



Senate

General Assembly

File No. 436

January Session, 2003

Substitute Senate Bill No. 862

Senate, April 17, 2003

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

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 Section 26-70 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) No person shall hunt, take, attempt to hunt or take, or assist in
4 hunting or taking, or assist in an attempt to hunt or take, from the
5 wild, any wild [game] bird, wild [quadruped] mammal, reptile, [or]
6 amphibian or invertebrate except as authorized under the provisions
7 of this chapter and the regulations issued by the commissioner. Each
8 [game] wild bird, wild [quadruped] mammal, reptile, [and] amphibian
9 or invertebrate killed, wounded, taken or possessed contrary to any
10 provision hereof shall constitute a separate offense.

11 (b) No person may administer any chemical or biological substance,
12 including, but not limited to, drugs, pesticides, vaccines or

13 immunocontraceptives or make any physical alteration or affix any
14 device to any free ranging wildlife without first obtaining a permit
15 from the commissioner. The applicant for such permit shall (1) first
16 obtain any necessary federal permits, and (2) provide to the
17 commissioner a written proposal describing the chemical or biological
18 substance application, physical alteration or device attachment
19 protocol, the credentials of each person who will administer the
20 procedure, the purpose or intent of the procedure and an assessment
21 of any resulting physiological, behavioral and environmental impacts.
22 No state permit is required for wildlife management programs of the
23 department performed in accordance with professional wildlife
24 management principles.

25 Sec. 2. Section 26-82 of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2003*):

27 (a) No person shall hunt, pursue, wound or kill any deer or sell or
28 offer for sale or have in possession the flesh of any deer captured or
29 killed in this state, or have in possession the flesh of any deer from any
30 other state or country unless it is properly tagged as required by such
31 state or country except as provided by the terms of this chapter or
32 regulations adopted pursuant thereto, and except that any landowner
33 or primary lessee of land owned by such landowner or the husband or
34 wife or any lineal descendant of such landowner or lessee or any
35 designated agent of such landowner or lessee may kill deer with a
36 shotgun, rifle or bow and arrow provided a damage permit has first
37 been obtained from the commissioner and such person has not been
38 convicted for any violation of this section, [26-82,] section 26-85, 26-86a,
39 26-86b or 26-90 or subsection (b) of section 26-86a-2 of the regulations
40 of Connecticut state agencies within three years preceding the date of
41 application. Upon the receipt of an application, on forms provided by
42 the commissioner and containing such information as said
43 commissioner may require, from any landowner who has or whose
44 primary lessee has an actual or potential gross annual income of
45 twenty-five hundred dollars or more from the commercial cultivated
46 production of grain, forage, fruit, vegetables, flowers, ornamental

47 plants or Christmas trees and who is experiencing an actual or
48 potential loss of income because of severe damage by deer, the
49 commissioner shall issue not more than six damage permits without
50 fee to such landowner or the primary lessee of such landowner, or the
51 wife, husband, lineal descendant or designated agent of such
52 landowner or lessee. The application shall be notarized and signed by
53 all landowners or by the landowner or a lessee to whom a farmer tax
54 exemption permit has been issued pursuant to subdivision (63) of
55 section 12-412. Such damage permit shall be valid through October
56 thirty-first of the year in which it is issued and may specify the hunting
57 implement or shot size or both which shall be used to take such deer.
58 The commissioner may at any time revoke such permit for violation of
59 any provision of this section or for violation of any regulation pursuant
60 thereto or upon the request of the applicant. Notwithstanding the
61 provisions of section 26-85, the commissioner may issue a permit to
62 any landowner or primary lessee of land owned by such landowner or
63 the husband or wife or any lineal descendant of such landowner or
64 lessee and to not more than three designated agents of such landowner
65 or lessee to use a jacklight for the purpose of taking deer when it is
66 shown, to the satisfaction of the commissioner, that such deer is
67 causing damage which cannot be reduced during the daylight hours
68 between sunrise and one-half hour after sunset on the land of such
69 landowner. The commissioner may require notification as specified on
70 such permit prior to its use. Any deer killed in accordance with the
71 provisions of this section shall be the property of the owner of the land
72 upon which the same has been killed, but shall not be sold, bartered,
73 traded or offered for sale, and the person who kills any such deer shall
74 tag and report each deer killed, as provided in section 26-86b. Upon
75 receipt of the report required by section 26-86b, the commissioner shall
76 issue an additional damage permit to the person making such report.
77 Any deer killed otherwise than under the conditions provided for in
78 this chapter or regulations adopted pursuant thereto shall remain the
79 property of the state and may be disposed of by the commissioner at
80 the commissioner's discretion to any state institution or may be sold
81 and the proceeds of such sale shall be remitted to the State Treasurer,

82 who shall apply the same to the General Fund, and no person, except
83 the commissioner, shall retail, sell or offer for sale the whole or any
84 part of any such deer. No person shall be a designated agent of more
85 than one landowner or primary lessee in any calendar year. No person
86 shall make, set or use any trap, snare, salt lick, bait or other device for
87 the purpose of taking, injuring or killing any deer, [nor shall any
88 person] except that deer may be taken over an attractant in areas
89 designated by the commissioner. For the purposes of this section, an
90 attractant means any natural or artificial substance placed, exposed,
91 deposited, distributed or scattered that is used to attract, entice or lure
92 deer to a specific location including, but not limited to, salt, chemicals
93 or minerals, including their residues or any natural or artificial food,
94 hay, grain, fruit or nuts. Notwithstanding any provision of this
95 chapter, the commissioner may authorize any municipality,
96 homeowner association or nonprofit land holding organization
97 approved by the commissioner under the provisions of this section to
98 take deer at any time or place using any method consistent with
99 professional wildlife management principles when a severe nuisance
100 or ecological damage can be demonstrated to the satisfaction of the
101 commissioner. Any such municipality, homeowner association or
102 nonprofit land holding organization shall submit to the commissioner,
103 for the commissioner's review and approval, a plan that describes the
104 extent and degree of the nuisance or ecological damage and the
105 proposed methods of take. Prior to the implementation of any such
106 approved plan, the municipality, homeowner association or nonprofit
107 land holding organization shall provide notice of such plan to any
108 abutting landowners of such place where the plan will be
109 implemented. No person shall hunt, pursue or kill deer being pursued
110 by any dog, whether or not such dog is owned or controlled by such
111 person, except that no person shall be guilty of a violation under this
112 section when such a deer is struck by a motor vehicle operated by such
113 person. No person shall use or allow any dog in such person's charge
114 to hunt, pursue or kill deer. No permit shall be issued when in the
115 opinion of the commissioner the public safety may be jeopardized.

116 (b) Any person who violates any provision of this section shall be

117 fined not less than two hundred dollars nor more than five hundred
118 dollars or imprisoned not less than thirty days nor more than six
119 months or shall be both fined and imprisoned, for the first offense, and
120 for each subsequent offense shall be fined not less than two hundred
121 dollars nor more than one thousand dollars or imprisoned not more
122 than one year or shall be both fined and imprisoned.

123 Sec. 3. Section 26-91 of the general statutes is repealed and the
124 following is substituted in lieu thereof (*Effective October 1, 2003*):

125 (a) The closed season, daily bag limit and possession limit for
126 migratory game birds and the methods of taking such game birds shall
127 be at least as stringent as the closed season, daily bag limit, possession
128 limit and methods of taking, including allowable compositions of
129 nontoxic shot, fixed for such birds by the regulations of the United
130 States Fish and Wildlife Service, made under the provisions of an Act
131 of Congress Relating to Migratory Birds. Nothing in this section shall
132 affect the right to kill or have in possession to be sold or offered for
133 sale wild ducks, geese and brant, bred or propagated by any domestic
134 breeder. Any person who violates any provision of this section shall be
135 fined not more than fifty dollars or imprisoned not more than thirty
136 days or both. The possession of each bird or part thereof shall
137 constitute a separate offense.

138 (b) Notwithstanding any provision of the general statutes, the
139 Commissioner of Environmental Protection may authorize any
140 municipality, homeowner association or nonprofit land holding
141 organization approved by the commissioner under the provisions of
142 this section to take resident Canada geese at any time or place using
143 any method consistent with professional wildlife management
144 principles. Any such municipality, homeowner association or
145 nonprofit land holding organization shall submit to the commissioner,
146 for the commissioner's review and approval, a plan that describes the
147 extent and degree of the nuisance or ecological damage and the
148 proposed method of take. Such plan shall include prohibitions against
149 feeding of such geese and requirements that landscaping in the area is

150 managed in a way to be less hospitable to geese, utilizing native
151 plantings. Prior to the implementation of such plan, the municipality,
152 homeowner association or nonprofit land holding organization shall
153 provide notice of such plan to abutting landowners of such place
154 where the plan will be implemented.

155 Sec. 4. Section 26-92 of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective October 1, 2003*):

157 No person shall catch, kill or purchase or attempt to catch, kill or
158 purchase, sell, offer or expose for sale or have in possession, living or
159 dead, any wild bird other than a game bird, or purchase or attempt to
160 purchase, sell, offer or expose for sale or have in possession any part of
161 any such bird or of the plumage thereof except as acquired under the
162 provisions of this chapter. For the purposes of this section, the
163 following shall be considered game birds: The anatidae, or waterfowl,
164 including brant, wild ducks and geese; the rallidae, or rails, including
165 coots, gallinules and sora and other rails; the limicolae, or shore birds,
166 including snipe and woodcock; the gallinae, including wild turkeys,
167 grouse, prairie chickens, pheasants, partridge and quail; the corvidae,
168 including crows. No person shall take or [needlessly] destroy any nest
169 or any egg of any wild bird or game bird. [nor have] No person shall
170 possess any nest or egg of any [such bird in possession] wild or game
171 bird. English sparrows, starlings and, when [in the act of destroying
172 corn, crows and red-winged and crow blackbirds] found depredating
173 upon ornamental trees, agriculture crops, livestock or wildlife, or
174 when concentrated in such numbers to constitute a public health or
175 public safety hazard, crows, rock doves, monk parakeets and brown-
176 headed cowbirds shall not be included among the birds protected by
177 this section. Any conservation officer and any other officer having
178 authority to serve criminal process shall have the same powers relating
179 to violations of the provisions of this section as are conferred by
180 section 26-6.

181 Sec. 5. Section 26-3 of the general statutes is repealed and the
182 following is substituted in lieu thereof (*Effective October 1, 2003*):

183 The Commissioner of Environmental Protection shall enforce all of
184 the laws relating to fish and wildlife [, fish, crustacea, game and
185 nongame birds, waterfowl and game and fur-bearing animals] of the
186 state and shall possess all powers necessary to fulfill the duties
187 prescribed by law with respect thereto and to bring actions in the
188 proper courts of this state for the enforcement of such laws and the
189 orders and regulations adopted and promulgated by [him. He] said
190 commissioner. Said Commissioner shall have the supervision of
191 hatcheries and retaining ponds and of the introduction, propagation,
192 securing and distribution of such fish and [game] wildlife as are
193 adapted to the waters or lands of this state, and may designate, as
194 closed to fishing, areas of inland waters to provide for spawning beds,
195 [, and] Notwithstanding any provision of the general statutes, the
196 commissioner may take at any time or place, using any method
197 consistent with professional wildlife management principles, any fish,
198 crustacean, bird or animal for scientific and educational purposes,
199 public health and safety, propagation and dissemination, [, He] or
200 protection of natural or agricultural ecosystems. Said commissioner
201 shall have jurisdiction of all matters relating to fish and [game] wildlife
202 on any land belonging to the state and the regulation of hunting,
203 fishing and trapping and the use of the waters of any lake, pond or
204 stream on such land. The commissioner shall not grant to any
205 conservation officer, appointee or other person any special privileges
206 with respect to hunting, fishing, trapping or the use of the waters of
207 any lake, pond or stream on such land. [He] Said commissioner may
208 erect buildings upon any such land, subject to the permission of the
209 authorities of any institution or commission controlling such land and
210 the approval of the Commissioner of Public Works and the State
211 Properties Review Board. [He] Said commissioner may employ such
212 special assistants as [he finds advisable. He] necessary. Said
213 commissioner shall cooperate with the United States Fish and Wildlife
214 Service and the fish and [game] wildlife commissioners of other states.
215 [He] Said commissioner may acquire, by gift or lease and, with the
216 approval of the Governor alone, by purchase, lands for the
217 establishment of fish hatcheries or game preserves [, He] and fisheries

218 or wildlife management areas. Said commissioner may, with the
219 approval of the Attorney General, grant rights-of-way or other
220 easements or leases for public purposes to the United States
221 government, any subdivision of the state or any public utility within
222 the state on or with respect to any lands under [his] jurisdiction of said
223 commissioner if [he] said commissioner finds that such purposes are
224 not in conflict with the public interest, provided any such public utility
225 shall pay for any right-of-way, easement or lease so granted such
226 compensation as said commissioner considers reasonable. [He] Said
227 commissioner shall have authority to establish the boundaries of any
228 properties under [his] the jurisdiction of said commissioner by
229 agreement with owners of adjoining property and may, with the
230 approval of the Attorney General alone, exchange land with such
231 property owners and execute deeds in the name of the state for the
232 purpose of establishing such boundaries. The commissioner may
233 provide for the importation of [game birds and game and fur-bearing
234 animals] fish and wildlife, and provide for the protection, propagation
235 and distribution of such imported or native [birds and animals] fish
236 and wildlife. The commissioner may locate, lay out, construct and
237 maintain nurseries and rearing ponds where fish may be planted,
238 propagated and reared and liberate and distribute such fish in the
239 waters of this state. [He] Said commissioner may acquire by gift,
240 purchase, capture or otherwise any fish [, game, game birds or
241 animals] or wildlife for propagation, experimental or scientific
242 purposes. [, and] Notwithstanding any provisions of the general
243 statutes, said commissioner may destroy and dispose of any
244 undesirable or diseased wildlife [species] in the interest of wildlife
245 management [if he] at any time or place and using any method
246 consistent with professional wildlife management principles if said
247 commissioner determines that [the species] such wildlife (1)
248 aggressively invades, or is likely to be detrimental to, agricultural
249 crops, [or] native plants, livestock or wildlife, (2) is likely to be a carrier
250 of insects, disease or parasites detrimental to such crops, plants or
251 wildlife, [or] (3) is likely to have a detrimental effect on natural or
252 agricultural ecosystems, (4) is likely to be detrimental to endangered,

253 threatened species or species of special concern, as listed in the
254 regulations adopted by the commissioner under this chapter, or such
255 species' essential habitats, or (5) causes severe property damage. The
256 commissioner may enter into cooperative agreements with educational
257 institutions and state, federal or other agencies to promote wildlife
258 research and to train personnel for wildlife management, information,
259 distribution and education projects, and may enter into cooperative
260 agreements with federal agencies, municipalities, corporations,
261 organized groups or landowners, associations and individuals for the
262 development of [game, birds,] fish or [fur-bearing animals] wildlife
263 management and demonstration projects. The commissioner may
264 allocate and expend for the protection, restoration, preservation and
265 propagation of fish [, crustacea, game and fur-bearing animals, and
266 game and nongame birds,] and wildlife all funds of the state collected,
267 appropriated and acquired for the purpose.

268 Sec. 6. Section 26-69 of the general statutes is repealed and the
269 following is substituted in lieu thereof (*Effective October 1, 2003*):

270 The commissioner may engage in wildlife management practices,
271 [and may expend from federal aid funds necessary moneys to
272 establish, construct and maintain, on any state-owned land and water
273 under his control and, with the consent of the owner, on private land
274 and water, wildlife propagation installations, facilities and associated
275 structures, experimental stations and facilities, and perform, or have
276 performed, any work related to the establishment, restoration,
277 improvement, control and protection of wildlife habitats, and perform
278 or have performed any work related to the creation of facilities for
279 ingress and egress and the creation of facilities for public use of any
280 area under its control] including, but not limited to: (1) Managing the
281 wildlife resources of the state to provide sustainable, healthy
282 populations of diverse wildlife species, including endangered and
283 threatened species, consistent with professional wildlife management
284 principles; (2) conducting research to better understand processes and
285 relationships affecting wildlife and habitats; (3) conducting public
286 awareness and technical assistance programs to enhance privately-

287 owned habitat and promote an appreciation for and understanding of
 288 the value and use of wildlife; (4) performing any work for the
 289 establishment, restoration, improvement, control and protection of
 290 wildlife habitats; (5) performing any work to create and maintain
 291 facilities for ingress and egress for public use of any area under said
 292 commissioner's control; (6) regulating hunting seasons and bag limits
 293 for all harvestable wildlife species within Connecticut; (7) managing
 294 public hunting and wildlife recreational opportunities on state-owned,
 295 state-leased, permit-required areas and cooperative wildlife
 296 management areas; and (8) conducting, with volunteer assistance,
 297 conservation education and safety programs to promote safe and
 298 ethical hunting practices. Said commissioner may expend from federal
 299 aid funds necessary moneys for supplies, materials, equipment,
 300 temporary personal services and contractual services to carry out the
 301 provisions of this section.

302 Sec. 7. (NEW) (*Effective October 1, 2003*) No person shall sell or
 303 purchase any snakehead fish in the state.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>October 1, 2003</i>

ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Department of Environmental Protection	Cost/Savings - Environmental Quality/GF	None	None

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
Various Municipalities	Cost Savings	None Potential	None Potential

Explanation

State Impact

Any workload increase incurred by the Department of Environmental Protection due to submittal of proposals to administer drugs, pesticides, vaccines and immunocontraceptives to wild animals can be handled within routine agency duties. Submittals to the DEP of plans to take deer or Canadian geese will also be handled within routine functions. The changes in the wildlife management methods and practices contained in the bill could increase agency efficiency.

The overall impact to the DEP due to the broadening of the Commissioner's power with regard to fisheries and wildlife laws is anticipated to be minimal. In many instances, the changes clarify current powers and reflect current practice.

Municipal Impact

Any potential workload increase to municipalities due to the

submittal of plans to the DEP is anticipated to be handled within the routine duties of the municipality. Changes in the wildlife management practices for the taking of deer and Canadian geese could increase efficiency and potentially result in a minimal savings to impacted towns. The exact impact is unknown.

OLR Bill Analysis

sSB 862

**AN ACT CONCERNING WILDLIFE MANAGEMENT PROGRAMS OF
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION****SUMMARY:**

This bill:

1. sets conditions for administering drugs, pesticides, vaccines and immunocontraceptives to wild animals;
2. allows hunters to use bait to kill deer in areas the environmental protection (DEP) commissioner designates;
3. authorizes the commissioner to permit towns, homeowners associations, and nonprofit land-holding organizations to kill deer and take Canada geese under certain conditions;
4. expands the commissioner's power to control fish and wildlife to protect natural or agricultural ecosystems;
5. expands the commissioner's power to acquire property for wildlife management purposes;
6. gives the commissioner authority to dispose of undesirable wildlife that is detrimental to livestock, endangered or threatened species, or is causing severe property damage;
7. permits people to kill rock doves (pigeons) and monk parakeets in certain situations; and
8. bans the sale or purchase of snakehead fish;

It also makes technical changes.

EFFECTIVE DATE: October 1, 2003

ADMINISTRATION OF CHEMICAL OR BIOLOGICAL SUBSTANCES

The bill requires people to obtain a DEP permit before (1) administering chemical or biological substances, including drugs, pesticides, vaccines and immunocontraceptives; (2) physically altering; or (3) attaching any device to free ranging wildlife. An applicant must obtain all necessary federal permits, and provide the commissioner with a written proposal (1) describing the protocol he will use; (2) the credentials of each person who will carry out the procedure; (3) the purpose or intent of the procedure; and (4) an assessment of any resulting physiological, behavioral, or environmental impact. The bill exempts from permit requirements DEP wildlife management programs performed according to professional wildlife management principles, which the bill does not define.

The law bars people from hunting or attempting to hunt wild game birds, wild quadrupeds (four-legged animals), reptiles, or amphibians, except as authorized by the commissioner. The bill expands these protections to include all wild birds, wild mammals, and invertebrates.

TAKING OF DEER

Under current law, hunters may not kill deer using traps, snares, salt licks, or bait. The bill permits them to use bait (an “attractant”) to kill deer in areas the commissioner designates. Under the bill, an attractant is any natural or artificial substance placed, exposed, deposited, distributed, or scattered, that is used to attract, entice, or lure deer to a specific location. It includes salt, chemicals or minerals, including their residues, or any natural or artificial food, hay, grain, fruit, or nuts.

The bill authorizes the commissioner, regardless of other laws, to permit a town, homeowner association, or non-profit land-holding association he approves to “take” (kill) deer in a manner consistent with professional wildlife management principles if the town, association, or organization can show to his satisfaction that the deer present a severe nuisance or are causing ecological damage. The town, association, or organization must (1) submit for the commissioner’s approval a plan describing the extent and degree of the nuisance or damage and the proposed methods of taking the deer and (2) notify abutting landowners of the approved plan before it implements it. A violation of the bill is punishable by a fine of between \$200 and \$500 and a prison term of between 30 days and six months for the first offense. Subsequent offenses are punishable by a fine of between \$200

and \$1,000 and a sentence of up to one year.

TAKING OF CANADA GEESE

Regardless of other laws, the bill allows the commissioner to authorize a town, homeowner's association, or nonprofit land-holding organization he approves to take resident Canada geese at any time or place using a method consistent with professional wildlife management principles. The bill requires the town, association, or organization to submit to the commissioner a plan describing the proposed method of taking the geese and the extent and degree of the nuisance or damage they are causing. The plan must include a prohibition on feeding the geese, and requirements that landscaping be managed, using native plantings, to make it less hospitable to the birds. The town, association, or organization must notify abutting landowners before implementing the plan.

NON-TOXIC BIRD SHOT

The bill requires that hunters taking migratory game birds use types of nontoxic shot that meet at least the standards for nontoxic shot set by the U.S. Fish & Wildlife Service.

UNPROTECTED BIRDS

Current law allows people to shoot crows in the act of eating corn. The bill expands this to allow the shooting of crows, as well as brown-headed cowbirds, pigeons, and monk parakeets found (1) destroying ornamental trees, agricultural crops, livestock or wildlife or (2) concentrated in such numbers as to be a public health or public safety hazard. It eliminates a provision allowing people to shoot red-winged crows and crow blackbirds in the act of eating corn.

EXPANSION OF COMMISSIONER'S POWERS

By law, the commissioner may take any fish, crustacean, bird, or animal for scientific, educational, or public health and safety purposes, or for propagation and dissemination. The bill expands that authority to allow him, regardless of any other law, also to take those creatures, consistent with professional wildlife management principles, to protect natural or agricultural ecosystems. It (1) expands his jurisdiction to include all wildlife, rather than just game animals, on state lands, and their introduction, propagation, securing, and distribution; (2)

authorizes him to acquire lands for fisheries and wildlife management areas, in addition to the fish hatcheries and game preserves the law already allows him to acquire; and (3) authorizes him to import fish and wildlife, rather than just game birds, and game and fur-bearing animals, and to provide for their protection, propagation, and distribution; and (4) allows him to acquire fish and wildlife for experimental, propagation or scientific purposes.

Regardless of any law to the contrary, the bill authorizes the commissioner to destroy or dispose of undesirable and diseased wildlife at any time or place, consistent with professional wildlife management principles, if he determines, among other things, that the wildlife (1) is detrimental to livestock; (2) is likely to be detrimental to endangered or threatened species, species of special concern, or these species' essential habitat; or (3) may cause severe property damage.

The bill authorizes the commissioner to:

1. manage the state's wildlife resources to provide sustainable, healthy populations of diverse wildlife species, including threatened and endangered species, consistent with professional wildlife management principles;
2. conduct research to better understand processes and relationships affecting wildlife and habitats;
3. conduct public awareness and technical assistance programs to enhance privately owned habitat, and promote an appreciation for, and understanding of, the value and use of wildlife;
4. establish, restore, improve, control, and protect wildlife habitats;
5. create and maintain facilities for the entrance and exit for public use of any area under his control;
6. regulate hunting seasons and bag limits for all harvestable wildlife species in the state;
7. manage public hunting and wildlife recreational opportunities on state-owned, state-leased, permit-required

areas and cooperative wildlife management areas; and

8. conduct, with volunteer assistance, conservation education and safety programs to promote safe and ethical hunting practices.

BACKGROUND

“Take”

By law, “taking” means shooting, pursuing, hunting, fishing, killing, capturing, trapping, snaring, hooking or netting any species of wildlife.

Endangered, Threatened and Species of Special Concern

An “endangered species” is any native species documented to be in danger of extirpation throughout all or a significant portion of its range within the state and to have no more than five “occurrences” in the state. A “threatened species” is one likely to become endangered in the foreseeable future and to have no more than nine occurrences in the state. An “occurrence” is a population of a species breeding and existing within the same ecological community and capable, or potentially capable, of interbreeding with other species’ members in that community.

A “species of special concern” is a native plant species or any native non-harvested wildlife species documented (1) to have a naturally restricted range or habitat in the state, (2) to be at a low population level, and (3) to be in such high demand by man that its unregulated taking would be detrimental to the conservation of its population, or (4) as having been extirpated from the state.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 21 Nay 6