committee, but I think we ought to ask somebody over here about the increase, the doubling of the fees on the various licenses and also, in our last hearing on this particular bill, there was a suggestion made by the House Chairman that we have a salt water fishing license. Do you have any comments on that?

AL BENNETT: I certainly do, on the salt water. You'd get it over my dead body. (laughter) And I think that is the feeling of most people in the State of Connecticut.

SB 785

I have one thing, the boating bill, and I understand, Senator Atkin, that you said it was on the agenda? I suggest you give (inaudible) because this was started eighteen months ago in the State of Maryland. They have had very few people going to a mandatory education course. No other state in the nation has followed suit. There has been no domino influence on this thing, and there is a lot of people, there are a lot of boaters in this state that are not in favor of this, the way it is being proposed right now.

It should be looked at. And, may I submit to your Committee-- I don't have a Xerox machine. May I submit a column that I wrote which explains Mr. Hayden's position? It is fully, he has actually done a thorough study on this, and I wish all you gentlemen would read it over and study it. I know you have been up in Hartford, and according to

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television, the Democrats especially were there til 5:00 o'clock in caucus. So, you must be pretty well tired and don't want to hear this.

SEN. ATKIN: Thank you. If you would leave that with Nancy Drake, our Clerk, we will make it part of the record.

AL BENNETT: Thank you.

SEN. ATKIN: Is there anyone else who would care to testify this evening? If not, I first would like to thank the out-of-town Legislators for taking the time to come to Norwalk, and thank the Maritime Center for the use of the facility, and thank the public of course for coming.