

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

Raised Senate Bill No. 1017 – AN ACT CONCERNING ABANDONED BOATS

Thank you for the opportunity to present testimony regarding Raised Senate Bill No. 1017– An Act Concerning Abandoned Boats. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

We appreciate the Committee’s willingness to raise this bill at the request of DEEP. This proposal, which we strongly support, would replace the existing abandoned boat process – a patchwork of law and policy that frustrates the user and DEEP alike – with a smarter, fairer, more automated system that can be scaled to meet the demands of a natural disaster.

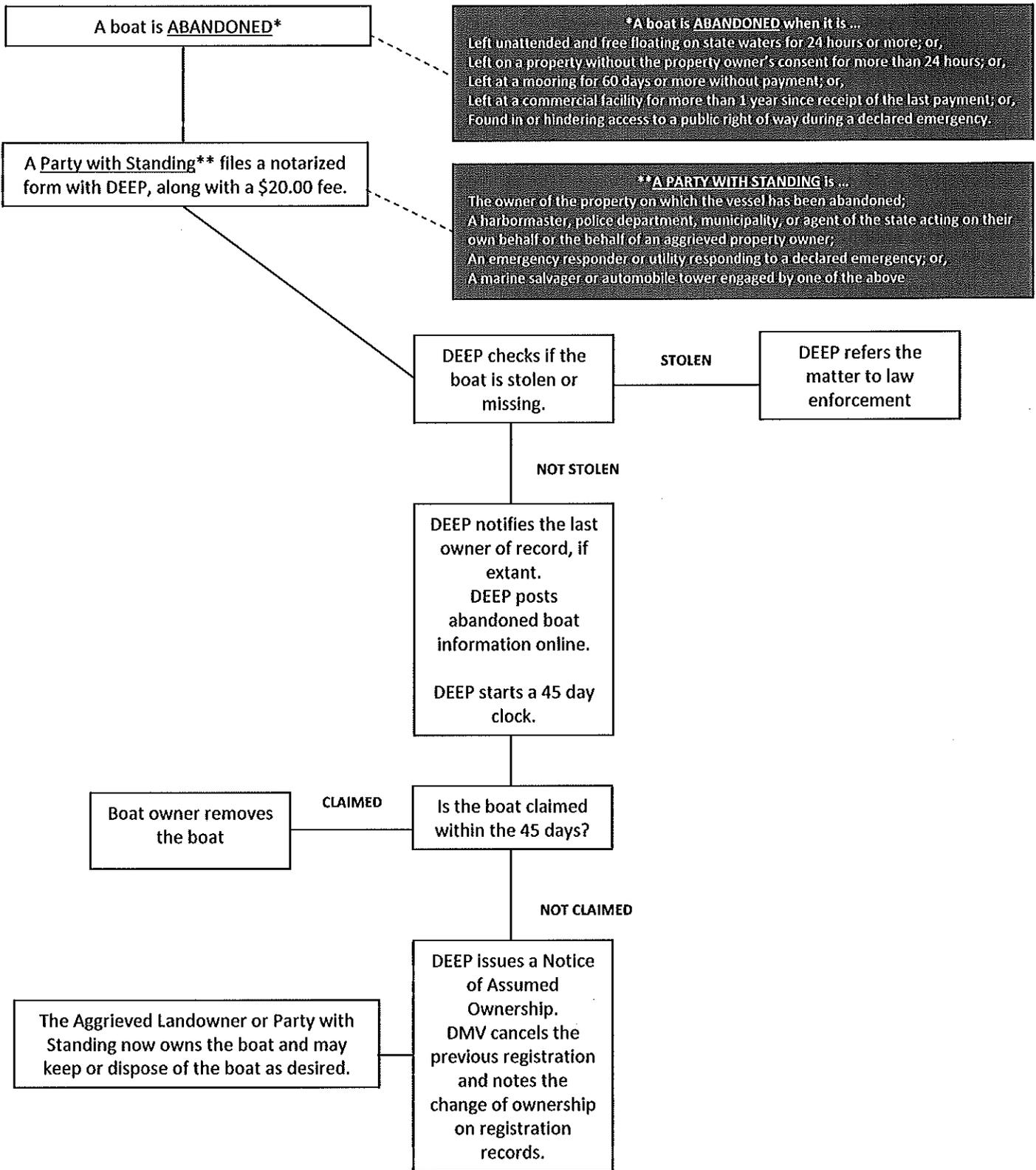
DEEP resolves between 50 to 100 abandoned boat issues per year. Usually, boats are abandoned randomly on someone’s property, leaving it for a private landowner to reconcile. But, since boats are registered like cars the landowner must acquire certain rights to the boat before that person can physically deal with the boat.

This bill proposes to implement a web-based, system that is automated, quicker, more predictable, more transparent, less labor intensive and less costly for all concerned. The new process provides clear evidence of transfer of rights and ownership at the end of the process. It also makes provisions to exclude from the process, vessels documented by the United States Coast Guard, as states are pre-empted from including them in a typical state process. The bill preserves the rights of the owners of such vessels. And, most importantly, the bill authorizes DEEP to implement an online system that can be accessed remotely and scaled up to meet the challenges of a mass-displacement event, such as a hurricane.

For the user, the abandoned boat process will begin with the submission of a notarized form and a twenty dollar fee, and end either with removal of the abandoned boat by the owner or transfer of ownership of the boat to the user at the end of 45 days. This will incentivize the processing of abandoned boats. For the abandoner, the new process imposes a much larger penalty – up to \$500.00 - for abandonment, providing a strong disincentive to abandon a boat in the first place.

The new process will proceed according to the following flowchart:

Simplified Flow Chart for Abandoned Undocumented Boats and for Abandoned Boats without Liens



As shown in the preceding flowchart, this bill does not disengage DEEP from the abandoned boat process. In fact, it gives DEEP a greater role. But, it benefits all involved by providing a system that is predictable. In the end, it's simply easier for the user and for the DEEP alike. And that will save Connecticut time and money.

Since proposing this legislation DEEP has noted the request of the Department of Transportation to waive the filing fee for harbor masters, police, municipalities, and agents of the state. We concur, and should this legislation move forward, DEEP supports this change.

This is a bill authored by the staff that currently process abandoned boats for the DEEP. It incorporates *many* lessons learned at the field level and it is specifically designed to meet the needs of the people of Connecticut, based on actual experience with the limitations of the current process. We believe that other states will look to the Connecticut program if this proposal is implemented, and DEEP welcomes the opportunity to lead neighboring states forward on this issue.

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.

