



General Assembly

Amendment

February Session, 2006

LCO No. 4724

HB0574904724HDO

Offered by:

REP. ROY, 119th Dist.

REP. JUTILA, 37th Dist.

SEN. GUNTHER, 21st Dist.

To: Subst. House Bill No. 5749

File No. 543

Cal. No. 364

"AN ACT CONCERNING LOBSTERS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) There is established a
4 Lobster Restoration Advisory Committee to advise the Commissioner
5 of Environmental Protection on matters including, but not limited to, a
6 lobster v-notch conservation program to enhance recovery and
7 rebuilding of lobster stock in Long Island Sound.

8 (b) The committee shall be comprised of the following eleven
9 members: (1) The Commissioner of Environmental Protection, or the
10 commissioner's designee, (2) the Commissioner of Agriculture, or the
11 commissioner's designee, (3) the state's administrative commissioner to
12 the Atlantic States Marine Fisheries Commission, (4) the state's
13 legislative commissioner to the Atlantic States Marine Fisheries
14 Commission, (5) the state's commissioner who has been appointed by

15 the Governor to the Atlantic States Marine Fisheries, (6) a
16 representative of the Southern New England Fishermen's Association,
17 (7) a representative of the Connecticut Commercial Lobstermen's
18 Association, (8) a representative of the Long Island Western End
19 Lobstermen's Association, (9) a representative of the state vocational
20 aquaculture school known as the Sound School in New Haven, (10) a
21 representative of a state vocational aquaculture school in Bridgeport,
22 and (11) a representative of the Connecticut Seafood Council.

23 (b) The committee shall be appointed jointly by the Commissioners
24 of Environmental Protection and Agriculture, after receiving
25 appointment nominations from each group listed in subsection (b) of
26 this section, not more than thirty days after the effective date of this
27 section. The committee shall elect its own chairman and such other
28 officers and adopt such rules of procedure as it may deem appropriate.
29 Members of said committee shall receive no compensation for their
30 services but shall be reimbursed for necessary expenses in the
31 performance of their duties.

32 Sec. 2. (NEW) (*Effective from passage*) If the Lobster Management
33 Board of the Atlantic States Marine Fisheries Commission approves a
34 lobster v-notch restoration program having equivalent conservation
35 value to the approved or future requirements of the Commission's
36 Lobster Management Plan for Lobster Management Area 6 on or
37 before November 1, 2006, then the entire appropriation made pursuant
38 to section 6 of this act shall be made for the implementation of such
39 program. If said Lobster Management Board does not approve such
40 lobster restoration program on or before November 1, 2006, then six
41 hundred thousand dollars of the appropriation made in section 6 of
42 this act shall be used to implement the provisions of section 3 of this
43 act and four hundred thousand dollars of the appropriation made in
44 section 6 of this act shall be used to implement the provisions of
45 section 5 of this act.

46 Sec. 3. (NEW) (*Effective from passage*) The Commissioner of
47 Environment Protection shall establish a lobster trap allocation buy-

48 back program to permanently retire lobster traps from the lobster
49 fishery.

50 Sec. 4. Section 26-157c of the general statutes is repealed and the
51 following is substituted in lieu thereof (*Effective from passage*):

52 (a) The Commissioner of Environmental Protection shall adopt
53 regulations, in accordance with the provisions of chapter 54, governing
54 the taking of lobsters in the waters of this state and the possession of
55 lobsters in the state regardless of where taken for the purpose of
56 conserving and managing the populations of American lobster.

57 (b) Not later than April 1, 2007, the commissioner shall adopt
58 regulations, in accordance with the provisions of chapter 54, to
59 implement the lobster trap allocation buy-back program established
60 pursuant to section 3 of this act. Said regulations shall include, but not
61 be limited to, provisions for a payment of fifteen dollars for each
62 allocated lobster trap permanently retired from the lobster fishery.
63 Said regulations shall be limited to the buy-back of lobster trap
64 allocations of resident commercial lobster fishermen holding lobster
65 trap allocations issued by the commissioner and who have reported
66 lobster landings between January 1, 1999, and December 31, 2005, as
67 determined by the commissioner, based on reports submitted pursuant
68 to section 26-157b, or who have received license transfers with trap
69 allocations, and shall not require the buy-back of lobster traps. For
70 purposes of this subsection, "lobster trap" means lobster pot.

71 Sec. 5. (NEW) (*Effective from passage*) (a) The Commissioner of
72 Environmental Protection shall establish an economic assistance
73 program for resident commercial lobster fishermen.

74 (b) Not later than April 1, 2007, the Commissioner of Environmental
75 Protection shall adopt regulations, in accordance with the provisions of
76 chapter 54 of the general statutes, to implement the economic
77 assistance program established in subsection (a) of this section for any
78 resident commercial lobster fisherman who held a Connecticut license
79 to take lobsters in 2006 and who held a lobster trap allocation issued

80 by the commissioner, or who has received a license transfer with a trap
 81 allocation, and who, not later than January 24, 2006, reported the
 82 landing of lobsters between January 1, 2004, and December 31, 2005, as
 83 determined by the commissioner, based on reports submitted pursuant
 84 to section 26-157b of the general statutes. The regulations shall include,
 85 but not be limited to, provisions for direct payment to such lobsterman
 86 based on the contribution such lobsterman's lobster catch made to the
 87 total qualifying catch of all qualifying lobster fishermen from Long
 88 Island Sound with any gear between January 1, 2004, and December
 89 31, 2005, provided, in cases in which more than one fisherman has
 90 reported on the same catch report form, catches are attributed and
 91 payments made to the lead license holder indicated on the form.

92 Sec. 6. (*Effective July 1, 2006*) The sum of one million dollars is
 93 appropriated to the Department of Environmental Protection, from the
 94 General Fund, for the fiscal year ending June 30, 2007, to implement
 95 the provisions of sections 1 to 3, inclusive, of this act, section 26-157c of
 96 the general statutes, as amended by this act, and section 5 of this act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	26-157c
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>July 1, 2006</i>	New section