



House of Representatives

File No. 628

General Assembly

February Session, 2006

(Reprint of File No. 365)

Substitute House Bill No. 5750
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 24, 2006

***AN ACT CONCERNING THE APPOINTMENT OF SPECIAL
CONSERVATION OFFICERS.***

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

1 Section 1. Section 26-5 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Commissioner of Environmental Protection shall appoint such
4 number of conservation officers as may be necessary for the efficient
5 execution of the duties of the department under section 26-6, as
6 amended. The commissioner may supplement the regular conservation
7 officer force by appointing as special conservation officer [or as
8 patrolman] any employee of the department or any sworn federal law
9 enforcement officer of the United States Fish and Wildlife Service or
10 National Marine Fisheries Service, provided such federal officer shall
11 not be considered an employee of the state and may only exercise such
12 officer's authority pursuant to said section 26-6 when working with a
13 full-time conservation officer. The commissioner may also appoint any
14 lake patrolman as a special conservation officer solely for the purpose
15 of enforcing boating laws within such patrolman's jurisdiction,

16 provided such patrolman shall not be considered an employee of the
 17 state, and further provided that such patrolman has completed a police
 18 training course at the state police training school or an equivalent
 19 course approved by the Commissioner of Public Safety. Each
 20 conservation officer [,] or special conservation officer [or patrolman]
 21 shall complete a police training course at the state police training
 22 school or an equivalent course approved by the Commissioner of
 23 Public Safety. Special conservation officers [and patrolmen] who are
 24 employees of the department shall be entitled to the same benefits to
 25 which conservation officers are entitled under the provisions of section
 26 5-142, as amended; and such an appointment shall be deemed not to be
 27 in conflict with any of the provisions of chapter 67. In addition to their
 28 salaries, conservation officers [,] and special conservation officers [and
 29 patrolmen] who are employees of the department shall be reimbursed
 30 for all expenses incurred in performance of official duty.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	26-5

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-Effect	FY 07 \$	FY 08 \$
Police Officer Std. & Training Council	GF - Cost	Potential Minimal	Potential Minimal
Department of Environmental Protection	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

The bill clarifies provisions and makes technical changes with regard to the appointment of special conservation officers and lake patrolmen and does not have a fiscal impact to the Department of Environmental Protection. Additionally, the bill could result in a potential minimal cost to the Police Officer Standard and Training Council (POST), associated with the requirement to train lake patrolmen in the enforcement of boating laws.

House "A" results in a potential minimal cost to the POST.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5750 (as amended by House "A")******AN ACT CONCERNING THE APPOINTMENT OF SPECIAL CONSERVATION OFFICERS.*****SUMMARY:**

By law, the Department of Environmental Protection (DEP) commissioner may supplement the state's regular conservation officer force by appointing DEP employees as special conservation officers or as patrolman. The bill specifies that the commissioner may additionally supplement the force with any sworn federal law enforcement officer of the U.S. Fish and Wildlife Service or National Marine Fisheries Service. But it also specifies that these federal officers are not considered state employees and may only exercise the authority granted to conservation officers by state law when working with a full-time conservation officer.

By law, only DEP employees may be special conservation officers and they are entitled to the same benefits and reimbursement as regular conservation officers. The bill specifies that only special conservation officers who are DEP employees are entitled to these benefits.

The bill allows the commissioner to appoint any lake patrolman as a special conservation officer, solely to enforce boating laws within the patrolman's jurisdiction, provided he (1) is not considered a state employee and (2) has completed a police training course at the state police training school or an equivalent course approved by the Department of Public Safety (DPS) commissioner. The bill eliminates references to regular (i.e., not lake) patrolmen, which DEP no longer

uses.

The bill also makes technical changes.

*House Amendment "A" specifies that a lake patrolman the DEP commissioner appoints as a special conservation officer, solely to enforce boating laws within the patrolman's jurisdiction, must have completed a police training course approved by the DPS commissioner.

EFFECTIVE DATE: Upon passage

LAKE PATROLMEN AND PATROLMEN

Under current law, each conservation officer, special conservation officer, or patrolman must complete a police training course at the state police training school or an equivalent course approved by the DPS commissioner. The bill specifies this requirement refers to conservation officers, special conservation officers, and lake patrolmen and eliminates references to patrolmen, which DEP no longer uses.

By law (1) the DEP commissioner must formulate training courses for lake patrolmen she appoints, (2) such lake patrolmen are not construed to be state employees, and (3) the municipality or lake authority responsible for the lake must therefore compensate them (CGS § 7-151b).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 27 Nay 0 (03/20/2006)

Public Safety and Security Committee

Joint Favorable
Yea 21 Nay 0 (04/11/2006)

Transportation Committee

Joint Favorable

Yea 23 Nay 4 (04/18/2006)