



# House of Representatives

General Assembly

**File No. 361**

February Session, 2006

House Bill No. 5658

*House of Representatives, April 4, 2006*

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING THE REMOVAL OF ABANDONED SUNKEN VESSELS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 15-11a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any owner, agent or operator of any vessel, scow, lighter or  
4 similar floating structure lying within the limits of any river or harbor  
5 who causes or permits the same to be broken or altered to such an  
6 extent that it will not keep afloat with ordinary care, or grounds such  
7 craft or leaves any part thereof in any river or harbor, shall be fined not  
8 more than five hundred dollars or imprisoned not more than six  
9 months or both and the Commissioner of [Transportation]  
10 Environmental Protection may cause such vessel, scow, lighter or  
11 similar floating structure to be removed at the expense of such owner,  
12 agent or operator and may recover the expense of such removal,  
13 together with the costs and expenses incident to such removal,  
14 including legal expenses and court costs incurred in such recovery,



The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Environmental Protection	GF - Cost	See Below	See Below
Department of Transportation	TF - None	None	None

Note: GF=General Fund; TF=Transportation Fund

**Municipal Impact:** None

**Explanation**

It is anticipated that by transferring the powers of the Transportation Commissioner to the Department of Environmental Protection (DEP) with regard to sunken or abandoned vessels or other floating structures, the DEP would incur additional costs. It is estimated that DEP could need to remove 5 - 10 boats per year at a cost of \$25,000 - \$50,000 each (for removal, storage, and associated administrative/legal duties), depending upon the boat and the location.

The Department of Transportation is not anticipated to incur a fiscal impact due to these changes.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****HB 5658*****AN ACT CONCERNING THE REMOVAL OF ABANDONED SUNKEN VESSELS.*****SUMMARY:**

The bill transfers certain powers of the transportation commissioner regarding sunken or abandoned vessels or other floating structures to the environmental protection commissioner. By law, the owner, agent, or operator of a vessel scow, lighter, or similar floating structure who causes or allows it to be broken or altered so that it will not keep afloat, or grounds or leaves any part of it in a river or harbor is subject to a fine of up to \$500, up to six months imprisonment, or both. Currently, the transportation commissioner may (1) cause the vessel or structure to be removed at the owner's, agent's, or operator's expense and recover removal costs, and legal and court costs from the owner by court action; and (2) require the owner, agent, or operator to furnish a performance bond sufficient to cover the amount the commissioner estimates it will cost to remove it. Under the bill, the environmental protection commissioner assumes these powers.

The bill retains the existing requirement that the environmental protection commissioner consult with the transportation commissioner when determining whether a vessel or other floating structure constitutes an encroachment and, thus, is subject to the environmental protection commissioner's regulatory authority over the erection of structures, dredging, and placing obstructions in tidal, coastal, and navigable waters of the state.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Change of Reference

Yea 30 Nay 0 (03/13/2006)

Environment Committee

Joint Favorable

Yea 27 Nay 0 (03/20/2006)