



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

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

Public Hearing – January 30, 2013
ENVIRONMENT COMMITTEE

Testimony Submitted by Commissioner Dan Esty
Presented By Deputy Commissioner Susan Whalen

House Bill No. 5198 – AAC NO-WAKE ZONES

Thank you for the opportunity to present testimony regarding House Bill Number 5198– An Act Concerning No Wake Zones. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

This bill seeks “To reduce land erosion that results from wakes created by irresponsibly operated vessels and to protect responsible operators of marine vessels” by empowering Harbormasters to fine vessel operators who violate speed rules. While we support the lawful role of Harbormasters, we cannot support this bill as written.

There are two problems with the existing proposal:

First, the bill implements a confusing and redundant police power. Slow-No-Wake prohibitions already exist in regulation, and the regulations carry with them bigger penalties than the proposed bill (see RCSA Sections 15-121-A15(4) and 15-121-B14(a), cited under CGS Section 15-133(f), a \$75.00 violation).

Second, while this proposal seems to give police power to Harbormasters, the measure, as constructed does not include a mechanism to address the current legal roadblock that prevents existing Harbormasters from enforcing boating laws and regulations. That is, it fails to overcome the 1993 Attorney General’s opinion (letter to T. William Knapp) that leads to the conclusion that in order to conduct police activities, Harbormasters must be POSTC-trained (Police Officer Standards and Training Council).

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 424-3401 or Robert.LaFrance@ct.gov