

PA12-174

HB5412

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 7
2085 – 2412**

2012

previous --

A VOICE: Three hours ago --

GORDON GIBSON: No, a previous speaker about moving the wood furnace regulations over to agriculture -- I'm all for it.

SENATOR MEYER: Thank you.

GORDON GIBSON: Thank you.

REP. ROY: Moving on. Capt. Dan Wood and he'll be followed by J. Dicine and B. Bentley, if they are here.

DAN WOOD: Good evening Chairman Roy, Senator Meyer and ranking members of the committee. Due to time restraints I have included details in the written testimony that was provided to this committee. Again, my name is Capt. Dan Wood. I run a light tackle guide service out of Niantic, Connecticut full-time and I've been doing so for 32 years.

I'm here today to speak in favor of Bill Number 5412. Bill number 5412 is basically a continuation of Public Act Number 10-124, Section 4, in regards to certain vessels registered with marine dealer numbers and their usage. That was two years ago that that bill was passed and in those two years I know of no negative effects of the uses of the marine dealer numbers.

The ability for me to continue, so the dealer registration directly affects me personally and my business because for -- a number of years ago I received a sponsorship with Hydra-Sports boat manufacturers as well as Evinrude outboard motors and on a pro staff program which was very unique in this area.

For the past years I've been working exclusively with the local Hydra-Sports and Evinrude dealer, who is Atlantic Outboard out of Westbrook, Connecticut.

The ability to use the marine dealer registration while I'm on the water is a very unique situation in that on a daily basis I am demonstrating and promote the products of Hydra-Sports Boats Evinrude motors to the potential clients of Atlantic Outboard. The boat is prominently displayed with signage promoting Atlantic Outboard, Evinrude, Hydra-Sports. This is extremely beneficial to Atlantic Outboard as well as the manufacturers because just because of the sheer number of days the boat is on the water.

The program directly corresponds to numerous boat and engine sales throughout the year as well as utilizing the boat in promotional advertising via articles, newspaper clips, websites, personal appearances at boat shows along with sea trials, tournaments and in-house promotions at the dealership.

The boat is also used to field test new products by the manufacturers before they're available to the public. The ability to put time on these products under real-world conditions is extremely valuable to both engine and boat manufacturers.

The importance of the continuation and passage of this bill is paramount to me because, one, it basically allows me to stay in business. Two, it's extremely important for Atlantic Outboard because I continue to generate boat and motor sales. And thirdly, it would allow marine dealers, all marine dealers in the state to capitalize on the unique and

effective marketing tool that has been so successful to Atlantic Outboard -- that it allowed them to achieve the number one dealer status for Evinrude Motors in North America the past five years in a row and also kept them elevated to the top ten Hydra-Sports dealer in the country.

I know of no negative effects of this usage. I believe the intent of the -- the original intent --

REP. ROY: Thank you. Thank you. As long as you saw no negative effect, we'll stop you there.

DAN WOOD: Okay.

REP. ROY: Any questions for the captain?

Okay. You've done a great job. Answered all the questions ahead of time. Thank you.

Okay. J Dicine and B. Bentley followed by Christine Lamb.

When you finish, would you report to the desk so we can get your full names for the transcripts?

A VOICE: Yes.

A VOICE: Yes.

REP. ROY: Thank you.

BONNIE R. BENTLEY: Good evening now, Chairs Meyer and Roy and members of the committee. I am Senior Assistant State's Attorney Bonnie Bentley and I'm here on behalf of the division of criminal justice. And I'm here today with Supervisory Assistant State's Attorney Judy Dicine.

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 8
2413 – 2739**

2012



Randy Jernigan
Regional Sales Manager
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March 15, 2012

To whom it may concern,

Captain Dan Wood has been working with Hydra-Sports for well over ten years. During this time Dan has proven to be an asset to Hydra-Sports boats. Every year we supply Captain Wood with a new Hydra-Sports boat. This boat is used for field testing and allows us to receive feedback on our boats from fishermen through Dan. Captain Dan also provides us with design recommendations for new and existing products.

Because we choose to work with Atlantic Outboard and Captain Dan Wood as part of our Pro Staff, the boat is used mainly in the state of Connecticut. In order for us to continue to work with Captain Dan and Atlantic Outboard, Hydra-Sports needs to have Captain Dan utilize a Connecticut marine dealer registration for the boat.

If you have any question, or I can provide more detail, please feel free to contact me.

Sincerely,

Randy Jernigan

TESTIMONY IN SUPPORT OF BILL NO. 5412**An Act Concerning the Operation of Certain Vessels Registered With Marine Dealer Registration Numbers**

My name is Capt. Dan Wood and I have been operating a light tackle fishing guide service since 1980 out of Niantic, Conn. I am the only full-time fishing guide in the state of Connecticut. This is not a supplement to a principal source of income. During the past 32 years I have complied with all Federal, State and local permit and licensing requirements.

Approximately 15 years ago I received a sponsorship with Hydra-Sports boat manufacturer and Evinrude outboard motors on their Pro-Staff programs. Over the past 10 years I have worked exclusively with Atlantic Outboard, the Hydra-Sports and Evinrude dealer in Westbrook, Conn. This is a very unique situation in that on a daily basis I demonstrate and promote the products of Hydra-Sports boats and Evinrude motors to the potential clients of Atlantic Outboard. This program directly corresponds to boat and engine sales throughout the year, as well as utilizing the demo boat in promotional advertising via articles, news clips, web sites and personal appearances at boat shows, along with sea trials and in-house promotions at the dealership. This endorsement is advantageous to product sales, due to the high number of days the boat is on the water, bearing the signage prominently displayed on the boat for Atlantic Outboard, Hydra-Sports and Evinrude.

The inner workings of this agreement are that I run a dealer demo boat that is for sale throughout the season and at the end of the season the boat is sold. I work for Atlantic Outboard on an in-kind basis. In lieu of salary, I am granted use of the boat for the season. As a fishing guide, I do not receive payment for conveying passengers, but am paid for my fishing knowledge and expertise. The boat is for sale at any point during the year. At the end of each season, the purchaser (usually one of my clients or a client that has sea-trialed the boat) receives delivery of the boat. At that time, sales tax and registration fees are paid to the state. The dealer registration is utilized as the boat is not owned by the dealer or the manufacturer, but by a finance company who floor-plans all dealer boats. One of the big selling factors for people to purchase the dealer demo boat is that it is delivered with the full manufacturers' warranties on the boat and motors.

Through this progressive marketing approach, Atlantic Outboard has elevated their sales to be named in the Top 10 Hydra-Sports dealers in the country for the past six years, and more notably, the #1 Evinrude dealer in North America for the past five years, consecutively.

I have been integral in assisting Atlantic Outboard to achieve the numbers of boats and motors sold through the following:

Tournaments

Besides running a dealer demo boat and being so visible on the water, I have also fished a number of tournaments on the local and national levels, always prominently promoting Atlantic Outboard, Hydra-Sports and Evinrude. This offers exposure to these name brands in print articles and through television coverage of such events.

Boat Shows/Sportman's Shows

I assist the dealer in sales and promotion at numerous boat shows throughout the region, lending to their product my endorsement as a well known Captain and leader in the fishing and boating industry.

Personal Appearances

Throughout the year I am requested to make appearances at events held at major venues such as Cabela's and Mohegan Sun as well as in-store promotions at Atlantic Outboard. I take part in seminars at various fishing club organizations. At all events I display and represent Atlantic Outboard, Hydra-Sports and Evinrude.

Media Advertising

On my personal guide business level, the importance of sponsorship support and brand recognition is heavily displayed on

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all print, web and social networking promotions. There is not a promotional avenue utilized without my inclusion of Atlantic Outboard, Hydra-Sports and Evinrude, including the lettering on my vehicle which bears the brand logos

Field Testing

An important part of my relationship and my value to Atlantic Outboard, Hydra-Sports and Evinrude is that I am continuously provided with new, cutting edge products to rigorously field-test before they are available to the consumer market. The feedback they receive from me is invaluable in their product development and enhancement. This enables me to better assist the dealership in future sales with a hands-on working knowledge of the boats and motors

This program does not deny Connecticut Sales tax collected by registering the vessel I operate, as I hold a Fisherman Tax Exemption Certificate. My business dealings do benefit the State of Connecticut with:

- Numerous boat/engine sales generating sales tax and registration revenues
- My business corporate and income taxes
- Connecticut Charter boat licenses and fees
- Fuel taxes (approx. 3,000 gallons annually)
- Revenue generated by my anglers visiting from in and out of state utilizing local tourist facilities including:
 - hotel accommodations
 - restaurants
 - rental cars
 - auto gas

In late summer 2009, I was contacted by CTDEP Boating Division, alleging potential misuse of marine dealer registration numbers. I received an e-mail which included subsections of the regulations that were current at that time

I felt I met the criteria of subsection *d*, specifically:

- (1) while a potential purchaser or customer is aboard
- (3) when test running a new vessel after receiving it from the manufacturer
- (6) when test running a trade-in vessel before it is made available for sale
- (7) when running a vessel to, and using a vessel in, a fishing tournament
- (9) when used in connection with the business of the marine dealer
- (11) for personal use of the marine dealer

At this point I contacted State Senator Andrea Stillman's office and through her hard work and diligence, Public Act #10-124, Section 4 was created which clarified regulations governing my unique relationship bridging boat and motor sales with a corporate sponsored endorsement. This was written to be in effect for two years, and will be expiring in May of 2012. Passage of Bill 5412 before you will allow me to remain in business, will enable Atlantic Outboard to maintain the high sales volumes they have achieved, and may open doors for established guides seeking corporate endorsements in the future

Capt Dan Wood
 Connecticut Woods and Water Guide Service
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H – 1140

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
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Representative Stallworth, please, for comments.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Stallworth, do you accept the
yield?

REP. STALLWORTH (126th):

Thank you, Madam Chair.

I also want to rise to say thank you to Jordan
who was my intern. Also in being a freshman, he was
able to do a lot of research that was very helpful to
me. And, so, I would like to say thank you.

Thank you, Madam Chair.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Will the house give the usual warm welcome to the
intern?

You worked for two very demanding Legislators,
young man. It's amazing you survived.

Will the Clerk -- are there any other
announcements or points of personal privilege?

Will the Clerk please call Calendar Number 207?

THE CLERK:

On page 7, Calendar 207, House Bill number 5412,
AN ACT CONCERNING THE OPERATION OF CERTAIN VESSELS
REGISTERED WITH MARINE DEALER REGISTRATION NUMBERS,

favorable report by the Committee on the Environment.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy, you have the floor, sir.

REP. ROY (119th):

Thank you, Madam Speaker.

I move acceptance of the Committee's favorable report and passage of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

The motion is acceptance of the Joint Committee's favorable report and passage of the bill.

Will you elaborate, sir?

REP. ROY (119th):

Thank you. I'd just like to deviate for a moment, if I may, because last night I was bringing out a very important piece of legislation and I stumbled in the beginning because I was trying to come up with the list of names that Representative Riley had asked me about.

Madam, for the record, those names are Dasher, Dancer, Prancer, Vixen, Comet, Cupid, Dunder, Blixem. Now I would like to move on to the bill.

Thank you.

The bill is a simple one. It removes a sunset on current legislation which would have sunset at the end

of this month. Under the law, it allows a person to operate a vessel with a marine dealer registration number if he or she has a current U.S. Coast Guard passenger for hire license, holds a current Department of Energy and Environmental Protection, DEEP (inaudible) charter, boatlet registration, and operates a recreational charter fishing guide service using the vessel register with the marine dealer.

I move passage.

DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is on passage.

Will you remark further on the bill?

Representative Shaban, you have the floor, Sir.

REP. SHABAN (135th):

Thank you, Madam Speaker.

Madam Speaker, I also rise in support of the bill before us. As the Chairman indicated, this is similar to something we did, I think, in 2010. This takes the sunset date out. It provides an exemption in very limited circumstances for these individuals who are certainly qualified individuals, top rate under these provisions. And I encourage my colleagues to support it.

Thank you, Madam Speaker.

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DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Will you remark further on the bill that's before us? E Ritter, you have the floor, Ma'am.

REP. E. RITTER (38th):

Thank you very much, Madam Speaker.

Madam Speaker, I also would like to join my colleagues in urging passage of this bill. The particular provisions of this bill are very important to those of us who have shoreline communities and issues that have become perhaps more imperative to the operation of these vessels. And I want to thank the Chair of the Committee on Environment for helping out, pursuing this, and again, urge my colleagues to support the bill.

Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Representative Hetherington, you have the floor, Sir.

REP. HETHERINGTON (125th):

Thank you, Madam Speaker. To the proponent, if I may. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

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Representative Roy, prepare yourself.

Representative Hetherington, please frame your question.

REP. HETHERINGTON (125th):

Through you, Madam Speaker, what are the circumstances that necessitate one of these classes of individuals using a dealer's registration rather than registering -- registering the vessel in his or her own name?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Madam Speaker, it's a working agreement. The gentleman does not have the boat, but now by using this, the charter company gets some publicity that it would not otherwise get, which helps the business, and then he gets to run his business of taking people out on the water.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

Through you, Madam Speaker, I'm not sure I follow

that. Why would holding the vessel with a dealer's registration publicize the operator? I would think that it -- well, I'm sorry, it doesn't matter what I think. Why would that give additional publicity to the operator?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

I didn't catch the end of that, Sir. If you could repeat.

DEPUTY SPEAKER KIRKLEY-BEY:

Would you repeat?

REP. HETHERINGTON (125th):

Well, as I understood the good gentleman's response, that this gives the business of the operator some additional publicity, and I don't understand why that is true. Would the gentleman through you, Madam Speaker, the gentleman kindly elaborate on that?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Certainly. Thank you, Madam Speaker.

Through you, when taking tours out on Long Island Sound, he probably talks about the boat that he's operating and the company that he uses it from. They get that additional publicity. Word spreads. And as you know, word of mouth is probably the best advertisement anybody can have.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

So, through you, Madam Speaker, as I understand it, it actually -- it raises the profile of the dealer by making the dealer's name known to the guests and passengers.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you, Madam Speaker.

Through you, yes, it does, and he also gets additional publicity.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you.

Through you, Madam Speaker, is this -- does this suggest that there is a financing arrangement between the operator and the dealer whereby the dealer is holding title to the vessel as a security interest while the vessel is being operated in the -- whatever the charter, fishing business, whatever?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you.

Through you, Madam Speaker, I do not have the details of the agreement, sir.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

Well, if the registration number still belongs to the dealer, then I would assume that the dealer still holds title to the vessel. Is that correct, through you, Madam Speaker?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Through you, Madam Speaker, yes, that is true.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

Is it my understanding, though, that we don't know what the typical arrangement is, whether this is a way of securing financing from the dealer or whether the vessel is some other way held by the dealer as a security for the -- in the operation by the operator? I'm just trying to find out if there's some -- if there's some underlying reason why the dealer continues to hold title and has the boat registered in the dealer's name while it's being operated by somebody else.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you.

Through you, Madam Speaker, the agreement -- the gentleman, the pilot does not have the craft, the watercraft. So, this way he has a boat to conduct his business and the people who own the boat get additional publicity which helps their business. I

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think it's just two friends who got together and shook hands.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

I see. And, so, that all the responsibility and liability that would ordinarily attend to the owner of the vessel remains with the dealer; is that right?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you.

Through you, Madam Speaker, I believe that would be true, sir.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

Is there a -- through you, Madam Speaker, is it typically some limitation and time during which this practice must be concluded? Is there a time during which the title to the vessel and the registration must actually pass to the operator?

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Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Could I have that question again, Madam Speaker?

DEPUTY SPEAKER KIRKLEY-BEY:

Could you please restate the question?

REP. HETHERINGTON (125th):

Certainly. Could this arrangement go on indefinitely or is there some limited period time after which the registration must, in fact, reflect the person who has control and use of the vessel?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you, Madam Speaker. Under the law that we're looking at to pass, the agreement could go on forever, but that would be up to the gentlemen who are actually in that agreement.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

Through Madam Speaker, is this permissible under the Federal legislation that regulates the inland waterways and creates responsibilities for the states with respect to the registration, display of numbers and so forth?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Through you, Madam Speaker, since his license is through the United States coast guard and it's been going on for a number of years, I would assume that it meets all the criteria that the U.S. Government has.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

Registration of vessels in Connecticut are handled by the Department of Motor Vehicles; is that correct, through you, Madam Speaker?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Through you, Madam Speaker, that is correct.

DEPUTY SPEAKER KIRKLEY-BEY:

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Representative Hetherington.

REP. HETHERINGTON (125th):

And this applies to vessels that are registered in Connecticut with the Department of Motor Vehicles and not, not vessels which are documented under the Federal provisions for documenting vessels over a certain size. Through you, Madam Speaker.

REP. ROY (119th):

Thank you.

Through you, Madam Speaker, the operation has been in effect for, I'm not sure just how many years at this point. The licenses and the registrations have the approval of the coast guard, has the approval of this Government. We are removing a sunset clause at the end of it so that it continues on into the future.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hetherington.

REP. HETHERINGTON (125th):

I thank the good gentleman for his information, his answers, and I thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, sir.

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Representative Lavielle, you have the floor,
Ma'am.

REP. LAVIELLE (143th):

Thank you so much, Madam Speaker. Good
afternoon.

DEPUTY SPEAKER KIRKLEY-BEY:

Good afternoon.

REP. LAVIELLE (143th):

I just have a few questions for clarification
from the proponent, if I may.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy, prepare.

Representative Lavielle, please proceed.

REP. LAVIELLE (143th):

Thank you, Madam Speaker.

I wondered if the good Representative could tell
me what the -- what dollar amount roughly is
represented in terms of economic activity by this type
of guide service.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Did you say economic activity?

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DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

Through you, Madam Speaker, I did, sir. I meant how much -- what's the revenue contribution from the -
- from this business approximately roughly speaking.

Thank you, Madam Speaker.

REP. ROY (119th):

Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Through you, Madam Speaker, economic activity is that the dealer gets more publicity. The boater, the pilot gets to charge his fares on the people going out on the boat. And I don't know if he has to pay for the gasoline and all that, but I'm sure that that's all part of that handshake.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

I'm sorry. I thank the Representative for his answer. I don't think I expressed my question very

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well. What I meant was how much revenue do we think is generated by this type of activity on an annual basis? Through you, Madam Speaker. Representative Roy.

REP. ROY (119th):

Through you, Madam Speaker, I do not know.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

Thank you, Madam Speaker. And I wondered if the -- if the representative could give me just an idea of what under current law without this bill, is the difference simply that someone with the coast guard license and a current registration cannot operate a dealer-registered vessel? That's forbidden under current law?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you, Madam Speaker.

They would have to operate underneath this law. We are lifting the sunset on it that would have ended the operation at the end of this month.

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DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

Thank you. And also, does the dealer whose registration is acceptable for a vessel operated by one of these operators, does that dealer's registration have to be in the state of Connecticut? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

I believe the registration would be in the state of Connecticut. It's a Connecticut company. It's operated in Connecticut waters.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

Thank you, Madam Speaker.

So, in that event, is it common, for example, on Long Island Sound for there to be sort of a cross-pollination of registrations either from New York or from Rhode Island and Connecticut? Is there some intermingling of vessels in those waters, since I'm

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sure the boundaries aren't very clear?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you.

Through you, Madam Speaker, I don't know if it applies to New York vessels. They would have their own registration, I assume, in New York. But as we do with automobiles, we cross state lines all the time and we all respect each other's registrations and laws.

Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

Thank you. And, Madam Speaker, since we've been discussing publicity, again, just for clarification, it is then I presume common for -- on these vessels the dealers' name, the insignia to be prominently displayed, and that's how the publicity happens?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

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REP. ROY (119th):

Thank you.

Through you, Madam Speaker, the publicity that derives from this is that this is the one who rents these boats and people go out with Captain Dan, as we call him. They are told about this renter and his business and probably learn about the rates and all the other things that the business needs to get out there, and more and more people line up, apparently.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

Thank you. And to the good Representative, Madam Speaker, through you, do we expect that this legislation might lead to an increase in activity in this area?

Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Yes, through you, Madam Speaker, it is possible that that will happen. I'm sure that the Department of Revenue would love to have that happen and would

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help us all.

Thank you. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle.

REP. LAVIELLE (143th):

I thank the gentleman for his answers, as do we all, as do we all. More business activity, particularly for small operators is exactly what we're looking for, and I hope this will provide some encouragement.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Representative Rovero, you have the floor.

REP. ROVERO (51st):

Thank you, Madam Speaker. I have a couple of questions for the proponents of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

Please proceed, Representative Rovero.

REP. ROVERO (51st):

When a vehicle normally is registered or I should say a boat is normally registered through the Department of Motor Vehicle does this person have to

pay property tax on that vehicle or on that boat?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Through you, Madam Speaker, yes.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Rovero.

REP. ROVERO (51st):

That goes to my main question, then. I know like with automobiles someone has a dealer plate on an automobile, you don't pay property tax on that vehicle. Does that same thing apply to someone with a vessel that has a dealer registration? Is he exempt from paying property tax?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Through you, Madam Speaker, I don't know the answer to that, Sir.

REP. ROVERO (51st):

I think it's a very important part of this bill because if you have someone wants to put his dealer registration on several boats to take people out in the ocean and so forth, but it's a wonderful way to

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beat the local property tax, I think it's something that we should look into.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you.

Through you, my presumption is he takes the same boat out each time, and that the other boats eventually sold, and those will all have registrations that are paid for.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Rovero.

REP. ROVERO (51st):

I guess that's fine, except that in the meantime time while he's taking people out as passengers and so forth, he has a better part of a profit picture than someone that pays property tax who takes people out on a boat that's registered. And I think it's an unfair competition in the boating industry.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Roy.

REP. ROY (119th):

Thank you.

Through you, Madam Speaker, the owner pays the property tax or fees that are associated with it, and that's going on for I don't know how many years. Department of Motor Vehicles isn't upset. Revenue isn't upset. Things are going well, I think, and we're trying to promote more business.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Rovero.

REP. ROVERO (51st):

While it might give more business, but I think it hurts the tax structure of any town. And I thank you very much for your answers.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Will you remark? Will you remark further on the bill that is before us? Will you remark further on the bill that is before us?

If not, staff and guests, please come to the well. Members, take your seats. The machine will be open.

THE CLERK:

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

roll call vote. Members to the Chamber, please.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

Have all members voted? Have all the members voted? Please check the roll call board to make sure your vote has been properly cast.

Representative Hetherington, did you push your button? No, I'm fine. Never mind. Must be a malfunction of some sort.

Representative Betts, Representative Betts? Representative Betts is not here.

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

Clerk, please announce the tally.

THE CLERK:

House Bill 5412.

Total number Voting	144
Necessary for Passage	73
Those voting Yea	143
Those voting Nay	1
Those absent and not Voting	7

SPEAKER DONOVAN:

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The bill is passed.

Will the Clerk please call Calendar 117?

THE CLERK:

On page 35, Calendar 117, substitute for House
Bill Number 5250, AN ACT CONCERNING THE APPOINTMENT OF
PRIMARY POLLING PLACE OFFICIALS, favorable report by
the Committee on Appropriations.

SPEAKER DONOVAN:

Representative Russ Morin, you have the floor,
Sir.

REP. MORIN (28th):

Good afternoon, Mr. Speaker.

SPEAKER DONOVAN:

Good afternoon, Sir.

REP. MORIN (28th):

From this distance, I thought Representative
Hetherington was coming back.

SPEAKER DONOVAN:

He was here yesterday, sir.

REP. MORIN (28th):

Through you, Mr. Speaker.

Mr. Speaker, I move for acceptance of the Joint
Committee's favorable report and passage of the bill.

SPEAKER DONOVAN:

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place the item on the consent calendar.

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

Oh, excuse me, Madam President.

THE CHAIR:

You've already did that one.

SENATOR LOONEY:

Strike that one. That one, I believe, is -- may have been marked previously. So strike that item.

Next one, Madam President, is calendar page 20, Calendar 496, House Bill 5412, move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, calendar page -- moving back to calendar page 17, Calendar 474, House Bill 5233, move to place this item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 18, Calendar 479, House Bill 5500, move to place the item on the consent calendar.

THE CHAIR:

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On page 3, Calendar 240, House Bill 3283; page 3, Calendar 299, House Bill 5437; page 5, Calendar 349, Senate Bill 374; page 6, Calendar 375, House Bill 5440; page 6, 362, House Bill 5011.

On page 7, Calendar 376, House Bill 5279; on page 7, 387, House Bill 5290; on page 8, 394, House Bill 5032; on page 8, 396, House Bill 5230.

Also on page 8, Calendar 398, House Bill 5241; on page 8, Calendar 393, House Bill 5307; on page 9, Calendar 403, House Bill 5087; on page 9, Calendar 406, House Bill 5276; on page 9, 407, House Bill 5484; on page 11, Calendar 424, House Bill 5495; on page 12, Calendar 435, House Bill 5232; on page 13, Calendar 5 -- excuse me Calendar 450, House Bill 5447; on page 14, Calendar 455, House Bill 3 -- I'm sorry -- House Bill 5353.

On page 14, Calendar 453, House Bill 5543; on page 14, Calendar 459, House Bill 5271; on page 15, Calendar 464, House Bill 5344; on page 15, Calendar 465, House Bill 5034; on page 16, Calendar 469, House Bill 5038; on page 17, Calendar 475, House Bill 5550; on page 17, Calendar 474, House Bill 5233; on page 17, Calendar 477, House Bill 5421.

Page 18, 480, House Bill 5258; on page 18, Calendar 479, House Bill 5500; page 18, Calendar 482, House Bill 5106; on page 18, Calendar 483, House Bill 5355; on page 19, Calendar 489, House Bill 5248; on page 19, Calendar 488, House Bill 5321; on page 20, Calendar 496, House Bill 5412.

On page 21, Calendar 504, House Bill 5319; page 21, Calendar 505, House Bill 5328; on page 22, Calendar 508, House Bill 5365; on page 22, Calendar 510, House Bill 5170; on page 23, Calendar 514, House Bill 5540; on page 23, Calendar 517, House Bill 5521.

Page 24, Calendar 521, House Bill 5343; page 24, Calendar 518, House Bill 5298; page 24, Calendar 523, House Bill 5504; page 29, Calendar 355, Senate Bill 418; on page 13, Calendar 444, 5037; and Calendar 507, House Bill 5467.

THE CHAIR:

Senator -- Senator Suzio.

SENATOR SUZIO:



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Bills placed on the Consent Calendar on May 9, 2012

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Bills from Senate Agenda Number 3 from the May 9th Senate Session that were placed on the Consent Calendar

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HB 5342

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Good evening, Madam President.

I just want to clarify. I thought I heard the Clerk call House Bill 5034? Is that on the consent calendar?

THE CHAIR:

Do you know what page that is, sir?

SENATOR SUZIO:

No I -- he was reading so fast, Madam, I couldn't get it.

THE CHAIR:

It's -- yes it's 53 -- I don't know.

SENATOR SUZIO:

5034.

THE CHAIR:

5034, yes sir.

SENATOR SUZIO:

I object to that being put on the consent calendar, Madam President.

THE CHAIR:

Okay, that will be removed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, just seeing that -- ask to remove that item from the consent calendar.

THE CHAIR:

So ordered.

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At this time we'll call a roll call vote on the consent calendar.

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senator Coleman, we need your vote, sir.

Senator Kissel, Senator Kissel. Senator Kissel, will you vote on the consent calendar please?

All members have voted?

If all members have voted, the machine will be closed.

Mr. Clerk, will you call the amendment -- I meant the tally.

THE CLERK:

On today's consent calendar.

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 has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I believe the Clerk is in possession of Senate Agenda Number 6 for today's session.