

PA13-98

HB5811

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 5
1323 - 1665**

2013

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10:30 A.M.

think we need two different definitions. And I think we want to be very clear about this. So, I think there is a value of looking at tightening this up and sharpening the focus, so, we have a unified strategy for our planning purposes going forward.

With that, I would like, with your indulgence, to invite Deputy Commissioner Whalen to talk to a number of other bills that are before you. And, at that point, we would then be open to questions and happy to respond to all three of us.

SENATOR MEYER: Yes, Mr. Whalen, nice to see you.

DEPUTY COMMISSIONER WHELAN: Nice to see you, too.

Thank you, Mr. Chairman, and thank you members of the Committee. Thank you, Commissioner, for letting me speak today.

HB5816 HB6541
HB6538 HB6539
SB1017 SB1018

I want to touch briefly on a number of bills before the Committee today for which we have provided extensive testimony. So, I'll try to keep my comments as brief as possible. I'm just going to go in numerical order here.

The first bill House 5811 is AN ACT CONCERNING THE OPERATION OF VESSELS WITH ELECTRIC MOTORS ON INLAND WATERS OF THE STATE. The Department is opposed to this bill in that it would eliminate the requirement for basic boater safety education for vessels powered by small electric motors. Whether a boat had -- contains an electric engine or an internal combustion engine, we feel that boaters still need to know the rules of the road, understand how to interpret the lights they see on the water at night, understand basic concepts of boating stability, and behave in a safe and predictable manner for other boaters in the waterfront. And, so, to exclude this group we

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fear could result in more boating accidents with these small vessels.

The next bill I'd like to speak to is House 5816, AN ACT ESTABLISHING AN EARLIER START TO THE TROUT FISHING SEASON. The Department absolutely supports the concept of increasing opportunities for fishing. We're very heavily engaged in a number of outreach efforts to try to recruit more people into the sport, children in particular.

We are in the process of amending our own regulations to move the opening of fishing -- trout fishing season to the second Saturday in April from the current first Saturday in April. We feel that it will better coincide with school vacations. And it will still allow us to do the work we need to do in advance of the season which include distributing over 350,000 trout into 101 lakes and ponds and 203 rivers and streams. It requires us to make over 200 distribution loads during a six to seven week period.

We'd typically be in stocking trout about March 1st. And prestocking continues right up to opening day. Obviously, if moving it two weeks early will certainly increase the likelihood that some of the sites will not be stocked in time. Today is a perfect example. Today's stocking runs, obviously, could not go forward because of the weather.

Furthermore, trouts that are stocked in rivers and streams under high flows could migrate away from predictable fishing areas and leave anglers frustrated which we absolutely don't want.

At the same time, stocking sufficiently early ensures that all the trout designated for

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classroom as a score. So, they're pretty similar.

SENATOR CHAPIN: Thank you in keeping with the boat data theme here. But my grading to a different bill.

HB 5811

The number of accidents that are reported in Connecticut on an annual basis, boating accidents, can you tell me how many of those occur on those water bodies that don't allow boats with engines in excess of 10 mile -- 10 horsepower? And if --

ELEANOR MERIANI: I don't really have that.

SENATOR CHAPIN: Would you have that data?

ELEANOR MERIANI: Oh, sure, yes.

SENATOR CHAPIN: If you could get that to me, I would appreciate it.

ELEANOR MERIANI: Okay.

SENATOR CHAPIN: And, I guess, if you could also tell me and maybe you don't collect this, but I'll ask. Would you also know whether they were electric motors or not?

ELEANOR MERIANI: I did look at electric motors versus gas powered for 10 horsepower or less. And there were -- we had one fatality in 2007 with an electric engine. Most of the other incidents with accidents or injuries were with gas powered. And, again, I looked at 10 horsepower and under.

SENATOR CHAPIN: Okay.

ELEANOR MERIANI: So, you know, so, there was not a lot. But we're hoping that it's because

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they're educated.

SENATOR CHAPIN: Was that one fatality, if you could tell me, was it actually operator error or was it a collision with a gasoline engine boat?

ELEANOR MERIANI: No, I don't think it was, but I would have to look.

SENATOR CHAPIN: All right. If you could provide that information --

ELEANOR MERIANI: Yes.

SENATOR CHAPIN: -- that would be very helpful.

ELEANOR MERIANI: I'm happy to do that.

SENATOR CHAPIN: Thank you for your answers. Thank you, Mr. Chairman.

SENATOR MEYER: Thank you, Senator.

Representative Ziobron.

REP. ZIOBRON: Thank you, Chairman.

Good morning. I have several questions, obviously, about the Sunrise bill. My first question is how many staff do you currently have in the vicinity of Sunrise?

HB 6539

DEPUTY COMMISSIONER WHELAN: I'd have to get that answer for you specifically. I can tell you that when we purchased Sunrise in 2009, we had 21 state park supervisors for 139 forest and park recreation areas. Today we have 16. The closest one to Sunrise is the Gillette Castle. I believe they have two other staff there. And based on the attrition that we expect from retirements, there will be further reductions in staff in the field.

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Representative Ziobron has suggested.

Representative -- you want to comment,
Commissioner?

COMMISSIONER DANIEL C. ESTY: Senator, if I could, I think you hit on what we really have to do which is developing some creativity in where we find additional resources. We're very much looking at that free over 65 plan. It may be that that was good in an era of greater budget flexibility which we don't have. I think we've got this team right here working very hard on partnerships that may allow us to bring the resources to there. So, we're very eager and would welcome your support and guidance as we think about this as to how to bring more resources in a very tough moment into that park system.

SENATOR MEYER: Thank you. Representative Miner followed by Representative Urban. And our next witness will be Senator Fasano just to alert him.

REP. MINER: I was trying to be a gentlemen early in the morning and let him go first.

Thank you, Mr. Chairman. To go back to 5811 if I could, Commissioner, I'm curious as to how many states actually require a certificate -- a boating certificate -- a safe boating certificate to operate or register a boat?

COMMISSIONER DANIEL C. ESTY: So, I think we went through some of this earlier, but let me invite Eleanor back to address the questions you might have.

REP. MINER: Thank you.

ELEANOR MERIANI: There's about 16 states that do

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not have some form of mandatory boating education.

REP. MINER: Sixteen that do not?

ELEANOR MERIANI: That do not.

REP. MINER: And of those that do, are there -- are those that do, are there differences, are there nuisances between what they require and whom they require them for?

ELEANOR MERIANI: Yes. Connecticut, for instance, we require anybody that operates a registered boat or a boat 19 and a half feet or larger to have boating education. Some states just require kids. Some are phasing them in -- mandatory boating education in by age. And they're doing it in steps, so, that it's going to take, you know, another 10, 15 years before they bring in everybody. Connecticut did what they call a quick phase in where we took five years and says in five years we're going to get everybody certified. So, there is a difference.

REP. MINER: Thank you. I remember that process because I went through that process.

ELEANOR MERIANI: Right.

REP. MINER: And you spoke earlier about a voluntary on water safety program and the purchasing of boats. Are -- would both the staffing requirement for such a program and the acquisition process for the purchasing of such boats be imbedded in the budget somewhere?

ELEANOR MERIANI: Yes. We would use monies that we get from the Coast Guard. They're called -- it's for recreational boating safety. And the National Safe Boating Council has developed

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this really good online, excuse me, on water course that they are training people around the country now to use. It's really quite good. It takes somebody from not really understanding how to operate a boat to operating a boat in a few days. And it's kind of cool. It works well.

We're planning to get involved with that. But we'll be using a lot of our volunteer staff that we're teaching boating classes for us. They still are very interested in wanting to help the boater. And, so, again, we'd be using those volunteers.

REP. MINER: Thank you. So, just as a clarification, there would be no general fund dollars put into either the acquisition of the boats or the staffing requirements to train the volunteers or --

ELEANOR MERIANI: I have one general funded person that would be assisting in training.

REP. MINER: Thank you. And nothing more on boats.

ELEANOR MERIANI: Okay.

REP. MINER: But thank you. And I appreciate the fact that the agency is, I believe, speaking optimistically about the on-line education course. I think that is a way to get more people involved with both boating and hunting. If I could -- and I apologize for not being here earlier, Commissioner, if I could just go to 5816 which deals with the earlier start to trout fishing. And my question -- I have two questions. One is would this movement or any similar movement that may have been discussed earlier align us with surrounding states or misalign us with surrounding states for this activity?

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REP. GENTILE: Thank you. David, thank you for your testimony.

DAVID SUTHERLAND: Thank you very much.

REP. GENTILE: Grant Westerson. Grant will be followed by followed by Sidney Gale.

GRANT WESTERSON: Good afternoon. It's been a long day for everybody, I guess.

Chairman, Senator Chapin, distinguished members, thank you. Grant Westerson with Connecticut Marine Trades Association. I wanted to make a comment on a couple of bills that I've submitted testimony on.

SB1014 HB6541
HB5811

Senate Bill 1012, AN ACT CONCERNING BEST PRACTICES CONCERING BEST PRACTICE GUIDE FOR COASTAL STRUCTURES AND PERMITTING That's probably one of the best ideas I've heard come down the line in a long time. There's a lot of things, I think, the permitting agencies can learn from other states. And this would be a great opportunity to do that.

Some things that are being done well elsewhere, but I don't think Connecticut spent as much time on is probably not something that a lot of money is going to be found for. But we, certainly, hope that particular issue moves along.

Senate Bill 1017, AN ACT CONCERNING ABANDONED BOATS. This is a new process that DEP put together to administratively handle abandoned boats which I don't think is as big a problem in the state as may be said at times. But our industry also has to deal with abandoned boats within facilities. And we utilize the vessel lien process which is in statute already. This new process doesn't replace the old one, it

proctored exam at the end of it. And that's really the definitive answer.

And then the last thing that I wanted to support was House Bill 5811, operation of vessels with electric motors on inland motors of the state. This makes sense. While we would like to have as much education out there as possible, but in a very limited form, in the lakes that are restricted to very low horsepower ratings, we can, certainly, support some boating up there without people going through the complete safe boating practice and getting their certificates. But, of course, underneath waterways that can support larger boats or motors, not the case.

REP. GENTILE: Grant, thank you for your time. Any questions or comments from Committee members?

Representative Miller.

REP. MILLER: Thank you, Madam Chair, and good afternoon. Learning online, they go through the -- I have a lot of friends that are Coast Guard auxiliary people and I know do a fabulous job. And they always have a lot of young people coming in to take the courses to operate boating. Now, online, they will take a test after they've done the studies online?

HB 6541

GRANT WESTERSON: As it's been explained to my by staffers at the EP, the online courses that they're looking at, the ones that are approved by NASBLA, are basically timed courses where you're restricted to a certain subject area for a period of time, whatever the person that put together the program thinks is adequate for your learning. You're not allowed to move on to the next section. In other words, you just can't go through the process. You have to, actually, spend the time at it.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 6
1666 - 2009**

2013

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March 8, 2013

Environment Committee
Legislative Office Building
Hartford, CT 06106Re: **H.B. No. 5811 (COMM) An Act Concerning the Operation of Vessels with Electric Motors on Inland Waters of the State.**

Chairmen Meyer & Gentile, Senator Chapin and Distinguished Members;

The Connecticut Marine Trades Association (CMTA) and our member businesses urge you to support **H.B. No. 5811 (COMM) An Act Concerning the Operation of Vessels with Electric Motors on Inland Waters of the State.**

Since the beginning of Connecticut's Safe Boating Education program almost 25 years ago, operation of a power driven vessel by a state resident on state waters required the operator to have possession of a Safe Boating, or later on, a Personal Watercraft Certificate. Either of which is earned by taking an 8 hour course and passing a comprehensive proctored exam. Operating manual propelled vessels and sailing vessels less of than 19.5' in length were exempted from needing an operator's certificate.

The Recreational Marine Industry was a strong supporter in the development and implementation of the Safe Boating Program. It was designed to increase safety and history has proved that it did have a very positive impact on the accident and injury statistics for boating. Connecticut enjoys a much lower accident and fatality rate than many other states', even those with less activity than ours, due to the maturity of this program. Any and all education that a boater is required to accumulate helps to increase the safety record of Connecticut's waterfront.

The author of this initiative would like to make a Safe Boating or a Personal Watercraft Certificate unnecessary for the operation of an electric powered vessel only on inland waters that have a prohibition of vessel operation with over 10 horsepower propulsion. Vessels with this limited powertrain only maneuver at sufficiently slow speeds and are generally incapable of over fast operation. Due to those facts the marine industry is comfortable with such a minimal exception to the Safe Boating requirements and understands that its passage will allow additional people to enjoy the waters of the state

We urge you again to support **H.B. No. 5811 (COMM) An Act Concerning the Operation of Vessels with Electric Motors on Inland Waters of the State.** Our industry has no issue with this initiative knowing that it could be revisited in the future if accident or injury statistics do not support this change. Thank you for the opportunity to comment on this issue and please know that we are available to discuss them at any time.

Sincerely,

John S. Johnson
Legislative ChairGrant W. Westerson
PresidentLinda A. Kowalski
The Kowalski Group



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 8, 2013
Environment Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented By Deputy Commissioner Susan Whalen

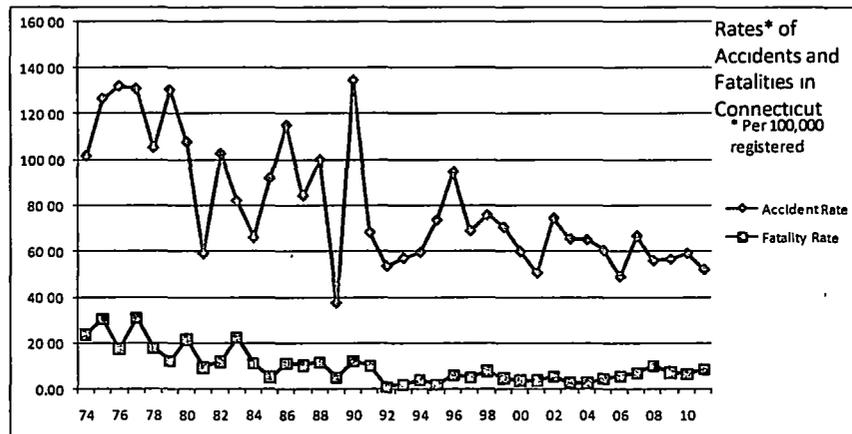
House Bill 5811 - AN ACT CONCERNING THE OPERATION OF VESSELS WITH ELECTRIC MOTORS ON INLAND WATERS OF THE STATE

Thank you for the opportunity to present testimony regarding Raised House Bill No. 5811 - AN ACT CONCERNING THE OPERATION OF VESSELS WITH ELECTRIC MOTORS ON INLAND WATERS OF THE STATE. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

DEEP opposes this bill because under current law boats with electric motors must be registered and their operators must be certified. Most of these electric motored boats can easily attain speed in excess of Connecticut's Slow-No-Wake speed of 6 mph. In addition, boats with electric motors often have lights and can be used at night. Whether in a boat with electric engine or internal combustion engine, boaters still need to; know the rules of the road, understand how to interpret the lights they see on the water at night, understand basic concepts of stability, and behave in a safe and predictable manner. To exclude this group of boaters could result in more boating accidents.

Under Connecticut law, any boat that has a motor of any kind must be registered, and any person operating a registered boat needs to have a safe-boating certificate. Such a certificate is made available only after a candidate passes a proctored boating-safety examination. This system ensures that each certified boater has demonstrated a minimum working knowledge of boating safety, and that he or she is familiar with Connecticut-specific boating laws and regulations. Connecticut was one of the first to require mandatory boating education, and the requirement resulted in a measurable drop in boating accidents and boating-related fatalities. In other words, the system works.

The graph below depicts Connecticut's rate of boating accidents based on 100,000 registered boats. Accident rates have been depressed since mandatory boating education began in 1993.



Engine manufacturers are increasing their lines of electric engines and are manufacturing higher horsepower engines. In the future we can expect to see larger electric engines powering larger boats. With this in mind, DEEP cannot sanction putting an entirely new class of uneducated operators of motorized boats into harm's way.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance, at 860-424-3401 or Robert.LaFrance@ct.gov.



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 8, 2013
Environment Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented By Deputy Commissioner Susan Whalen

Committee House Bill No. 5816 - AN ACT ESTABLISHING AN EARLIER START TO THE TROUT FISHING SEASON.

Thank you for the opportunity to present testimony regarding Committee House Bill No. 5816 - An Act Establishing an Earlier Start to the Trout Fishing Season. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

DEEP supports in concept advancing the date of opening day of the trout season and we have already initiated doing so as one of several proposed changes to the regulations concerning recreational fishing in the state's inland waters. As such, this proposed statutory change is unnecessary and might actually complicate making future revisions to the date of opening day by regulation if additional adjustments are warranted. We anticipate advancing the date of opening day by one week and we expect that the new date will be in place for the 2014 fishing season.

The traditional opening day of the trout season in our inland waters has for several decades been the third Saturday in April. DEEP's Inland Fisheries Division favors changing opening day to the second Saturday of April, whereas this bill would change opening day to the first Saturday of April. Advancing the season by either one or two weeks would clearly provide greater opportunities for trout anglers, especially in years with favorable weather (e.g., the relatively dry and warm spring of 2012). An earlier opening would likely allow for more youth to take advantage of trout fishing opportunities during their April school vacations. In recent years we have noted that the April vacations of most school districts in Connecticut occur the week prior to opening day. As such, advancing opening day by only one week would greatly benefit our young anglers.

There are a number of constraints and risks associated with moving opening day too early in the season. Our pre-season stocking involves distributing over 350,000 trout into 101 lakes and ponds and 203 rivers and streams throughout Connecticut. The process requires making over 200 distribution loads during a six – seven week period.

One of the biggest challenges to moving opening day forward even one week is that it will be difficult, if not impossible, in some years to stock all of the locations that currently receive trout prior to opening

day. We typically begin stocking trout on or about March 1, and the pre-season stocking continues through opening day. Obviously, moving opening day two weeks earlier as opposed to one week earlier, will greatly increase the likelihood that not all sites will be stocked in time for opening day. The risk will be greater in years that are unusually cold and wet since those conditions would require more frequent cancellations of stocking runs (i.e., the stocking sites cannot be accessed) with limited time to reschedule. Pre-season trout stocking is currently underway, and unlike the mild conditions experienced in 2012, this winter's snow cover has persisted in many parts of the state, complicating trout distribution. While weather in Connecticut is certainly variable from year to year, it would not be possible to stock all waters this year if we had to do so by the first Saturday in April.

Another risk is that trout stocked in rivers and streams (as compared to lakes and ponds) under high flows and cold water conditions are more apt to migrate downstream and away from the stocked areas to areas with little or no angler access. Such conditions are more likely to occur in early March and certainly late February. Stocking sufficiently early to ensure that all trout designated for pre-season stocking were stocked prior to an "advanced" opening day may put more trout out of reach of anglers.

Opening Day is applied to all standard trout waters statewide, and northwestern portions of Connecticut warm up considerably later in some years than do southern and southeastern portions of the state. These geographical differences in weather can affect participation rates, as some anglers are likely not to fish on opening day if conditions are unsuitable (i.e., rivers too high and cold) or uncomfortable (too cold). In fact, the trout season in New York opens on April 1 and license sales and revenue in that state suffer when opening day corresponds with a cold snap. The earlier we advance opening day in Connecticut, the more likely it is that participation and license sales might be negatively affected.

DEEP began to diversify fishing several years ago by providing increased opportunities for year round angling. Most waters not stocked with trout are open year round, and trout fishing is also allowed in numerous trout management areas prior to opening day on a catch and release basis. These opportunities not only keep more Connecticut anglers fishing in Connecticut, but they also attract anglers to our state.

In summary, while DEEP supports the intent of this bill, we find it unnecessary as we are currently in the process of establishing an earlier opening day by regulation. Further, in that the department favors advancing opening day by one week, if this legislation is ultimately approved we would request that it be amended to reflect opening day aligning with the second Saturday in April, not the first Saturday as is currently proposed.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 860-424-3401 or Robert.LaFrance@ct.gov.

H – 1162

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 13
4177 – 4511**

Will the Clerk please call Calendar 236?

THE CLERK:

On Page 9, Speaker, Calendar 236, Favorable Report of the Joint Standing Committee on Environment, House Bill 5811, AN ACT CONCERNING THE OPERATION OF VESSELS WITH ELECTRIC MOTORS ON INLAND WATERS OF THE STATE.

DEPUTY SPEAKER GODFREY:

Representative Albis.

REP. ALBIS (99th):

Thank you, Mr. Speaker. Good evening.

DEPUTY SPEAKER GODFREY:

Good evening, sir.

REP. ALBIS (99th):

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

DEPUTY SPEAKER GODFREY:

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

Will you remark, sir?

REP. ALBIS (99th):

Yes. Thank you, Mr. Speaker.

This bill allows people operating boats with electric motors on inland Connecticut waters where motor-powered boats exceeding ten horsepower are prohibited without having a Safe Boating Certificate. And I urge adopt -- passage.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Do you care to remark? Do you care to remark further on the bill that's before us?

Representative Miner of the 66th.

REP. MINER (66th):

Thank you, Mr. Speaker.

The Clerk has an Amendment, LCO 6366. If he'd call and I be allowed to summarize, please.

DEPUTY SPEAKER GODFREY:

Will the Clerk please call LCO 6366, which will be designated House Amendment "A".

THE CLERK:

House Amendment "A", LCO 6366, introduced by Representative Miner, et al.

DEPUTY SPEAKER GODFREY:

Gentleman seeks leave of the Chamber to summarize.

Is there objection? Is there objection?

Please proceed with summarization, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

What this does is restrict the hours of operation to one hour before sunrise and one hour after sunset, in an effort to deal with a public safety issue that the Agency thought might be created with operating these boats at night without lights.

And the other is to further restrict the size of the electric motor, therefore, restricting the speed that it might travel. These boats would be used primarily for very light-duty fishing in small bodies of water. And I move for adoption.

DEPUTY SPEAKER GODFREY:

Will you -- thank you, sir.

Will you remark? Will you remark further on House Amendment "A"?

Representative Albis.

REP. ALBIS (99th):

Thank you, Mr. Speaker.

I would consider that a friendly Amendment and I urge my colleagues to support it.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Do you care to remark further on the Amendment that's before us?

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. -- thank you, Mr. Speaker.

I rise in support of the Amendment. The Amendment makes the bill better. It's a common sense adjustment to what's happening in our community and I urge adoption of both.

Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Would you care to remark further on the Amendment before us?

Representative Rovero.

REP. ROVERO (51st):

Through you, Mr. Speaker.

Proponent of the bill, I would like to ask what is 160 pound of thrust or less? How many horsepower is that?

DEPUTY SPEAKER GODFREY:

Are you directing that to the proponent of the bill, sir?

hac/gbr
HOUSE OF REPRESENTATIVES

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May 15, 2013

REP. ROVERO (51st):

Please, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Albis.

REP. ALBIS (99th):

Mr. Speaker, I -- I'm sorry.

I do not have the answer to that question.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Rovero, could you rephrase your question please?

REP. ROVERO (51st):

Through you, Mr. Speaker.

It says 106 pounds of thrust or less. Could you please tell me how many horsepower that is?

DEPUTY SPEAKER GODFREY:

Representative Rovero, I'm sorry. Maybe I should have directed this to the proponent of the Amendment. Would you prefer to have this answered by the proponent of the Amendment?

REP. ROVERO (51st):

Yes, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

That would be Representative Miner.

Representative Miner, would you care to answer that question?

REP. MINER (66th):

Certainly, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. MINER (66th):

Yes, Mr. Speaker.

It's my understanding that this is the conversion of ten horsepower, which would be on a combustion engine, and this is the electric engine equivalent. Their concern was that as these begin to get more and more popular you could have a rather large engine -- electric engine and they didn't want to see that occur, so this restricts the size of the engine.

Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Representative Rovero.

REP. ROVERO (51st):

Through you, Mr. Speaker.

Does this allow someone to pull a skier in back of a motorboat or a boat with a ten-horsepower motor?

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Is that a trick question, Mr. Speaker?

I don't -- I don't think it could pull me. Let me put it to you that way.

DEPUTY SPEAKER GODFREY:

Representative Rovero, are you satisfied with that response?

REP. ROVERO (51st):

Not really.

Through you, Mr. Speaker.

I'm talking about a regular-sized skier.

DEPUTY SPEAKER GODFREY:

Representative Miner, do you care to respond to that question?

REP. MINER (66th):

I'm waiting to engage the Clerk in this conversation.

Mr. Speaker, I -- I cannot --

DEPUTY SPEAKER GODFREY:

Please, sir, that falls under the category of Point of Personal Privilege.

REP. MINER (66th):

Mr. Speaker, I doubt very much that a ten-horsepower motor or this electric motor would pull an average adult out of the water. I think if the gentleman is referring to a child, I don't know whether it would pull a child out or not. This is a - - this is the pound range that the agency felt was a safe range to use for these light fishing boats.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Rovero.

REP. ROVERO (51st):

Very good, Mr. Speaker. Thank you very much.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Do you care to remark further on the Amendment before us? Do you care to remark further on the Amendment?

If not, let me try your minds. All those in favor of House Amendment "A", please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

Those opposed, nay.

REPRESENTATIVES:

Nay.

DEPUTY SPEAKER GODFREY:

The ayes have it.

The amendment is adopted.

Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended?

Representative Becker.

REP. BECKER (19th):

Thank you, Mr. Speaker.

A quick question to the proponent of the bill if I may?

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. BECKER (19th):

Through you, Mr. Speaker.

In looking at the bill summary, it appears that this bill would allow a vessel described in the bill to be operated by a child under 16 years of age without a Safe Boating Certificate. Is that correct?

DEPUTY SPEAKER GODFREY:

Representative Albis, can you answer that question?

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REP. ALBIS (99th):

Mr. Speaker, give me one moment.

DEPUTY SPEAKER GODFREY:

Chamber will stand at ease.

(Chamber at ease.)

REP. ALBIS (99th):

Mr. Speaker, may I yield to my good friend,
Representative Miner?

DEPUTY SPEAKER GODFREY:

Well, Representative Becker, would you mind
redirecting your question to Representative Miner, who
may be able to answer it more careful -- more clearly.

REP. BECKER (19th):

Mr. Speaker, if Representative Miner would have
the information, I would be more than happy to hear
the answer from him.

Thank you.

DEPUTY SPEAKER GODFREY:

Representative Miner, do you care to respond?

REP. MINER (66th):

Certainly, Mr. Speaker.

I -- I believe the gentleman is correct. I think this would allow for an individual under the age of 16 to operate a small boat with a small electric motor on a small body of water inland in Connecticut.

DEPUTY SPEAKER GODFREY:

Representative Becker.

REP. BECKER (19th):

And just to be clear, Mr. Speaker, through you.

That would be by him or herself without anyone else aboard or with -- or presumably with others aboard, but none of whom may be over the age of 18 or in possession of a Safe Boating Certificate?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Mr. Speaker, I -- I believe the law will still require that these boats be registered, so they will come under someone's ownership, someone's control. I think the gentleman is right. If someone felt that they wanted to relinquish that responsibility to their child under the age of 16, they could so do.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Becker.

REP. BECKER (19th):

And Mr. Speaker, if I may, just through you.

And is there any prohibition on the number of people who may be in the boat with the minor, who has not -- does not have a Safe Boating Certificate?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Mr. Speaker, I think all of these boats have restrictions on how many people can be in them. I would say to you that I don't think it's embedded in the law. I think it's within the regulation of the boat. They're usually clearly marked.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Becker.

REP. BECKER (19th):

Thank you, Mr. Speaker

I think there is a concern, in terms of safety for children under 16 of age, particularly if they can take friends out in the boat, and so I just want to voice that concern to the Chamber.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Do you care to remark further on the bill as amended? Do you care to remark further on the bill as amended?

If not, staff and guests to the Well of the House. Members take your seats. The machine will be open.

THE CLERK:

(Inaudible) 110 pounds worth of thrust, will all members return to the Chamber immediately? The House is voting by roll.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted?

Will members please check the board to make sure your vote is properly cast?

And if all the members have voted, including Representative Morris, the machine will be locked. And the Clerk will take a tally.

Clerk please announce the tally.

THE CLERK:

Bill Number 5811 as amended by House "A".

Total Number Voting	132
Necessary for Passage	67
Those voting Yea	120
Those voting Nay	12
Absent and not voting	18

DEPUTY SPEAKER GODFREY:

The bill, as amended, passes.

Will the Clerk please call Calendar 446?

THE CLERK:

Calendar 446, on Page 23, Favorable Report of the Joint Standing Committee on Judiciary, Substitute Senate Bill 829, AN ACT CONCERNING THE UNAUTHORIZED PRACTICE OF LAW.

DEPUTY SPEAKER GODFREY:

Representative Fox.

REP. FOX (146th):

Thank you, Mr. Speaker.

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

DEPUTY SPEAKER GODFREY:

This is in concurrence with the Senate, sir?

REP. FOX (146th):

Oh, yes, Mr. Speaker. In concurrence with the Senate.

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**CONNECTICUT
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**PROCEEDINGS
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**VOL. 56
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On Page 27, Calendar Number 611, House Bill Number 5811, AN ACT CONCERNING THE OPERATION OF VESSELS WITH ELECTRIC MOTORS ON INLAND WATERS OF THE STATE, Favorable Report of the Committee on ENVIRONMENT.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

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

THE CHAIR:

On acceptance and passage.

Will you remark, sir?

SENATOR MEYER:

I will briefly.

This bill was brought to us by the marine industry. Right now, if you're going to operate a boat on the inland waters of Connecticut, you need to have what's called a Safe Boating Certificate. Indeed, I happen to have one myself after a full day's course. And so there is considerable time and commitment spent on getting a Boating -- a Safe Boating Certificate. It's a certificate that comes from the Department of Energy and Environmental Protection. And it's overlooked as well by the United States Coast Guard.

What this bill does it exempts a person from having to get this Safe Boating Certificate if the following: First, you're operating a boat between, only between one hour before sunrise or one hour after sunset. Secondly, that you have an electric motor that is rated at no more than 106 pounds of thrust.

And third is that the boat has no more than 10 horsepower. So we're talking here about very small boats, which will be used probably for fishing, not moving people around very fast or very far. And the bill would eliminate the need for the Safe Boating

Certificate for - for those few people who are using these boats, as I say, primarily for fishing. And at the Public Hearing that was the suggestion of what we were trying to accomplish in this bill.

I urge its passage.

THE CHAIR:

Thank you, Senator.

Will you -- Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

Mr. President, this bill when it was before the Environment Committee, during that time some concerns were expressed by the Department of Energy and Environmental Protection. I believe those issues were addressed in the House. The language prior to the House Amendment dealt with 10-horsepower engines. I think the Agency felt more comfortable converting that into a -- a thrust measurement. It's my understanding that the thrust measurement in the bill before us is what is equivalent to 10 horse or less. It also is somewhat limited in -- in that it only applies to certain water bodies in the State where anything greater than a 10-horsepower engine, any boats are prohibited. So it's smaller water bodies in the state of Connecticut. Water bodies where boat traffic is at a minimum and those boats that are on those water bodies are generally small boats and again, prohibited from having large motors.

So I think it's a very reasonable compromise before us and I encourage my colleagues to support it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I have a question for the proponent of this amendment, if I could, through you.

THE CHAIR:

Please proceed.

SENATOR BOUCHER:

Yes, Mr. President.

This bill, under the current law -- well, under the current law, it appears that boat owners cannot knowingly allow a child to operate a boat, unless the child has a Safe Boating Certificate or is being supervised by a person age 18 or older, who has a Safe Boating Certificate. However, according to the bill analysis, it appears that under this bill, those same people can allow a young -- a child younger than 16 years of age to operate the electric motorboat without a Safe Boating Certificate.

Through you, Mr. President.

I would like to ask why this was changed?

Through you.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes. Through -- through you, Mr. President.

To Senator Boucher, the people at the Public Hearing who spoke for this were Grant -- Grant Masterson. You may know Grant Westerson of the marine trades. And Linda Kowalski, one of the advocates of the marine trades. And because they're talking primarily here about boats that are used for fishing that are -- have very small power. There was a feeling that the boats

-- the Safe Boating Certificate was not necessary for a child.

And that's -- that's the principle behind it. I think you could argue with that, but we are talking here about boats of -- of very small power. And for example when Grant Westerson testified he said that he supports the bill because it's so narrowly drawn and that it exempt -- it will exempt only operators of -- of boats on inland waters that have less than 10-horsepower propulsion. So we're -- we're dealing with something that is -- is very small in -- in their opinion. And in the opinion of the Environment Committee, there was no danger from a child not having a Boating Certificate.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, it still raises some concerns in my mind, because if - if this is written so broadly, am I to understand, through you, that toddlers of the age two, three, four, and five could essentially be in this boat or even be toyed with running the boat. Not everyone is as responsible as we would like them to be.

Through you.

Is it possible for someone that has a toddler to be navigating one of these boats?

Through you, Mr. President?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President.

I'm -- I'm not sure I understand the question. I'm not sure. Could you repeat?

SENATOR BOUCHER:

Mr. President, I could be more --

THE CHAIR:

Senator Boucher, would you repeat the question?

SENATOR BOUCHER:

-- clear than.

Through you.

Then it's my understanding that a toddler of the ages two, three, four, five, could essentially be in the boat and even operate a boat with an adult, we hope at least, without a Safe Boating Certificate.

Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through -- through you, Mr. President.

There -- there is an age limit and I -- I'm -- we're just trying to find out exactly what it is, Senator Boucher, to try to provide some comfort. Because it's -- it's a good question. But there is -- there is an age limit, just like there's an age limit with respect to driving a car, with respect to flying an airplane. There's also one with respect to boats. And I don't -- I don't know whether that's 14 or 15 or where -- where it lies, but there is -- there is such an -- an age limit.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

It appears that the answer that we're getting is that we don't know what the answer is. That hopefully that there is an age limit and that we're going to be provided with an answer soon?

Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes. Through you, Mr. President.

To Senator Boucher, I have an aide who's looking at that right now, but, you know, we've had boats in Connecticut for hundreds of year and the law does impose some reasonable limits with respect to the age, just like it does for cars and airplanes. So I -- I think it's a good question, but I'm sure we're going to find out that you're not going to be able to drive a boat as a -- a toddler.

SENATOR BOUCHER:

Well, thank you --

SENATOR MEYER:

Anymore than you could drive a car in Connecticut as a toddler.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER

Thank you, Mr. President.

Well, that would be extremely helpful on how a person would vote on this bill when reviewing this. In our

Caucus, that was the first thing that really struck me, as far as a very good bill that should be supported, but the question of the age of a young child with adults on a boat raises some serious questions. We've had accidents and we've had even fatalities because not everyone is as responsible and we know those toddlers and youngsters -- younger kids are fascinated by any turn of a wheel, whether it's an automobile, it's -- or it's a boat.

And they could easily get a hold -- be -- get into trouble if they were in a boat. And sometimes people indulge in adult beverages with young children on -- on a boat and things can happen. So I think we should -- have an abundance of caution when it comes to something like this so that at least we have some safe guards.

I agree that there should be at least a minimum age and 14 would be excellent, if that were the case, but if this is completely open-ended, there is no safe guards at all and anyone under the age of 16, I think that we should hold off on passing this bill until we get a good answer. Certainly, easily a drafted amendment could -- could put that safeguard in place very easily and make this a very easy bill to support and move forward.

Thank you, Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if this item might be passed temporarily so we may do a little more research on -- on this issue.

THE CHAIR:

So ordered.

SENATOR LOONEY:

I rise to support the bill and urge its passage. It certainly addresses some flexibility that I think is surely needed in our academic programs in our schools and also again, this is the topic of mandate relief that has been discussed ad infinitum in the General Assembly for a number of years, but we haven't moved forward. Hopefully, this particular initiative, although it does create another task force and we know how many we've had of those, will at least produce some result. And maybe one of these days, just one of these days, we might actually pass some mandate relief.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill? Will you remark further on the bill?

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

If there isn't anything -- any if there aren't any other questions, I would like to ask this be placed on the Consent Calendar.

Thank you.

THE CHAIR:

Seeing and hearing no objections, so ordered.

Mr. Clerk.

THE CLERK:

On Page 27, Calendar 611, House Bill Number 5811, AN ACT CONCERNING THE OPERATION OF VESSELS WITH ELECTRIC MOTORS ON INLAND WATERS, Favorable Report of the Committee on ENVIRONMENT. And there is an Amendment.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

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

THE CHAIR:

On acceptance and passage.

Will you remark?

SENATOR MEYER:

Colleagues, you will recall this is the bill that would exempt from the Boating -- Safe Boating Certificate boats that are operated either an hour before sunrise or an hour after sunset and that are 10-horsepower or lower.

Senator Boucher brought to our attention that we don't really have much age limitation with respect to children operating boats. I immediately replied of course, we must. We have them for cars and for airplanes. Well, I was wrong and she was right. And since that dialogue, the Majority Leader and Senator Chapin and Senator Fasano and I have communicated. We've actually looked up the law. The fact is that if you have a boat with under 10-horsepower it can be driven by a toddler, as Senator Boucher pointed out.

So I want to make a representation on behalf of myself and the Environment Committee that we will introduce the very beginning of the next legislative Session a bill that will put in age limitations with respect to children driving boats and they will be responsible limitations.

And it's my understanding that upon that representation, and I want to assure you that I will do that, that we can go forward with this bill tonight.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Mr. President.

Mr. President, I rise to thank the good Chairman of the Committee and also for accepting the reasonable factor in this particular area of our legislation. It appears there's a couple of areas in our -- in our statutes could use some review. And there is a reasonable factor when it comes to young children, putting them in the situation that could be dangerous. And I fully accept that they will do the right thing and appreciate very much that consideration and rise to support the bill.

Thank you.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill?

Senator Meyer.

SENATOR MEYER:

Mr. President, thank you to Senator Boucher.

And with the representation I've made and with her remarks, I would ask that if there's no further comment that this be placed on our Consent Calendar.

THE CHAIR:

There is objection, Mr. Clerk -- Senator Stillman.

SENATOR STILLMAN:

If I may, Mr. President, before I either raise an objection, I have one quick question --

THE CHAIR:

Please proceed, madam.

SENATOR STILLMAN:

-- for the -- for Senator Meyer.

I'm sorry sir. I -- I was out of the Chamber during the -- most of the debate. I was in a Budget Meeting.

I wanted to ask you, based on your comment just now, have we changed this bill so that they no longer have to go -- so that they no -- so that if someone is going to take a boat out of this size they no -- they do not have to have a course -- go through a boating course? Can you sort of update me a little bit on where that issue stands, sir?

Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President.

Yes. Senator Stillman, this is a -- the bill actually has not changed. I -- I recall now your concerns about it. You and I had discussed that. I should not probably have called for, you know, this should have a roll call so you can vote no if you don't want to. The bill -- the bill remains the same as when you last saw it and -- but I have made a representation as Chair of the Environment Committee that the Committee will introduce a bill putting in age limitations with respect to driving any boats, but including boats of this small power. And we will do that in the beginning of the next session.

SENATOR STILLMAN:

If I may, Mr. President, through -- through you.

I thank you Senate Meyer for explaining that and your pledge at the moment for the Committee to -- to look at this issue next year.

I do -- I still have reservations about the fact that in the hours that this bill is referencing are sort of dusk and -- and dawn, especially because the light is not always the strongest at those times and I have a concern that if someone is really not prepared, no matter what size boat, to handle a situation that might be untoward.

At this point, I cannot support the bill going forward.

Thank you.

THE CHAIR:

Did you object, madam?

SENATOR STILLMAN:

Through you, yes.

THE CHAIR:

Yes. We have an objection.

Mr. Clerk, please announce (inaudible) of a roll call vote. The machine will be open.

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:

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

And the Clerk will announce the tally.

THE CLERK:

House Bill 5811.

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	33
Those voting Nay	1
Those absent and not voting	2

THE CHAIR:

The Amendment passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Would like to mark some additional items to be called in the following order.

The next bill would be -- the next three bills would be from the Transportation Committee.

First, Calendar Page 7, Calendar 356, House Bill 6253.

To be followed by, under Matters Returned, Calendar Page 45, Calendar 553, House Bill 5250.

And then, Mr. President on Calendar Page 40, Calendar 265, Senate Bill 191.

After those three items, Mr. President, we have four bills from the Planning and Development Committee.

Calendar Page 16, Calendar 523, House Bill 6323.

Calendar Page 19, Calendar 556, House Bill 6311.

Calendar Page 45, Calendar 514, House Bill 5725.

Calendar Page 15, Calendar 515, House Bill 6235.

To be followed by two bills from the Insurance Committee.

Calendar Page 6, Calendar 346, House Bill 6322.