



General Assembly

Substitute Bill No. 132

January Session, 2005

* SB00132ENVAPP032105 *

**AN ACT CONCERNING THE IMPLEMENTATION AND FUNDING OF A
LOBSTER RESTORATION PROGRAM.**

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

1 Section 1. (NEW) (*Effective from passage*) (a) The Department of
2 Environmental Protection shall adopt regulations, in accordance with
3 the provisions of chapter 54 of the general statutes, to establish a
4 lobster restoration program to restore lobster spawning stock by
5 increasing lobster egg production by providing that mature female
6 lobsters landed by commercial methods be marked with a v-shaped
7 notch in the tail, released and protected from future harvest.

8 (b) Subject to the provisions of subsections (c) and (d) of this section,
9 each person engaged in commercial fishing who lands, marks and
10 releases lobsters and who reports such landing, marking and releasing
11 pursuant to section 26-157b of the general statutes shall be
12 compensated, within available appropriations, at average market
13 value, as determined by the commissioner, for each lobster released.

14 (c) The Commissioner of Environmental Protection shall select a
15 contractor, in accordance with the provisions of the general statutes
16 and department procedures, to implement the provisions of the
17 program established pursuant to subsection (a) of this section. The
18 department shall not be responsible for the training, insurance or
19 supervision of employees of the contractor. The contractor shall be

20 compensated by the department, within available appropriations, on a
21 per trip basis and not per lobster. Employees of the contractor shall
22 accompany persons engaged in commercial fishing who participate in
23 the program and only such employees shall mark each lobster. Such
24 persons engaged in commercial fishing shall not mark the lobsters and
25 shall not be employed by the contractor to mark lobsters for fishing
26 trips during which such persons are participating in the program.

27 (d) The program established pursuant to subsection (a) of this
28 section shall (1) be limited to state residents licensed to participate in
29 commercial fishing by the department pursuant to title 26 of the
30 general statutes, (2) require that fishermen and employees of the
31 contractor sign a statement certifying the number of lobsters landed,
32 marked and released for purposes of the program for each trip, (3)
33 require such fishermen and contractor to collect and submit to the
34 department all information deemed necessary by the department to
35 verify compliance with the program, (4) require that all lobsters
36 landed, marked and released for purposes of the program be allocated
37 to the fishermen as catch for purposes of any other lobster
38 management program under the jurisdiction of the state or federal
39 government, and (5) provide that each participant in the program be
40 selected based on the area fished, seasonal nature of such fishing and
41 volume of landings by such participant prior to such participant's
42 application to the program.

43 Sec. 2. (*Effective July 1, 2005*) (a) The sum of one million dollars is
44 appropriated to the Department of Environmental Protection, from the
45 General Fund, for the fiscal year ending June 30, 2006, for the purpose
46 of implementing the lobster restoration program established pursuant
47 to section 1 of this act.

48 (b) The sum of one million dollars is appropriated to the
49 Department of Environmental Protection, from the General Fund, for
50 the fiscal year ending June 30, 2007, for the purpose of implementing
51 the lobster restoration program established pursuant to section 1 of
52 this act.

This act shall take effect as follows and shall amend the following sections:

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|-----------|---------------------|-------------|
| Section 1 | <i>from passage</i> | New section |
| Sec. 2 | <i>July 1, 2005</i> | New section |

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Joint Favorable Subst. C/R

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