



General Assembly

**Substitute Bill No. 1214**

*January Session, 2001*

**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 Section 26-40a of the general statutes is repealed and the  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 invertebrate 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 protected wild [game] bird, wild [quadruped] mammal,  
115 reptile, [or] amphibian or invertebrate except as authorized under the  
116 provisions of this chapter and the regulations issued by the  
117 commissioner. Each [game] bird, wild [quadruped] mammal, reptile,  
118 [and] amphibian or invertebrate killed, wounded, taken or possessed  
119 contrary to any provision hereof shall constitute a 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 applicant for such  
125 permit shall (1) first obtain any required federal permits, and (2)  
126 provide to the commissioner a written proposal describing the  
127 contraception application protocol, the credentials of each person who  
128 will administer the contraceptive procedure, the purpose or intent of  
129 the procedure and an assessment of environmental impacts. The  
130 prohibitions of this subsection do not apply to the wildlife  
131 management programs of the department.

132 (c) The commissioner may adopt regulations, in accordance with the  
133 provisions of chapter 54, to carry out the requirements of subsection  
134 (b) of this section. The regulations shall include, but need not be  
135 limited to, definitions of contraceptive compounds and devices and  
136 restrictions on the possession of such compounds or devices in the  
137 field.

138 Sec. 5. Section 26-82 of the general statutes is repealed and the  
139 following is substituted in lieu thereof:

140 (a) No person shall hunt, pursue, wound or kill any deer or sell or  
141 offer for sale or have in possession the flesh of any deer captured or  
142 killed in this state, or have in possession the flesh of any deer from any  
143 other state or country unless it is properly tagged as required by such  
144 state or country except as provided by the terms of this chapter or  
145 regulations adopted pursuant thereto, and except that any landowner  
146 or primary lessee of land owned by such landowner or the husband or  
147 wife or any lineal descendant of such landowner or lessee or any  
148 designated agent of such landowner or lessee may kill deer with a  
149 shotgun, rifle or bow and arrow provided a damage permit has first  
150 been obtained from the commissioner and such person has not been  
151 convicted for any violation of this section, [26-82,] section 26-85, 26-86a,  
152 26-86b or 26-90 or subsection (b) of section 26-86a-2 of the regulations  
153 of Connecticut state agencies within three years preceding the date of  
154 application. Upon the receipt of an application, on forms provided by

155 the commissioner and containing such information as said  
156 commissioner may require, from any landowner who has or whose  
157 primary lessee has an actual or potential gross annual income of  
158 twenty-five hundred dollars or more from the commercial cultivated  
159 production of grain, forage, fruit, vegetables, flowers, ornamental  
160 plants or Christmas trees and who is experiencing an actual or  
161 potential loss of income because of severe damage by deer, the  
162 commissioner shall issue not more than six damage permits without  
163 fee to such landowner or the primary lessee of such landowner, or the  
164 wife, husband, lineal descendant or designated agent of such  
165 landowner or lessee. The application shall be notarized and signed by  
166 all landowners or by the landowner or a lessee to whom a farmer tax  
167 exemption permit has been issued pursuant to subsection (63) of  
168 section 12-412. Such damage permit shall be valid through October  
169 thirty-first of the year in which it is issued and may specify the hunting  
170 implement or shot size or both which shall be used to take such deer.  
171 The commissioner may at any time revoke such permit for violation of  
172 any provision of this section or for violation of any regulation pursuant  
173 thereto or upon the request of the applicant. Notwithstanding the  
174 provisions of section 26-85, the commissioner may issue a permit to  
175 any landowner or primary lessee of land owned by such landowner or  
176 the husband or wife or any lineal descendant of such landowner or  
177 lessee and to not more than three designated agents of such landowner  
178 or lessee to use a jacklight for the purpose of taking deer when it is  
179 shown, to the satisfaction of the commissioner, that such deer is  
180 causing damage which cannot be reduced during the daylight hours  
181 between sunrise and one-half hour after sunset on the land of such  
182 landowner. The commissioner may require notification as specified on  
183 such permit prior to its use. Any deer killed in accordance with the  
184 provisions of this section shall be the property of the owner of the land  
185 upon which the same has been killed, but shall not be sold, bartered,  
186 traded or offered for sale, and the person who kills any such deer shall  
187 tag and report each deer killed, as provided in section 26-86b. Upon  
188 receipt of the report required by section 26-86b, the commissioner shall  
189 issue an additional damage permit to the person making such report.

190 Any deer killed otherwise than under the conditions provided for in  
191 this chapter or regulations adopted pursuant thereto shall remain the  
192 property of the state and may be disposed of by the commissioner at  
193 his discretion to any state institution or may be sold and the proceeds  
194 of such sale shall be remitted to the State Treasurer, who shall apply  
195 the same to the General Fund, and no person, except the  
196 commissioner, shall retail, sell or offer for sale the whole or any part of  
197 any such deer. No person shall be a designated agent of more than one  
198 landowner or primary lessee in any calendar year. No person shall  
199 make, set or use any trap, snare, salt lick, bait or other device for the  
200 purpose of taking, injuring or killing any deer, [nor shall any person]  
201 except notwithstanding any other provision of this chapter, the  
202 commissioner may authorize any municipality or homeowner  
203 association incorporated under the laws of the state that has, by a  
204 majority vote of the decision making body of such town or association,  
205 voted to take any deer using any method consistent with professional  
206 wildlife management principles and scientifically accepted principles  
207 of ecosystem based management if the commissioner finds that a  
208 severe nuisance or ecological damage can be demonstrated and if a  
209 plan is submitted to the commissioner for review and approval. Such  
210 plan shall describe the extent and degree of the nuisance or damage  
211 and the proposed methods of take and other lethal and nonlethal  
212 options proposed, considered or implemented. No person shall hunt,  
213 pursue or kill deer being pursued by any dog, whether or not such dog  
214 is owned or controlled by [him] such person, except that no person  
215 shall be guilty of a violation under this section when such a deer is  
216 struck by a motor vehicle operated by [him] such person. No person  
217 shall use or allow any dog in [his] such person's charge to hunt, pursue  
218 or kill deer. No permit shall be issued when in the opinion of the  
219 commissioner the public safety may be jeopardized.

220 (b) Any person who violates any provision of this section shall be  
221 fined not less than two hundred dollars nor more than five hundred  
222 dollars or imprisoned not less than thirty days nor more than six  
223 months or shall be both fined and imprisoned, for the first offense, and

224 for each subsequent offense shall be fined not less than two hundred  
225 dollars nor more than one thousand dollars or imprisoned not more  
226 than one year or shall be both fined and imprisoned.

227 Sec. 6. Section 26-92 of the general statutes is repealed and the  
228 following is substituted in lieu thereof:

229 No person shall catch, kill or purchase or attempt to catch, kill or  
230 purchase, sell, offer or expose for sale or have in possession, living or  
231 dead, any wild bird other than a game bird, or purchase or attempt to  
232 purchase, sell, offer or expose for sale or have in possession any part of  
233 any such bird or of the plumage thereof except as acquired under the  
234 provisions of this chapter. For the purposes of this section, the  
235 following shall be considered game birds: The anatidae, or waterfowl,  
236 including brant, wild ducks and geese; the rallidae, or rails, including  
237 coots, gallinules and sora and other rails; the limicolae, or shore birds,  
238 including snipe and woodcock; the gallinae, including wild turkeys,  
239 grouse, prairie chickens, pheasants, partridge and quail; the corvidae,  
240 including crows. No person shall take or [needlessly] intentionally  
241 destroy any nest or any egg of any wild bird or game bird nor have  
242 any nest or egg of any such bird in possession. English sparrows,  
243 starlings, rock doves, and, when [in the act of destroying corn, crows  
244 and red-winged and crow blackbirds] found depredating or  
245 constituting a threat of depredation upon ornamental or shade trees,  
246 agriculture crops, livestock or wildlife, or when concentrated in such  
247 numbers and manner as to constitute a public health hazard, crows,  
248 brown-headed cowbirds and grackles shall not be included among the  
249 birds protected by this section. The existence of a public health hazard  
250 shall be determined by the commissioner in consultation with the  
251 Commissioner of Public Health or the local director of health. Any  
252 conservation officer and any other officer having authority to serve  
253 criminal process shall have the same powers relating to violations of  
254 the provisions of this section as are conferred by section 26-6.

255 Sec. 7. Section 26-3 of the general statutes is repealed and the  
256 following is substituted in lieu thereof:

257 The Commissioner of Environmental Protection shall enforce all of  
258 the laws relating to fish and wildlife [, fish, crustacea, game and  
259 nongame birds, waterfowl and game and fur-bearing animals] of the  
260 state and shall possess all powers necessary to fulfill the duties  
261 prescribed by law with respect thereto and to bring actions in the  
262 proper courts of this state for the enforcement of such laws and the  
263 orders and regulations adopted and promulgated by [him] said  
264 commissioner. [He] Said commissioner shall have the supervision of  
265 hatcheries and retaining ponds and of the introduction, propagation,  
266 securing and distribution of such fish and [game] wildlife as are  
267 adapted to the waters or lands of this state, and may designate, as  
268 closed to fishing, areas of inland waters to provide for spawning beds.  
269 [, and] Notwithstanding any other provision of the general statutes,  
270 the commissioner may take at any time or place using any method  
271 consistent with scientifically accepted principles of ecosystem based  
272 management, any fish [, crustacean, bird or animal] for scientific and  
273 educational purposes, public health and safety, propagation and  
274 dissemination, [. He] or protection of natural or agricultural  
275 ecosystems. Said commissioner shall have jurisdiction of all matters  
276 relating to fish and [game] wildlife on any land belonging to the state  
277 and the regulation of hunting, fishing and trapping and the use of the  
278 waters of any lake, pond or stream on such land. The commissioner  
279 shall not grant to any conservation officer, appointee or other person  
280 any special privileges with respect to hunting, fishing, trapping or the  
281 use of the waters of any lake, pond or stream on such land. [He] Said  
282 commissioner may erect buildings upon any such land, subject to the  
283 permission of the authorities of any institution or commission  
284 controlling such land and the approval of the Commissioner of Public  
285 Works and the State Properties Review Board. [He] Said commissioner  
286 may employ such special assistants as [he finds advisable. He]  
287 necessary. Said commissioner shall cooperate with the United States  
288 Fish and Wildlife Service and the fish and [game] wildlife  
289 commissioners of other states. [He] Said commissioner may acquire, by  
290 gift or lease and, with the approval of the Governor alone, by  
291 purchase, lands for the establishment of fish hatcheries or game

292 preserves [. He] and fisheries or wildlife management areas. Said  
293 commissioner may, with the approval of the Attorney General, grant  
294 rights-of-way or other easements or leases for public purposes to the  
295 United States government, any subdivision of the state or any public  
296 utility within the state on or with respect to any lands under [his]  
297 jurisdiction of said commissioner if [he] said commissioner finds that  
298 such purposes are not in conflict with the public interest, provided any  
299 such public utility shall pay for any right-of-way, easement or lease so  
300 granted such compensation as said commissioner considers  
301 reasonable. [He] Said commissioner shall have authority to establish  
302 the boundaries of any properties under [his] the jurisdiction of said  
303 commissioner by agreement with owners of adjoining property and  
304 may, with the approval of the Attorney General alone, exchange land  
305 with such property owners and execute deeds in the name of the state  
306 for the purpose of establishing such boundaries. The commissioner  
307 may provide for the importation of [game birds and game and fur-  
308 bearing animals] fish and wildlife, and provide for the protection,  
309 propagation and distribution of such imported or native [birds and  
310 animals] fish and wildlife. The commissioner may locate, lay out,  
311 construct and maintain nurseries and rearing ponds where fish may be  
312 planted, propagated and reared and liberate and distribute such fish in  
313 the waters of this state [. He] and may acquire by gift, purchase,  
314 capture or otherwise any fish [, game, game birds or animals] or  
315 wildlife for propagation, experimental or scientific purposes. [, and]  
316 Notwithstanding any other provisions of the general statutes, said  
317 commissioner may destroy and dispose of any undesirable or diseased  
318 wildlife [species] in the interest of wildlife management at any time or  
319 place and using any method consistent with scientifically accepted  
320 principles of ecosystem based management if [he] said commissioner  
321 determines that the species (1) aggressively invades, or is likely to be  
322 detrimental to, agricultural crops or native plants or wildlife, (2) is  
323 likely to be a carrier of insects, disease or parasites detrimental to such  
324 crops, plants or wildlife, or (3) is likely to have a detrimental effect on  
325 natural or agricultural ecosystems, (4) is likely to be detrimental to  
326 endangered, threatened, or species of special concern as listed in

327 sections 26-306-1 to 26-306-7, inclusive, of the Regulations of  
328 Connecticut State Agencies or such species' essential habitats, or (5)  
329 causes severe property damage, provided the commissioner shall first  
330 utilize nonlethal means of controlling undesirable or diseased wildlife  
331 causing such damage. The commissioner may enter into cooperative  
332 agreements with educational institutions and state, federal or other  
333 agencies to promote wildlife research and to train personnel for  
334 wildlife management, information, distribution and education projects,  
335 and may enter into cooperative agreements with federal agencies,  
336 municipalities, corporations, organized groups or landowners,  
337 associations and individuals for the development of [game, birds,] fish  
338 or [fur-bearing animals] wildlife management and demonstration  
339 projects. The commissioner may allocate and expend for the  
340 protection, restoration, preservation and propagation of fish [,  
341 crustacea, game and fur-bearing animals, and game and nongame  
342 birds,] and wildlife all funds of the state collected, appropriated and  
343 acquired for the purpose.

344 Sec. 8. Section 26-69 of the general statutes is repealed and the  
345 following is substituted in lieu thereof:

346 The commissioner may engage in wildlife management practices,  
347 [and may expend from federal aid funds necessary moneys to  
348 establish, construct and maintain, on any state-owned land and water  
349 under his control and, with the consent of the owner, on private land  
350 and water, wildlife propagation installations, facilities and associated  
351 structures, experimental stations and facilities, and perform, or have  
352 performed, any work related to the establishment, restoration,  
353 improvement, control and protection of wildlife habitats, and perform  
354 or have performed any work related to the creation of facilities for  
355 ingress and egress and the creation of facilities for public use of any  
356 area under its control] including, but not limited to: (1) Managing the  
357 wildlife resources of the state to provide sustainable, healthy  
358 populations of diverse wildlife species, including endangered and  
359 threatened species, consistent with professional wildlife management  
360 principles and scientifically accepted principles of ecosystem based

361 management; (2) conducting research to better understand processes  
362 and relationships affecting wildlife and habitats; (3) conducting public  
363 awareness and technical assistance programs to enhance privately-  
364 owned habitat and promote an appreciation for and understanding of  
365 the value and use of wildlife; (4) performing any work for the  
366 establishment, restoration, improvement, control and protection of  
367 wildlife habitats; (5) performing any work to create and maintain  
368 facilities for ingress and egress for public use of any area under said  
369 commissioner's control; (6) regulating hunting seasons and bag limits  
370 for all harvestable wildlife species within Connecticut; (7) managing  
371 public hunting and wildlife recreational opportunities on state-owned,  
372 state-leased, permit-required areas and cooperative wildlife  
373 management areas; and (8) conducting, with volunteer assistance,  
374 conservation education and safety programs to promote safe and  
375 ethical hunting practices. Said commissioner may expend from federal  
376 aid funds necessary moneys for supplies, materials, equipment,  
377 temporary personal services and contractual services to carry out the  
378 provisions of this section.

379 Sec. 9. Section 26-115 of the general statutes is repealed and the  
380 following is substituted in lieu thereof:

381 The Commissioner of Environmental Protection may engage in  
382 fisheries management practices [and may expend from federal aid  
383 funds necessary moneys to establish, construct and maintain, on any  
384 state-owned land and water under his control and, with the consent of  
385 the owner, on private land and water, fish cultural installations and  
386 associated structures, stream and pond improvement and control  
387 structures and experimental stations, and for the creation of facilities  
388 for public use of any area under his control] including, but not limited  
389 to: (1) Managing fishery resources to provide sustainable populations,  
390 including endangered species, commensurate with habitat capability  
391 and relevant ecological, social and economic considerations; (2)  
392 regulating and managing diadromous and marine fisheries and habitat  
393 consistent with interjurisdictional management plans and harvest  
394 objectives; (3) regulating and managing inland fisheries and habitat

395 through various stocking, population manipulation and habitat  
396 preservation and improvement programs; (4) protecting and  
397 conserving aquatic habitat and associated riparian zones; (5)  
398 performing any work to create and maintain facilities for the ingress  
399 and egress for public use of any area under said commissioner's  
400 control; (6) managing public fishing opportunities on state-owned or  
401 state-leased water bodies; and (7) conducting public awareness and  
402 educational programs to promote an understanding and appreciation  
403 for aquatic resources and habitats. Said commissioner is delegated  
404 authority to expend from federal aid funds necessary moneys for  
405 supplies, materials, equipment, temporary personal services and  
406 contractual services to carry out the provisions of sections 26-102 and  
407 26-111 to 26-117, inclusive, as amended by this act.

408 Sec. 10. Section 26-91 of the general statutes is repealed and the  
409 following is substituted in lieu thereof:

410 (a) The closed season, daily bag limit and possession limit for  
411 migratory game birds and the methods of taking such game birds shall  
412 be at least as stringent as the closed season, daily bag limit, possession  
413 limit and methods of taking fixed for such birds by the regulations of  
414 the United States Fish and Wildlife Service, made under the provisions  
415 of an Act of Congress Relating to Migratory Birds. Nothing in this  
416 section shall affect the right to kill or have in possession to be sold or  
417 offered for sale wild ducks, geese and brant, bred or propagated by  
418 any domestic breeder. Any person who violates any provision of this  
419 section shall be fined not more than fifty dollars or imprisoned not  
420 more than thirty days or both. The possession of each bird or part  
421 thereof shall constitute a separate offense.

422 (b) Notwithstanding any other provision of the general statutes, the  
423 Commissioner of Environmental Protection may authorize any  
424 municipality or homeowner association incorporated under the laws of  
425 this state that has, by a majority vote of the decision making body of  
426 such town or association, voted to take resident Canada geese at any  
427 time or place and using any method consistent with professional

428 wildlife management principles and scientifically accepted principles  
429 of ecosystem based management if the commissioner finds that a  
430 severe nuisance or ecological damage can be demonstrated and if a  
431 plan is submitted to the commissioner for review and approval. Such  
432 plan shall describe the extent and degree of the nuisance or damage  
433 and the proposed methods of take and other lethal and nonlethal  
434 options proposed, considered or implemented.

**ENV**      *Joint Favorable Subst.*