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SB1062

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 29
9635 – 9973**

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HOUSE OF REPRESENTATIVES

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June 8, 2011

THE CLERK:

Senate Bill Number 1103, as amended by Senate,
"A", in concurrence with the Senate.

Total Number voting	146
Necessary for passage	74
Those voting Yea	130
Those voting Nay	16
Those absent and not voting	5

DEPUTY SPEAKER ARESIMOWICZ:

The bill as amended is passed.

The distinguished Majority Leader, Representative
Sharkey, you have the floor, sir.

REP. SHARKEY (88th):

Well, thank you, Mr. Speaker. We'd like to just
come back to that inadvertent mistake. We'd like to
swap out these two bills so I would like to, if I may,
call a calendar -- or add a -- Calendar 517 which is
Senate Bill 1062 to the Consent Calendar.

DEPUTY SPEAKER ARESIMOWICZ:

Is there objection?

REP. CAFERO (142nd):

No.

DEPUTY SPEAKER ARESIMOWICZ:

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Hearing none, so ordered.

REP. SHARKEY (88th):

Mr. Speaker?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sharkey.

REP. SHARKEY (88th):

The bill that we would like to withdraw from the Consent Calendar is Calendar 476, which is House Bill 6387.

DEPUTY SPEAKER ARESIMOWICZ:

So ordered.

REP. CAFERO (142nd):

Mr. Speaker?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero. Representative -- thank you.

Will the Clerk please call Calendar Number 99.

THE CLERK:

On page 36, Calendar 99, House Bill 6429.

DEPUTY SPEAKER ARESIMOWICZ:

The distinguished Majority Leader, Representative Sharkey, you have the floor sir.

REP. SHARKEY (88th):

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Thank you, Mr. Speaker. This represents our first Consent Calendar of the evening and I move its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please read through the numbers on the Consent Calendar for the Chamber's edification, please.

THE CLERK:

Calendar 99, House Bill 6429. Calendar 331, Senate Bill 980. Calendar 399, Senate Bill 883. Calendar 439, House Bill 6632. Calendar 503, Senate Bill 1110. Calendar 585, Senate Bill 212. Calendar 586, Senate Bill 227. Calendar 491, Senate Bill 799. Calendar 535, Senate Bill 1116. Calendar 568, Senate Bill Number 1138. Calendar 637, Senate Bill 1160. Calendar 569, Senate Bill 1199. Calendar 616, Senate Bill 973. Calendar 583, Senate Bill 98. And Calendar 517, Senate Bil

SB1062

DEPUTY SPEAKER ARESIMOWICZ:

The question before us is on passage of the bills on today's -- Consent Calendar. Will you remark? If not, staff and guests please come to the Well of the House, members take your seats, the machine will be open.

THE CLERK:

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HOUSE OF REPRESENTATIVES

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June 8, 2011

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting today's Consent Calendar by roll call. Members to the Chamber.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? If all the members have voted, please check the board to determine if your vote has been properly cast. If all the members have voted, the machine will be locked, Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

On today's Consent Calendar,

Total Number voting	148
Necessary for passage	75
Those voting Yea	148
Those voting Nay	0
Those absent and not voting	3

DEPUTY SPEAKER ARESIMOWICZ:

Consent Calendar is passed.

Representative Sharkey, you have the floor, sir.

Is there business on the Clerk's desk?

THE CLERK:

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

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PART 5
1390 - 1734**

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SENATE

34
May 12, 2011

Calendar 49, Senate Bill 480, Madame President move to place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madame President.

Madame President moving to Calendar page 36,
Calendar 232, Senate Bill 835, Madame President move to place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madame President.

Moving to Calendar page 37, Madame President,
Calendar 238, Senate Bill 1062, move to place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madame President.

Moving to Calendar page 42, Calendar 384, Senate Bill 377, move to place that item also on the Consent Calendar.

THE CHAIR:

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SENATE

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May 12, 2011

before doing that and before voting on that Consent Calendar, we have one additional item to add which is Calendar page 40, Calendar 327, House Bill 6330.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madame President. Now if the Clerk might call all of the items on the Consent Calendar before calling for a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk will you please call the bills?

THE CLERK:

From Calendar page 1, Calendar 489, Senate Joint Resolution 47; Calendar page 8, Calendar 226 substitute for Senate Bill 1153; Calendar page 9, Calendar 233, substitute for Senate Bill 1064; Calendar page 9, Calendar 248, Senate Bill 1150; Calendar page 11, Calendar 301, substitute of Senate Bill 518; Calendar page 12, Calendar 332, House Bill 6444; Calendar page 15, Calendar 407, substitute of Senate Bill 1209; Calendar page 16, Calendar 411, House Bill 6370; Calendar page 17, Calendar 415, House Bill 6275; Calendar page 17, Calendar 418, House Bill 6276; Calendar page 18, Calendar 424, House Bill 6270;

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May 12, 2011

Calendar page 21, Calendar 453, substitute for House Bill 6279; Calendar page 28, Calendar 49, substitute for Senate Bill 480; Calendar page 34, Calendar 173, Senate Bill 1047; Calendar page 36, Calendar 232, Senate Bill 835; Calendar page 37, Calendar 238, substitute for Senate Bill 1062; Calendar page 39, Calendar 302, Senate Bill 737; Calendar page 42, Calendar 384, substitute for Senate Bill 377.

That completes the items previously placed on the Consent Calendar.

Madame President, I am told that there is one more item to place. Page 40, Calendar 327. HB6330

And, one other correction, Madame President. On page 39, Calendar 302, that was voted on previously, SB737 so we take that off the Consent Calendar.

That should complete the first Consent Calendar.

THE CHAIR:

Thank you. At this time I would ask you to call for a roll call vote and I will open the machine.

THE CLERK:

The Senate is voting on the first Consent Calendar. Would all Senators please return to the Chamber? The Senate is voting on the first Consent Calendar. Will all Senators please return to the

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SENATE

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May 12, 2011

Chamber?

THE CHAIR:

Have all members voted? Have all members voted?
If all members have voted the machine will be locked
and Mr. Clerk, will you tell the tally?

THE CLERK:

Madame President

Total Number voting 36

Necessary for adoption 19

Those voting Yea 36

Those voting Nay 0

Those absent and not voting 0

THE CHAIR:

The Consent Calendar 1 has passed, is adopted.

The Senate will stand at ease for a moment,
please.

(Chamber at ease)

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Madame President, if we might stand at ease for
just a moment.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 4
962 – 1282**

2011

REP. GUERRERA: I'm just kidding. No, that sounds reasonable. Any comments? I can see your point on this.

LESLIE SHELDON: We have the support of DMV. We met with them and did our homework beforehand.

REP. GUERRERA: All right. Any other comments? Thank you.

LESLIE SHELDON: You're welcome. Thank you.

REP. GUERRERA: That wasn't too painful, was it? I said that wasn't too painful. Samuel Gold. Damon Libby. Damon Libby? Kirsten here, Griebel? Jill Meinke? Gone? We've already seen Matt Feest, correct? James Greco? Grant. I know Grant. Hey, here he is. Followed by Brian Anderson. How are you, Grant?

GRANT WESTERSON: I'm fine, Mr. Chairman, thank you. Mr. Chairman and distinguished members of the Committee, thank you for raising Bill 1062. This is a bill that doesn't cost you anything. Thank you for your comments. It really doesn't.

It's, this refers to a section of the statutes vessel lien process, which is a process that our industry. I'm sorry. I'm Grant Westerson. I'm with the Connecticut Marine Trades Association.

This bill would actually shorten the vessel lien process from 60 days to 30 days. It's a process by which the boatyard owners and marine owners can go after people that haven't paid their bills for the last two years or whatever.

I think the main point I want to get across is, this is not something that's used right at time of sale. It's not something that's used as an arm twist to get somebody to pay a bill. This is when a boat's been sitting in the back of a

boatyard for a couple of years, back row specials, and no longer does the owner correspond with the yard, no longer respond to any statements or anything like that.

This is the process by which a property owner can obtain ownership of the vessel, legally, so they can either run a D-9 over the top of it or turn around and sell it to somebody or give it to the Boy Scouts or do whatever they want with it. It's the only legal way to really get a hold of the boat so they can dispose of it.

And quite frequently the land underneath the boat is worth much more than the boat. We've asked that this process be shortened because generally this process doesn't come into play until the second or third year that the bills have been outstanding, so nobody needs a little more warning.

But I must point out that there is a mistake on line 5 in the bill. It references 60 days again. That needs to be changed to 30 days. That would be in, twice it would have to get changed in there.

But I hope you'll see fit to move ahead on this bill and let it not get lost in the wash. It would be advantageous to our members. It would certainly make life easier.

We do pay for this privilege, so the better, the easier the process is, the more time (inaudible) send \$50 checks to the Secretary of State, and whether it works or not to get the lien released, we have to send another \$25 to the Secretary of State.

So I hope you'll indulge us with moving this forward.

If you have any questions, I'd be happy to.

SEN. MAYNARD: Perfect time. He's good.

GRANT WESTERSON: My phone call.

SEN. MAYNARD: Thank you very much. I had the opportunity to speak with you and others about this, and I think the clarification just offered is the perfect one.

It's in your interest to work as long as you possibly can, or your members to work as long as they possibly can to keep a good customer there, but after two or three years of going through a process, there's no reason you should have another 60-day wait to have the outcome that you're likely going to have anyway at that stage of the game.

So I think you make a very valid presentation. Having grown up almost all my life surrounded by boats and boatyards, I'm sympathetic to the position, and I'm sure we could move this forward.

GRANT WESTERSON: I looked for an initiative that was budget neutral. Actually, this will probably raise more, it will probably create more applications for vessel liens, so this would probably be budget positive.

REP. GUERRERA: Well, let me say, I totally agree with what Andrew just said here, Grant, and I think, you know, as a businessman myself and understanding the predicament that a lot of these marinas are in today with the recession and people can't make their payments and so forth, and then seeing, I can imagine the amount of boats that are starting to stack up and you can't get rid of them because you're going through this process. It doesn't sit well.

GRANT WESTERSON: I'm the advisor for most of the people in the industry. They call me, ask for the paperwork, and then I get a call back three days later saying, now how does this work?

So we're trying to make this as simple as possible and yet being mindful that there's proper notification and proper advertising, et cetera, et cetera.

REP. GUERRERA: But I think like Senator Maynard said, too, it is in the best interest if you can work this out. Why wouldn't you want not to work it out?

GRANT WESTERSON: Thank you.

REP. GUERRERA: Any other comments? Thank you.

GRANT WESTERSON: Thank you, gentlemen.

REP. GUERRERA: Thank you. We will definitely take this into consideration.

GRANT WESTERSON: Thank you much.

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February 28, 2011

Transportation Committee
Legislative Office Building
Hartford, CT 06106Re: **S.B. 1062 (RAISED) AN ACT REDUCING THE WAITING PERIOD UNDER THE VESSEL LIEN PROCESS**

Chairmen Maynard and Guererra;

Distinguished Chairmen and Members of the Transportation Committee, the Connecticut Marine Trades Association (CMTA) and our membership urge you to support **S.B. 1062 (RAISED) AN ACT REDUCING THE WAITING PERIOD UNDER THE VESSEL LIEN PROCESS** and shorten the waiting period under this vessel lien process. This process, outlined in C.G.S. Sec. 49-55a. is how a boatyard or marina property owner may gain possession of a vessel in storage after her owner has long since stopped paying the bills. To a property owner the land under the abandoned vessel is worth much more to their business than the usually tired, older vessel. Spring launching time is when it is feasible to have these abandoned boats relocated or sold/given to someone who will properly care for them.

The process is generally initiated after month's even years of waiting for yard bill payments and adding the appropriate legal advertising and the ending auction, the current process is too lengthy. This initiative would shorten the waiting period from 60 days to 30 days before an auction may be held. With the short spring boating season in Connecticut's latitude this one month difference is important. All the usual protections for the vessel owner would stay in place such as proper advertising, legal notices and if there is any overage at auction, it would go back to the owner or escheat to the State. The vessel lien process is only initiated if the vessel owner is long deficient in paying their bills.

This economy has impacted everyone and it's not unusual for bills to pile up or be paid late. This process is not utilized for prompt bill collection services but for the repetitive and long term nonpayment of vessel invoices and the actual abandonment of the subject vessel. Most owners have had months or even years of opportunity to clear up their outstanding obligations and have refused to do so. This lien process is then used by the marina/boatyard owner to obtain legal possession of the abandoned vessel so that it can be properly disposed of by either sale or destruction to make the property available again.

We urge you to support **proposed S.B. 1062 (RAISED) AN ACT REDUCING THE WAITING PERIOD UNDER THE VESSEL LIEN PROCESS**. This is the time in the present economy to ease the costs and burdens on businesses. They have all they can do to stay in business and support the workforce that they have. This initiative would speed up a very necessary process. We would be pleased to discuss this at any time. Thank you for your time and consideration.

Sincerely,

John S. Johnson
Legislative ChairGrant W. Westerson
President