



General Assembly

**Substitute Bill No. 5290**

January Session, 2007

\*        HB05290ENV        032207        \*

**AN ACT CONCERNING SHELLFISH BUOYS AND COKENOE FLATS  
IN THE TOWN OF WESTPORT.**

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

1       Section 1. Section 26-241 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3       (a) All stakes, buoys or other markers placed by any person, except  
4 buoys placed by the state, so as to mark the divisional line, in whole or  
5 in part, between any private and any public or natural oyster, clam or  
6 mussel beds, in any waters of this state, shall have the name or initial  
7 of the owner plainly marked and visible at high water. Any  
8 corporation or person who fails to comply with the provisions of this  
9 section shall have committed an infraction.

10       (b) A buoy marking oyster, clam or mussel beds pursuant to  
11 subsection (a) of this section or section 26-240 shall be constructed with  
12 rigid polystyrene foam or similar buoyant material. Such buoy shall  
13 support a vertical pole extending not less than ten feet above the top of  
14 such buoy and shall be tethered by a rope or line to an anchoring  
15 device of sufficient weight to maintain the position of the buoy. The  
16 vertical pole shall not exceed three and one-half inches in diameter at  
17 any point and shall not be constructed of a metallic material. A durable  
18 waterproof flag not less than six inches in height and eight inches in  
19 length shall be affixed to the top of the pole.

20     Sec. 2. (NEW) (*Effective from passage*) Jurisdiction of shellfish  
21 grounds known as Cokenoe Flats in the town of Westport shall be  
22 transferred from the state of Connecticut to the town of Westport and  
23 the Westport Shellfish Commission shall have jurisdiction over  
24 recreational clamming in said shellfish grounds and the ability to issue  
25 recreational clamming permits for the use of said grounds by all state  
26 residents.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	26-241
Sec. 2	<i>from passage</i>	New section

**ENV**     *Joint Favorable Subst.*