



General Assembly

Amendment

February Session, 2000

LCO No. 5344

Offered by:

SEN. DAILY, 33rd Dist.

REP. STRATTON, 17th Dist.

SEN. GUNTHER, 21st Dist.

REP. COLLINS, 117th Dist.

SEN. MCDERMOTT, 34th Dist

REP. BACKER, 121st Dist.

To: Subst. Senate Bill No. 381

File No. 682

Cal. No. 135

"An Act Concerning Transfer Of Commercial Lobster Licenses."

1 Strike section 1 in its entirety and insert the following in lieu thereof:

2 "Section 1. Section 26-142b of the general statutes, as amended by
3 section 1 of public act 99-266, is repealed and the following is
4 substituted in lieu thereof:

5 (a) Notwithstanding any other provision of law, the Commissioner
6 of Environmental Protection, from May 31, 1995, until December 31,
7 2001, shall issue resident and nonresident commercial finfish licenses,
8 commercial fishing licenses, and purse seine registrations under
9 section 26-142a, as amended, only to persons who held such a license
10 or registration at any time from January 1, 1980, to June 1, 1995,
11 inclusive, provided, if such license holder or registrant is incapacitated
12 or unable to operate a vessel, the commissioner may reissue a license
13 or registration to a member of such license holder or registrant's
14 immediate family or to a member of such license holder or registrant's

15 crew, as designated by such license holder or registrant, on a
16 temporary basis not to exceed the duration of such incapacity or
17 inability. Such temporary license or registration shall be subject to the
18 provisions of said section 26-142a. Upon the death of a license holder
19 or registrant or relinquishment of the license or registration between
20 October 1, 1999, and December 31, 2001, the commissioner, in
21 accordance with the provisions of this section, may issue a new license
22 or registration of the same type to a member of such license holder or
23 registrant's immediate family who shall be designated by such license
24 holder or registrant on the form provided by the commissioner for
25 application for, or renewal of, such license or registration. Such form
26 shall include a space in which the designation may be indicated. The
27 commissioner shall allow transfers upon death or relinquishment only
28 in cases of transfers from license holders or registrants who fished in
29 1998 and landed any amount of fish under a valid license issued by the
30 commissioner and in the twelve months immediately preceding the
31 date of the request. Such request shall be made to the commissioner in
32 writing. In the case of relinquishment of license, the original license
33 holder or registrant shall become ineligible to obtain a new or renewal
34 license or registration of said type but shall be allowed to recover the
35 license or registration upon the death of the recipient family member
36 or the relinquishment of the license or registration by the recipient. For
37 the purposes of this section, active fishing shall be determined by
38 inspection of commercial fishery catch data submitted in accordance
39 with section 26-157b. No transfer of a license may be made while such
40 license is under suspension. Immediate family shall include spouses,
41 [fathers, sons, brothers, sisters, mothers, daughters, grandfathers,
42 grandmothers, grandsons, granddaughters,] parents, children, siblings,
43 grandparents, grandchildren, nieces, nephews or the spouses of any
44 such family member. Such reissued license or registration shall be
45 subject to the provisions of said section 26-142a. If such license holder
46 or registrant has not designated a family member to whom the license
47 or registration may be issued, one such family member may apply in
48 the manner otherwise provided by law in order to obtain a license or
49 registration under said section 26-142a.

50 (b) Notwithstanding the requirements of this section, from the
51 effective date of this act until October 1, 2002, an active commercial
52 fishing license for lobster issued pursuant to subsection (c) of section
53 26-142a, as amended, may, upon notice to the commissioner, be
54 transferred, without remuneration, to any person who has not had a
55 commercial fishing license, registration or vessel permit suspended
56 within the preceding twelve months or revoked, provided the person
57 transferring the license held the license and landed lobsters in at least
58 three calendar years between January 1, 1995, and June 8, 1998, and
59 reported such lobster catch to the commissioner pursuant to section 26-
60 157b. The person to whom such license is transferred shall be limited
61 to the number of pots actively fished and reported during said period,
62 except that a transferee who currently holds a commercial fishing
63 license for lobster issued pursuant to subsection (c) of section 26-142a,
64 as amended, shall be limited to the number of pots actively fished and
65 reported during said period under either the currently held license or
66 the transferred license, whichever is greater."