



General Assembly

January Session, 2005

Proposed Bill No. 5581

LCO No. 1432

Referred to Committee on Environment

Introduced by:

REP. MILLER, 122nd Dist.

AN ACT CONCERNING THE CULTIVATION AND HARVESTING OF SHELLFISH IN LONG ISLAND SOUND.

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

1 That sections 26-194, 26-240 and 26-266 of the general statutes be
2 amended to require that any lease, designation or grant by the
3 Commissioner of Agriculture or a local shellfish commission shall
4 require the person receiving or holding the lease, designation or grant
5 to make a good faith effort to cultivate and harvest shellfish from the
6 area and prohibit the person from entering into a contract with a third
7 party in which the person agrees not to cultivate and harvest shellfish
8 for any period of time. On and after June 1, 2005, any new or renewed
9 lease, designation or grant that will be affected by a utility line or other
10 public use structure that will cross the leased, designated or granted
11 area shall provide that any area so crossed shall revert to the state and
12 the Commissioner of Agriculture shall notify any person who receives
13 or holds such a lease, designation or grant of the reversion and no such
14 person shall pay any fee for the reverted area, but the permittee of
15 such utility line or public use structure shall pay a lease fee to the
16 Commissioner of Agriculture and any costs associated with the survey

17 and establishment of the reverted area along with any costs incurred to
18 relocate or remove shellfish from the reverted area, including costs
19 associated with the repair and restoration of shellfish beds that adjoin
20 the reverted area and sustain damage as a result of construction or
21 installation of such utility line or public use structure.

Statement of Purpose:

To require persons who lease or otherwise obtain permission to cultivate and harvest shellfish in Long Island Sound to make good faith efforts to cultivate and harvest such shellfish.