

Legislative History for Connecticut Act

PA 14-57

HB5309

House	2655-2660	6
Senate	2921-2923	3
Environment	273, 274-275, 280-283, <u>684</u>	8

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 8
2370 - 2692**

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HOUSE OF REPRESENTATIVES

389
April 25, 2014

Clerk please announce the tally.

THE CLERK:

H.B. 5146 as amended by House "A".

Total number voting 130

Necessary for passage 66

Those voting Yea 130

Those voting Nay 0

Those absent and not voting 20

SPEAKER SHARKEY:

The bill as amended passes.

Will the Clerk please call Calendar Number 42.

THE CLERK:

On Page 36, House Calendar 42, Favorable Report
of the Joint Standing Committee on Judiciary,
Substitute House Bill 5309 AN ACT CONCERNING ABANDONED
VESSELS.

SPEAKER SHARKEY:

The distinguished Chairman of the Committee on
the Environment, Representative Gentile. You have the
floor, madam.

REP. GENTILE (104th):

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

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SPEAKER SHARKEY:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, madam?

REP. GENTILE (104th):

Yes, Mr. Speaker. Thank you. Mr. Speaker, the Clerk is in possession of LCO Number 4302. I would ask that the Clerk please call the amendment and that I be granted leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 4302, which will be designated House Amendment "A".

THE CLERK:

House Amendment "A", LCO 4302 introduced by Representatives Gentile and Shaban.

SPEAKER SHARKEY:

The gentlewoman has sought leave of the Chamber to summarize. Is there objection? Seeing none, you may proceed with summarization, madam.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Mr. Speaker, this is a strike-all Amendment, which essentially becomes the bill and what it does is, it establishes a new and streamlined system to address boats that have been

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abandoned by their owners, slipped free of their mooring, or have been displaced due to severe weather conditions.

This bill sets up procedures for multiple state agencies, specifically DMV, DEEP and the Secretary of the State's Office to work together in a lean and efficient fashion to support local communities, police, and harbor masters that are faced with the issue of abandoned boats.

And in light of the recent storms that have hit our shores, this is just one way of making that process much easier.

Mr. Speaker, I move adoption.

SPEAKER SHARKEY:

Thank you madam. Would you care to remark further on House Amendment "A"? Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. I rise to support the Amendment. I note that the Amendment itself changed the procedure large and short from a lot of the other procedures, the previous procedure that was in the bill, and it creates some presumptions that I think it makes it easier for people, in fact, to recover some

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abandoned vessels.

So I urge my colleagues adoption and --

SPEAKER SHARKEY:

(Inaudible.)

Representative Cafero, for what reason do you
rise?

REP. SHABAN (135th):

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

(Applause.)

Sir, that truly did try my mind. Thank you, sir.
Representative Gentile.

REP. GENTILE (104th):

Yes, thank you, Mr. Speaker. One quick comment.
I just want to say I really loved my Ranking Member's
style.

SPEAKER SHARKEY:

Thank you, madam. Would you care to remark
further on House Amendment "A"?

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

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Aye.

SPEAKER SHARKEY:

Those opposed, nay? 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?

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

THE CLERK:

The House of Representatives is voting by Roll.

The House of Representatives is voting by Roll.

Will members please return to the Chamber
immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members
voted? Will members please check the board to make
sure your vote is properly cast.

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

THE CLERK:

House Bill 5309 as amended by House "A".

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Total number voting	130
Necessary for passage	66
Those voting Yea	130
Those voting Nay	0
Those absent and not voting	20

SPEAKER SHARKEY:

The bill as amended passes.

Will the Clerk please call Calendar 332.

THE CLERK:

On Page 22, Calendar 332, Favorable Report of the Joint Standing Committee on Finance, Revenue and Bonding, House Bill 5081 AN ACT CONCERNING PHOSPHOROUS REDUCTION REIMBURSEMENTS TO MUNICIPALITIES.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

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

SPEAKER SHARKEY:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill.

Will you remark, madam?

REP. GENTILE (104th):

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Also Calendar page 20, Calendar 488, House Bill 5222.

Moving to Calendar page 23, Calendar 504, House Bill 5309.

Also Calendar page 23, Calendar 505, House Bill 5484.

And on Calendar page 23, Calendar 506, House Bill 5487.

Moving to Calendar page 26, Mr. President, Calendar 519, House Bill 5375.

Also Calendar page 26, Calendar 520, House Bill 5471.

On Calendar page 30, Calendar 542, House Bill 5378.

Calendar page 33, Calendar 558, House Bill 5459.

And also we earlier today had placed Calendar page 37, Calendar 120, Senate Bill 237.

And one additional item, Mr. President, Calendar page 45, Calendar 158, Senate Bill 209.

So this would be our proposed Consent items at this time, Mr. President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, and if the Clerk would then read the items on the Consent Calendar for verification so we might proceed to a vote.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 4, Calendar 273, Senate Bill 480.

Page 14, Calendar 435, House Bill 5044.

On Page 16, Calendar 450, House Bill 5371.

Also Calendar 451, House Bill 5373.

On Page 18, Calendar 464, House Bill 5293.

On Page 19, Calendar 471, House Bill 5374.

On Page 20, Calendar 472, House Bill 5380.

Calendar 488, 5222.

On Page 23, Calendar 504, House Bill 5309.

And Calendar 505, House Bill 5484.

Also Calendar 506, House Bill 5487.

And on page 26, Calendar 519, House Bill 5375.

Calendar 520, House Bill 5471.

Page 30, Calendar 542, House Bill 5378.

Page 33, Calendar 558, House Bill 5459.

On Page 37, Calendar 120, Senate Bill 237.

And on page 45, Calendar 158, Senate Bill 209.

THE CHAIR:

Thank you. Mr. Clerk. Please announce the pendency of a roll call vote and the machine will be opened.

THE CLERK:

An immediate roll call has been ordered in the Senate.
roll call on today's Consent Calendar has been ordered
in the Senate.

THE CHAIR:

Have all members voted? If all members have voted, please check the board to make sure your vote is accurately recorded.

If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

On today's Consent Calendar.

Total Number Voting	35
Necessary for adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar Number 1 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would move for immediate transmittal to the House of Representatives of Senate bills acted upon today.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would yield the floor to members for any announcements or points of personal privilege before adjourning and announcing tomorrow's Session.

THE CHAIR:

Any announcements or points of personal privilege? Announcements or points of personal privilege? Seeing none, Senator Looney.

SENATOR LOONEY:

**JOINT
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HEARINGS**

**ENVIRONMENT
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**2014
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pat/gbr ENVIRONMENT COMMITTEE

February 28, 2014
1:00 P.M

CHAIRMEN: Senator Meyer
Representative Gentile

MEMBERS PRESENT:

SENATORS: Maynard, Chapin

REPRESENTATIVES:

Albis, Shaban, Belsito,
Bolinsky, Bowles,
Buck-Taylor, Case, Davis,
Hennessy, L. Miller,
P. Miller, Miner,
Moukawsher, Mushinsky,
O'Dea, Ryan, Sampson,
Sear, Vicino, Willis,
Ziobron

COMMISSIONER ROB KLEE: -- appreciate the
Environment Committee's willingness to raise
our bills for legislative action.

SB 240 HB 5309
HB 5308 HB 5307

With me to assist in answering any questions
you may have are Deputy Commissioners Macky
McCleary and Susan Whalen and our Jessie
Stratton, our Policy Director as well.

So let's quickly start with Raised Bill, Senate
Bill 241 AN ACT CONCERNING YOUTH HUNTING AND
FISHING LICENSES. The bill is designed to
encourage more young people to develop a
lifelong interest in outdoor activities and
conservation.

It will accomplish this objective by providing
reduced hunting and fishing licenses for 16 and
17-year-olds and granting DEEP some limited
flexibility to better market and promote
hunting and fishing in our state, especially
the young people.

It's also going to increase opportunities for
prospective hunters to take their required

safety courses online and reduce costs to DEEP by allowing private vendors to offer these courses for a fee.

Finally, the bill will enable DEEP to promote hunting and fishing to out-of-state sportsmen by establishing a registry of licensed guides, who could help arrange, start eco-tourism hunting and fishing trips and charging a modest fee for the guides to be a part of its listings.

Next I'd like to highlight some of the bills that build on DEEP's ongoing efforts to lean our agency by eliminating or updating outmoded or unnecessary regulations and requirements.

Raised Senate Bill 240 AN ACT CONCERNING ADMINISTRATIVE STREAMLINING AT DEEP would eliminate some hard copies or paper reporting requirements that no longer make sense for our electronic waste recycling program and we will post this information instead on the website for everyone to easily access.

Our proposal also eliminates various outdated solid waste reports that are no longer needed because we now have developed a statewide solid waste management plan.

And we're also simplifying the process to certify that manufacturers comply with the state's appliance and equipment efficiency standards.

In a similar effort to streamline, we have Raised House Bill 5309 AN ACT CONCERNING ABANDONED BOATS, which basically allows a quicker and easier way to transfer ownership of an abandoned boat to get its removal if it's been abandoned somewhere that it shouldn't be.

It also provides a new legal process for handling mass displacements of boats that might

occur during an extreme weather event and this is consistent with the goals of our state's debris management plan.

Raised House Bill 5307, I think there's a typo on mine, well, it's the one concerning regulation of fracking waste. It's 5308. It would enhance our oversight and regulation of any materials that are a byproduct of fracking process for natural gas or crude oil that could be transported into our state for treatment or disposal.

Our bill would ensure careful cradle to grave oversight of any fracking waste materials that are characterized as hazardous and that might be brought into Connecticut.

Over the past several decades, our hazardous waste regulations have proven to be the most effective approach to managing any hazardous materials.

And the final agency bill is House, Raised House Bill 5307 AN ACT CONCERNING THE USE OF BOOMS FOR THE RETENTION OF OILS AND PETROLEUM and it also changes the requirements for the registration of radioactive materials.

This bill provides, will require proper supervision of the off loading of certain petroleum fuels from ships in order to reduce the potential for spills.

It also will eliminate the requirement to place booms around vessels when petroleum products with low flash points such as gasoline or ethanol or a mixture of gas and ethanol are being off loaded.

We are recommending this change because public safety officials have come to us concerned about the potential for explosion from the buildup of flammable liquid within these booms.

everything automatically be considered hazardous waste when in reality what is asked for under our hazardous waste requirements, our standard hazardous requirements is that they characterize the waste.

So we need to know what's in there, and if it reaches the threshold of hazardous waste, it needs to be treated as such. If not, then it does not.

COMMISSIONER ROB KLEE: And the Deputy Commissioner raises a good point. In our written testimony we've provided you with, we had our original submittal to the Environment Committee and the language that came out of the drafting process and we have a new sort of bolded, italicized section that we think corrects a little bit of a possible drafting confusion. So that's in our written testimony, though.

REP. GENTILE: Thank you. Any additional questions? Representative Miller.

REP. L. MILLER: Thank you, Madam Chair. Good afternoon. Congratulations.

COMMISSIONER ROB KLEE: Thank you.

REP. L. MILLER: Good luck.

COMMISSIONER ROB KLEE: Thank you.

HB 5309

REP. L. MILLER: I want to talk about the abandoned boats, but I'm coming in from the back door. For several years now, I've been trying to get a bill passed that would require people who own kayaks to register them with a number, and the reason for that is that, well, several years ago four gentlemen went out fishing out in the Gulf of Mexico. Two of them were former NFL football players.

Well, to make a long story short, the cost to find these guys was over a million dollars. Now, the people with kayaks in Connecticut, often they're kept on shore and the wind will take them in the water and all of a sudden somebody will spot a kayak in the water and assume that maybe that guy is in the water some place or met his demise.

So the Coast Guard is now out there looking for the owner, had no idea who he is because there's no name on the boat. There's no numbers. And a small Coast Guard boat going out for something like that, \$350 an hour that's costing us as taxpayers.

And all I want to do is put a number on the boat so that the Coast Guard or the Harbor Masters will find it much easier to find out if the person that owns that kayak is actually in the drink or is home and his boat has blown off the shore.

These guys are afraid of, I guess, when you register it, it's going to cost them money, but don't they think when we send out the Coast Guard to look for somebody it costs us money?

So again, I'm not looking for income from these guys. I just want identification so that we can tell who owns it. We can call them up and if they're home watching television, fine, then we call off the search. But until we find out who owns these things, the Coast Guard is out all over the place in Long Island Sound as well as Harbor Masters.

And I know in Bridgeport many years ago there was an incident where the Harbor Master, they had an incident where they're trying to help some guys and the Harbor Masters that went in the water almost lost their lives, so it's a win-win situation for everybody and I don't

think that it's going to harm anybody. We're not looking for money. We're not looking to find out who owns ten kayaks. We just want to have an identification process so that we could notify the Coast Guard, well, John Jonas owns this and he lives at so and so and his telephone number is such and such.

They can call him up, find out what he's doing. If he's home watching TV, call off the search and just tell him his kayak is in the water. I just wanted your opinion on that.

COMMISSIONER ROB KLEE: Well, Representative, thank you for the question. I think that, well, I'll give you as a lead-in. I am actually a kayaker. I do enjoy kayaking personally, but, no, it an interesting question.

I think that our bill, and I'm actually going to turn it over to Deputy Commissioner Susan Whalen, does sort of approach this question of registration a bit and we've been working with our sister agencies on that. But with that, I'll turn it over Deputy Commissioner Susan Whalen.

DEPUTY COMMISSIONER SUSAN WHALEN: Okay. Thank you for that question, Representative. You are absolutely correct that small craft do not require registration at his point. Registration occurs in a nexus between us and the registry of motor vehicles.

We certainly would support the registration of these small craft for just the reasons you identify. Our environmental conservation police, who are responsible for patrolling the state's waters very often will come upon a craft that is abandoned and then the question comes, did it just break loose of its mooring or is there someone in trouble somewhere.

So, we would not be opposed to registration of these small craft. Your point is absolutely correct, though, that the issue has come up of paying for that registration and I think there has been some resistance to that, but we as an agency as a matter of policy would support it.

REP. L. MILLER: you know, as I said, the cost of just the Coast Guard boat is about \$350 an hour. If they go out with a plane, I forgot. It's \$700 or \$1,000 an hour, and then when they go out with a helicopter, you know, it's out of sight..

And we're assuming those costs and if they're really not warranted because there's no problem, you know, we ought to know and be able to not send out all these people on a wild goose chase.

So I just, again, I'm not trying to stick it to the kayak owners.

A VOICE: (Inaudible).

REP. GENTILE: Thank you, Representative Miller. Representative Bowles.

REP. BOWLES: Yes, thank you, Madam Chair. Commissioner, congratulations on your new position.

COMMISSIONER ROB KLEE: Thank you.

REP. BOWLES: We all look forward to working with you and your staff in the coming weeks and months, and hopefully, years ahead.

One thing if I may ask the Committee's indulgence, I just want to commend you for your efforts around Senate Bill 240 and your ongoing commitment to streamline the regulatory process and make government more efficient. I think that there's an overwhelming consensus you

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**ENVIRONMENT
PART 2
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2014

2/28/2014 Coalition of CT Sportsmen James J Crook

crookjames77@gmail.com

Support S.B. No. 241 (RAISED) AN ACT CONCERNING YOUTH HUNTING AND FISHING LICENSES, REVISING CERTAIN HUNTING AND FISHING LICENSE FEES AND REQUIRING REGISTRATION BY HUNTING AND FISHING GUIDE SERVICES.

Support H.B. No. 5309 (RAISED) AN ACT CONCERNING ABANDONED BOATS.

Support H.B. No. 5306 (RAISED) AN ACT CONCERNING A RANDOM DRAWING FOR A LIFETIME HUNTING OR FRESHWATER FISHING LICENSE.

Support S.B. No. 239 (RAISED) AN ACT CONCERNING THE USE OF PROPANE NOISEMAKERS TO REPEL WILDLIFE.

Senator Meyer, Representative Gentile and Members of the Environment Committee:

S.B. 241 Support

Although I am apprehensive to raising fees, I believe this bill will encourage youth sportsmen to remain by offsetting the costs associated with license fees. By reducing these fees they may remain and continue their outdoor sports into adulthood. In addition, this bill also requires guides to register with DEEP, which will help ensure compliance with state and federal law. Also, the bill states that a fee may be charged for the online classroom. I expect this fee to be small and only offset the cost associated with operating the website.

H.B. 5309 Support

H.B. 5306 Support

Having a lottery for these lifetime licenses is an incentive to renew licenses year after year, so long as the drawing is open only to those who currently have such licenses.

S.B. 239 Support