



***An Act Concerning Wildlife Management Programs Of The Department Of Environmental Protection.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-40a of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 For the purposes of this section, the following shall be considered as  
4 potentially dangerous animals: The felidae, including the lion, leopard,  
5 cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat; the  
6 canidae, including the wolf and coyote; and the ursidae, including the  
7 black bear, grizzly bear and brown bear. No person shall possess a  
8 potentially dangerous animal. Any such animal illegally possessed  
9 may be ordered seized and may be disposed of as determined by the  
10 Commissioner of Environmental Protection. All costs associated with  
11 the confiscation, care and maintenance of the animal until such time as  
12 the animal is disposed of or is permanently relocated to a proper  
13 facility shall be the responsibility of the owner or the person who is in  
14 illegal possession of the animal. Any person who violates any  
15 provision of this section shall be [fined not more than one hundred  
16 dollars for each offense] assessed a civil penalty not to exceed one  
17 thousand dollars, to be fixed by the court, for each offense. Each  
18 violation shall be a separate and distinct offense and in the case of a  
19 continuing violation, each day's continuance thereof shall be deemed  
20 to be a separate and distinct offense. The Attorney General, upon

21 complaint of the Commissioner of Environmental Protection, may  
22 institute a civil action to recover such penalty and any cost associated  
23 with the confiscation, care and maintenance of the animal. The  
24 provisions of this section shall not apply to municipal parks, zoos and  
25 nature centers, or museums, laboratories and research facilities  
26 maintained by scientific or educational institutions; to a person  
27 possessing a Bengal cat certified by an internationally recognized  
28 multiple-cat domestic feline breeding association as being without  
29 wild parentage for a minimum of four prior generations which cat was  
30 registered with the Commissioner of Agriculture on or before October  
31 1, 1996, provided no such cat may be imported into this state after June  
32 6, 1996; or to persons possessing animals legally on or before May 23,  
33 1983. In any action taken by any official of the state or any  
34 municipality to control rabies, a Bengal cat shall be considered not  
35 vaccinated for rabies in accordance with accepted veterinary practice.

36 Sec. 2. Section 26-55 of the general statutes is repealed and the  
37 following is substituted in lieu thereof:

38 No person shall import or introduce into the state, or possess or  
39 liberate therein, any live fish, wild bird, wild [quadruped] mammal,  
40 reptile, [or] amphibian or invertebrate unless such person has obtained  
41 a permit therefor from the commissioner. Such permit may be issued at  
42 the discretion of the commissioner under such regulations as [he] the  
43 commissioner may prescribe. The commissioner may by regulation  
44 prescribe the numbers of live fish, wild birds, wild [quadrupeds]  
45 mammals, reptiles, [and] amphibians or invertebrates of certain species  
46 which may be imported, possessed, introduced into the state or  
47 liberated therein. The commissioner may by regulation exempt certain  
48 species or groups of live fish from the permit requirements. [He] The  
49 commissioner may by regulation determine which species of wild  
50 birds, wild [quadrupeds] mammals, reptiles, [and] amphibians or  
51 invertebrates must meet permit requirements. [He] The commissioner  
52 may totally prohibit the importation, possession, introduction into the  
53 state or liberation therein of certain species which [he] the  
54 commissioner has determined may be a potential threat to humans,

55 agricultural crops or established species of plants, fish, birds,  
56 [quadrupeds] mammals, reptiles, [or] amphibians or invertebrates. The  
57 commissioner may by regulation exempt from permit requirements  
58 organizations or institutions such as zoos, research laboratories,  
59 colleges or universities, public nonprofit aquaria or nature centers  
60 where live fish, wild birds, wild [quadrupeds] mammals, reptiles,  
61 [and] amphibians or invertebrates are held in strict confinement. Any  
62 such fish, bird, [quadruped] mammal, reptile, [or] amphibian or  
63 invertebrates illegally imported into the state or illegally possessed  
64 therein shall be seized by any representative of the Department of  
65 Environmental Protection and shall be disposed of as determined by  
66 the commissioner. Any person, except as provided in section 26-55a,  
67 who violates any provision of this section or any regulation issued by  
68 the commissioner as herein provided shall be guilty of an infraction.  
69 Importation, liberation or possession of each fish, wild bird, wild  
70 [quadruped] mammal, reptile, [or] amphibian or invertebrate in  
71 violation of this section or such regulation shall be a separate and  
72 distinct offense and, in the case of a continuing violation each day of  
73 continuance thereof shall be deemed to be a separate and distinct  
74 offense.

75 Sec. 3. Section 26-57 of the general statutes is repealed and the  
76 following is substituted in lieu thereof:

77 No person shall transport within the state or transport out of the  
78 state any fish, bird, [quadruped] mammal, reptile, [or] amphibian or  
79 invertebrate for which a closed season is provided without a permit  
80 from the commissioner, except as provided herein. The commissioner  
81 may issue a permit to any person to transport within the state or to  
82 transport out of the state any fish, bird, [quadruped] mammal, reptile,  
83 [or] amphibian or invertebrate protected under the provisions of this  
84 chapter under such regulations as [he] the commissioner may  
85 prescribe. No fish, bird, [quadruped] mammal, reptile, [or] amphibian  
86 or invertebrate shall be transported out of the state unless each unit,  
87 package or container is conspicuously tagged or labeled, and such tag  
88 or label contains in legible writing the full name and address of the

89 person legally authorized to transport out of the state such fish, bird,  
90 [quadruped] mammal, reptile, [or] amphibian or invertebrate. Any  
91 such fish, bird, [quadruped] mammal, reptile, [or] amphibian or  
92 invertebrate received by any person or by any common carrier within  
93 the state, addressed for shipment to any point without the state and  
94 not having such tag or label conspicuously attached shall be prima  
95 facie evidence of a violation of the provisions of this section. A permit  
96 shall not be required to transport within the state or to transport out of  
97 the state any fish, bird, [quadruped] mammal, reptile, [or] amphibian  
98 or invertebrate which has been legally taken, bred, propagated or  
99 possessed by a person to whom a license, registration or permit has  
100 been issued under the provisions of this chapter authorizing the  
101 taking, breeding, propagating or possessing of fish, birds,  
102 [quadrupeds] mammals, reptiles, [or] amphibians or invertebrates, and  
103 no permit shall be required to transport within the state or to transport  
104 out of the state any fish, bird, [quadruped] mammal, reptile, [or]  
105 amphibian or invertebrate, that has been legally taken or acquired by a  
106 person exempt from license requirements under the provisions of this  
107 chapter. Any person who violates any provision of this section shall be  
108 fined not less than ten dollars nor more than two hundred dollars or  
109 imprisoned not more than sixty days or be both fined and imprisoned.

110 Sec. 4. Section 26-70 of the general statutes is repealed and the  
111 following is substituted in lieu thereof:

112 (a) No person shall hunt, take, attempt to hunt or take, or assist in  
113 hunting or taking, or assist in an attempt to hunt or take, from the  
114 wild, any wild game bird, wild [quadruped] mammal, reptile, [or]  
115 amphibian or invertebrate except as authorized under the provisions  
116 of this chapter and the regulations issued by the commissioner. Each  
117 game bird, wild quadruped, reptile and amphibian killed, wounded,  
118 taken or possessed contrary to any provision hereof shall constitute a  
119 separate offense.

120 (b) No person may administer or otherwise employ the use of  
121 contraceptive compounds to any species of free ranging wildlife or

122 employ any physical alteration or device that would alter the  
123 reproductive potential of any species of free ranging wildlife without  
124 first obtaining a permit from the commissioner. The prohibitions of  
125 this subsection shall not apply to the wildlife management programs  
126 of the department or of the Connecticut Agricultural Experiment  
127 Station.

128 (c) The commissioner shall adopt regulations, in accordance with  
129 the provisions of chapter 54 of the general statutes, to carry out the  
130 requirements of subsection (b) of this section. The regulations shall  
131 include, but need not be limited to, definitions of contraceptive  
132 compounds and devices, and restrictions on the possession of such  
133 compounds or devices in the field. The regulations may require that  
134 the applicant (1) first obtain any necessary federal permits, and (2)  
135 provide to the commissioner a written proposal describing the  
136 contraception application protocol, the credentials of each person who  
137 will administer the contraceptive procedure, the purpose or intent of  
138 the procedure and an assessment of environmental impacts.

139 Sec. 5. Section 26-92 of the general statutes is repealed and the  
140 following is substituted in lieu thereof:

141 No person shall catch, kill or purchase or attempt to catch, kill or  
142 purchase, sell, offer or expose for sale or have in possession, living or  
143 dead, any wild bird other than a game bird, or purchase or attempt to  
144 purchase, sell, offer or expose for sale or have in possession any part of  
145 any such bird or of the plumage thereof except as acquired under the  
146 provisions of this chapter. For the purposes of this section, the  
147 following shall be considered game birds: The anatidae, or waterfowl,  
148 including brant, wild ducks and geese; the rallidae, or rails, including  
149 coots, gallinules and sora and other rails; the limicolae, or shore birds,  
150 including snipe and woodcock; the gallinae, including wild turkeys,  
151 grouse, prairie chickens, pheasants, partridge and quail; the corvidae,  
152 including crows. No person shall take or [needlessly] intentionally  
153 destroy any nest or any egg of any wild bird or game bird nor have  
154 any nest or egg of any such bird in possession. English sparrows,

155 starlings, rock doves, monk parakeets and, when [in the act of  
156 destroying corn, crows and red-winged and crow blackbirds] found  
157 depredating or constituting a threat of depredation upon ornamental  
158 or shade trees, agricultural crops, livestock or wildlife, or when  
159 concentrated in such numbers and manner as to constitute a public  
160 health hazard, crows, brown-headed cowbirds and gackles shall not be  
161 included among the birds protected by this section. The existence of a  
162 public health hazard shall be determined by the commissioner in  
163 consultation with the Commissioner of Public Health or the local  
164 director of health. Any conservation officer and any other officer  
165 having authority to serve criminal process shall have the same powers  
166 relating to violations of the provisions of this section as are conferred  
167 by section 26-6.

**ENV Committee Vote:** Yea 24 Nay 0 JFS C/R JUD