

# Environment Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-5350

AN ACT CONCERNING THE ENFORCEMENT OF BOATING LAWS ON BODIES OF WATER NEAR THE RHODE ISLAND, MASSACHUSETTS AND

**Title:** NEW YORK BORDERS.

**Vote Date:** 3/20/2024

**Vote Action:** Joint Favorable

**PH Date:** 3/15/2024

**File No.:**

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### SPONSORS OF BILL:

Environment Committee

Rep. Craig C. Fishbein, 90th Dist.

Rep. Brian Lanoue, 45th Dist.

Sen. Heather S. Somers, 18th Dist.

Rep. Aundre Bumgardner, 41st Dist.

### REASONS FOR BILL:

Connecticut shares land borders with New York, Massachusetts, and Rhode Island. Many of these borders have shared waterways, whether that comes in the form of ponds, rivers, or lakes. Enforcement of the state's laws can be difficult on these bodies, as it may be difficult to catch up to reckless boaters following the border. The original 1949 law created a reciprocal agreement, upon adoption by the border state, to allow for enforcement of their state laws by neighboring forces. This change added boating to the original list of just fishing and game laws.

### RESPONSE FROM ADMINISTRATION/AGENCY:

**Katie Dykes, Commissioner, CT Department of Energy and Environmental Protection**

The Commissioner supports the intent of the bill but expresses the belief that without reciprocal bills being passed in the neighboring states there would be no power granted to the Environmental Conservation Officers. They also note the differing standards and certification training each state have, limiting their ability to enforce in other states. Most officers have limitations on where they can carry out their roles; CGS Section 26-6 prevents EnCon officers from operating outside the boundaries of the state. Rhode Island has similar regulations around only transporting arrested individuals into the state for medical treatment.

## **NATURE AND SOURCES OF SUPPORT:**

### **Representative Brian Lanoue, 45<sup>th</sup> District**

Representative Lanoue introduces us to the town Voluntown on Beach Pond, on the border with Rhode Island. He recounts the issues the town has had with jet skis launched from the Rhode Island side, and how they are acting dangerously around other lake users. Stating the belief that the border complicates enforcement rules, with individual offenders crossing to the other side to evade law enforcement, the Representative lends his support to the removal of the restrictions concerning where each states officers are able to operate.

**The following testifiers live on Beach Pond in Voluntown, CT.**

### **Tracey Hanson, First Selectman**

The Selectman recounts how Beach Pond has two boat launches: one managed by DEEP and one managed by the Rhode Island Department of Environmental Management (DEM). They state that since the opening of the Rhode Island launch in 2015 there has been a significant increase in the number of incidents with jet skis on the water. They explain the issues arise when the offenders see the CT patrol enroute to intercept them and they simply move to the Rhode Island side of the pond; DEM are reluctant to enforce the rules as strictly since their section of the pond is significantly smaller than the CT side. With the Coast Guard being the only authority able to operate in the entirety of the pond (and only being there once a season to enforce federal laws exclusively), it is the desire of the Selectman to establish a non-profit to enforce the safety of the pond; they believe this bill will make this goal easier. They acknowledge that the bill must be reciprocally passed by Rhode Island but believe this is an essential start to that process.

### **Anna Shugrue, Regional Planner, NECCOG**

NECCOG represents the town of Voluntown; they recount the issues the town has been having with jet skis the past few years. They note that many unsupervised launches from the town of Exeter on the Rhode Island side of the pond result in dangerous close interactions between swimmers and the skiers. They also note how skiers cross into the Rhode Island side to avoid DEEP's EnCon, and vice versa with DEM's enforcement on the Connecticut side.

### **Anonymous 1**

The testifier states their house on Beach Pond suffers from the reckless behavior of Rhode Island boaters, with dangers to their safety and wellbeing. They request that they be forced to follow the rules.

### **Judy Dafoulas**

The testifier endorse dual enforcement of the laws with Rhode Island as many Rhode Island watercraft users are acting dangerous with their excessive speed and inconsiderate behavior.

### **Jef Dunphy**

The testifier's family has lived on Beach Pond for over 125 years but has recently run into issues with jet skis acting dangerous on the lake. They recount a story of when a group hid on the Connecticut side of the pond until the Rhode Island Department of Environmental Management left. They also recount how CT police have a hard time enforcing the rules when boaters cross into the Rhode Island side of the pond.

**Elaine Grandolfi**

The testifier recounts the danger posed to their children when jet skis attempt to jump their wake whilst they are towing them in inflatable tubes. They state the ability of law enforcement is hampered by the border and their inability to enforce once the perpetrator has crossed the line.

**George Grandolf**

The testifier recounts three instances where their or other's lives have been at risk because of dangerous jet skiers. The dangers posed by jet skis following boats with their children riding behind or racing up and down the pond causes them to fully support allowing greater enforcement of the laws.

**Diane Sansone**

The testifier recounts the issues the town has been having with jet skis, and how enforcement is hampered by the border. They believe a single unified authority to patrol the pond will allow for greater success; they also suggest providing the officers with unmarked jet skis such that they will be able to successfully apprehend offenders.

**Robert Sansone**

The testifier recounts the issues the town has had with jet skis, expressing the belief that they are gangs. They testify that they have seen kayakers capsized by the jet skis, and that enforcement issues arise with officers unable to enforce across the border. They therefore support allowing enforcement on the entirety of the lake regardless of which state they are currently in.

**Timothy Hollister**

The testifier expressed their support for the bill.

**Ava Schrage**

The testifier expressed their support for the bill.

**NATURE AND SOURCES OF OPPOSITION:**

**Rick Hedger**

The testifier expressed opposition to the bill, wishing instead for police immunity.

**Reported by: Jim McNealey**

**Date: April 3<sup>rd</sup>, 2024**