



General Assembly

February Session, 2000

**Amendment**

LCO No. 4072

Offered by:

SEN. DAILY, 33<sup>rd</sup> Dist.

To: Subst. Senate Bill No. 381

File No. 106

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3 section 1 of public act 99-266, is repealed and the following is  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 October

51 1, 2000, until October 1, 2002, an active commercial fishing license  
52 issued pursuant to subdivision (3) of subsection (c) of section 26-142a,  
53 as amended, may, upon notice to the commissioner, be transferred,  
54 without remuneration, to any person who has not had a commercial  
55 fishing license, registration or vessel permit suspended within the  
56 preceding twelve months or revoked, provided the person transferring  
57 the license held the license and landed lobsters in at least three  
58 calendar years between January 1, 1995, and June 8, 1998, and reported  
59 such lobster catch to the commissioner pursuant to section 26-157b.  
60 The person to whom such license is transferred shall be limited to (1)  
61 the number of pots actively fished and reported during said period, (2)  
62 five thousand pots, or (3) one and one-half per cent of the total number  
63 of pots authorized to be fished under said section and regulations  
64 adopted pursuant to said section, as determined at the time of transfer,  
65 whichever is the lowest."