

SENATOR SARAH ELFRETH  
Legislative District 30  
Anne Arundel County

Budget and Taxation Committee

Subcommittees

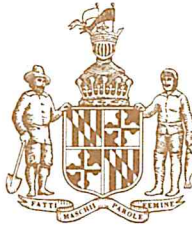
Education, Business and Administration

Chair, Pensions

Senate Chair

Joint Committee on Administrative,  
Executive, and Legislative Review

Joint Committee on the Chesapeake and  
Atlantic Coastal Bays Critical Area



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

January 29, 2020

Testimony in Favor of SB219  
State Boat Act - Abandoned or Sunken Vessels - Removal

Chairman Pinsky, Vice-Chair Kagan, and members of the Education, Health, and Environmental Affairs Committee,

I respectfully request a favorable report of Senate Bill 219. This bill makes several critical changes to the Department of Natural Resources's (DNR) authority and ability to remove abandoned or sunken vessels.

In July, my community was stunned to watch a boat, *Crazy Girl*, slowly sink and leak fuel into the waters of the Bay right off the coast of Annapolis. What is even more troubling, several of my constituents alerted DNR about this vessel over more than a week but were met with hesitation to act. DNR police later told The Capital that their hands were tied by our State law that reads a vessel can only be removed once it has fallen into disrepair. Eventually, *Crazy Girl* sank, DNR used expensive hydraulics to recover the boat, and it was towed at a much greater taxpayer expense and environmental cost.

The saga of *Crazy Girl* is not unique to my community. Waters across Maryland are plagued with abandoned vessels that threaten navigation, safety, and the health of our Bay. Our constituents expect government to do its job and remove these vessels when they pose a threat - and SB 219 attempts to update the antiquated code and empower DNR to do just that.

Current law requires stringent notification measures that force DNR to wait weeks before removing a vessel - even if that vessel poses a serious threat. To better address this problem, SB 219 creates a process by which DNR may use its discretion to bypass and expedite this notification requirement if the vessel is deemed to pose an **immediate hazard**. The bill also provides DNR greater flexibility by broadening the definition of an abandoned vessel to include if a boat presents an obstruction or potential health or environmental hazard.

SB 219 further prohibits DNR from using Natural Resources Police funding for the purposes of this bill, removes the notification requirement in the case of a declared state of emergency, and lowers the days in which a boat must be at a marina without the consent of the owner from 90 to 30 in order to be deemed abandoned.

This bill has a broad coalition and bipartisan support. It was not intended to be onerous to the Department, but rather empower them to act when we know it is in the best interest of the State. As you can see in the Fiscal Note, SB 219 does not mandate DNR spend more money. One could argue that by acting sooner, as in the case of *Crazy Girl*, DNR could have saved taxpayers money. The towing of *Crazy Girl* is estimated to be

\$2,400, while the hydraulics to lift the boat once it sunk cost taxpayers an estimated additional \$9,600. Responsible boat owners pay into the Waterway Improvement Fund through license purchases every year and expect that Fund to pay for a clean and healthy Bay.

We are working with DNR on a few small amendments to meet their needs and expect those changes back to this Committee by the end of the week.

I would like to thank this Committee for its tireless work to ensure a clean, safe, and healthy Chesapeake Bay. Senate Bill 219 is a good government bill that seeks to fix a problem that touches nearly every waterfront community in Maryland. I respectfully request a favorable report.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Elfret". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Sarah Elfret