



General Assembly

February Session, 2008

Raised Bill No. 5854

LCO No. 2830

02830_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

**AN ACT CONCERNING THE DONATION OF DEER MEAT TO
NONPROFIT ENTITIES.**

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

1 Section 1. Section 26-82 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No person shall hunt, pursue, wound or kill any deer or sell or
4 offer for sale or have in possession the flesh of any deer captured or
5 killed in this state, or have in possession the flesh of any deer from any
6 other state or country unless it is properly tagged as required by such
7 state or country except as provided by the terms of this chapter or
8 regulations adopted pursuant thereto, and except that any landowner
9 or primary lessee of land owned by such landowner or the husband or
10 wife or any lineal descendant of such landowner or lessee or any
11 designated agent of such landowner or lessee may kill deer with a
12 shotgun, rifle or bow and arrow provided a damage permit has first
13 been obtained from the commissioner and such person has not been
14 convicted for any violation of this section, section 26-85, 26-86a, 26-86b
15 or 26-90 or subsection (b) of section 26-86a-2 of the regulations of
16 Connecticut state agencies within three years preceding the date of

17 application. Upon the receipt of an application, on forms provided by
18 the commissioner and containing such information as said
19 commissioner may require, from any landowner who has or whose
20 primary lessee has an actual or potential gross annual income of
21 twenty-five hundred dollars or more from the commercial cultivated
22 production of grain, forage, fruit, vegetables, flowers, ornamental
23 plants or Christmas trees and who is experiencing an actual or
24 potential loss of income because of severe damage by deer, the
25 commissioner shall issue not more than six damage permits without
26 fee to such landowner or the primary lessee of such landowner, or the
27 wife, husband, lineal descendant or designated agent of such
28 landowner or lessee. The application shall be notarized and signed by
29 all landowners or by the landowner or a lessee to whom a farmer tax
30 exemption permit has been issued pursuant to subdivision (63) of
31 section 12-412 of the 2008 supplement to the general statutes. Such
32 damage permit shall be valid through October thirty-first of the year in
33 which it is issued and may specify the hunting implement or shot size
34 or both which shall be used to take such deer. The commissioner may
35 at any time revoke such permit for violation of any provision of this
36 section or for violation of any regulation pursuant thereto or upon the
37 request of the applicant. Notwithstanding the provisions of section 26-
38 85, the commissioner may issue a permit to any landowner or primary
39 lessee of land owned by such landowner or the husband or wife or any
40 lineal descendant of such landowner or lessee and to not more than
41 three designated agents of such landowner or lessee to use a jacklight
42 for the purpose of taking deer when it is shown, to the satisfaction of
43 the commissioner, that such deer are causing damage which cannot be
44 reduced during the daylight hours between sunrise and one-half hour
45 after sunset on the land of such landowner. The commissioner may
46 require notification as specified on such permit prior to its use. Any
47 deer killed in accordance with the provisions of this section shall be the
48 property of the owner of the land upon which the same has been
49 killed, but shall not be sold, bartered, traded or offered for sale, and
50 the person who kills any such deer shall tag and report each deer

51 killed, as provided in section 26-86b. Upon receipt of the report
52 required by section 26-86b, the commissioner shall issue an additional
53 damage permit to the person making such report. The commissioner
54 shall issue two additional deer tags to any person intending to kill deer
55 to be donated to a nonprofit entity, including, but not limited to, a
56 soup kitchen, halfway house or group home, that will serve such deer
57 meat as food. Such additional deer tags shall only be used for deer that
58 are donated to such nonprofit entities. The person who kills any such
59 deer for donation to such nonprofit entity shall tag and report each
60 such deer killed, as provided in section 26-86b. Any deer killed
61 otherwise than under the conditions provided for in this chapter or
62 regulations adopted pursuant thereto shall remain the property of the
63 state and may be disposed of by the commissioner at the
64 commissioner's discretion to any state institution or may be sold and
65 the proceeds of such sale shall be remitted to the State Treasurer, who
66 shall apply the same to the General Fund, and no person, except the
67 commissioner, shall retail, sell or offer for sale the whole or any part of
68 any such deer. No person shall be a designated agent of more than one
69 landowner or primary lessee in any calendar year. No person shall
70 make, set or use any trap, snare, salt lick, bait or other device for the
71 purpose of taking, injuring or killing any deer, except that deer may be
72 taken over an attractant in areas designated by the commissioner. For
73 the purposes of this section, an attractant means any natural or
74 artificial substance placed, exposed, deposited, distributed or scattered
75 that is used to attract, entice or lure deer to a specific location
76 including, but not limited to, salt, chemicals or minerals, including
77 their residues or any natural or artificial food, hay, grain, fruit or nuts.
78 The commissioner may authorize any municipality, homeowner
79 association or nonprofit land-holding organization approved by the
80 commissioner under the provisions of this section to take deer at any
81 time, other than Sundays, or place using any method consistent with
82 professional wildlife management principles when a severe nuisance
83 or ecological damage can be demonstrated to the satisfaction of the
84 commissioner. Any such municipality, homeowner association or

85 nonprofit land-holding organization shall submit to the commissioner,
86 for the commissioner's review and approval, a plan that describes the
87 extent and degree of the nuisance or ecological damage and the
88 proposed methods of taking. Prior to the implementation of any such
89 approved plan, the municipality, homeowner association or nonprofit
90 land-holding organization shall provide notice of such plan to any
91 abutting landowners of such place where the plan will be
92 implemented. Such plan shall not authorize the use of a snare. No
93 person shall hunt, pursue or kill deer being pursued by any dog,
94 whether or not such dog is owned or controlled by such person, except
95 that no person shall be guilty of a violation under this section when
96 such a deer is struck by a motor vehicle operated by such person. No
97 person shall use or allow any dog in such person's charge to hunt,
98 pursue or kill deer. No permit shall be issued when in the opinion of
99 the commissioner the public safety may be jeopardized.

100 (b) Any person who violates any provision of this section shall be
101 fined not less than two hundred dollars or more than five hundred
102 dollars or imprisoned not less than thirty days or more than six
103 months, or shall be both fined and imprisoned, for the first offense,
104 and for each subsequent offense shall be fined not less than two
105 hundred dollars or more than one thousand dollars or imprisoned not
106 more than one year, or shall be both fined and imprisoned.

107 Sec. 2. Section 26-86c of the general statutes is repealed and the
108 following is substituted in lieu thereof (*Effective from passage*):

109 No person may hunt deer or small game with a bow and arrow
110 under the provisions of this chapter without a valid permit issued by
111 the Commissioner of Environmental Protection pursuant to this
112 section or section 26-86a for persons hunting deer with bow and arrow
113 under private land deer permits issued free to qualifying landowners,
114 or their husbands or wives, parents, grandparents, lineal descendants
115 or siblings under that section. The fee for such bow and arrow permit
116 to hunt deer and small game shall be thirty dollars for residents and

117 one hundred dollars for nonresidents, or thirteen dollars for any
118 person twelve years of age or older but under sixteen years of age,
119 except that any nonresident who is an active full-time member of the
120 armed forces, as defined in section 27-103, may purchase a bow and
121 arrow permit to hunt deer and small game for the same fee as is
122 charged a resident of the state. Permits to hunt with a bow and arrow
123 under the provisions of this chapter shall be issued only to qualified
124 applicants therefor by the Commissioner of Environmental Protection,
125 in such form as said commissioner prescribes. Applications shall be
126 made on forms furnished by the commissioner containing such
127 information as he may require and all such application forms shall
128 have printed thereon: "I declare under the penalties of false statement
129 that the statements herein made by me are true and correct." Any
130 person who makes any material false statement on such application
131 form shall be guilty of false statement and shall be subject to the
132 penalties provided for false statement and said offense shall be
133 deemed to have been committed in the town in which the applicant
134 resides. No such application shall contain any material false statement.
135 On and after January 1, 2002, permits to hunt with a bow and arrow
136 under the provisions of this chapter shall be issued only to qualified
137 applicants who have successfully completed the conservation
138 education bow hunting course as specified in section 26-31 or an
139 equivalent course in another state. The commissioner shall issue two
140 additional deer tags to any person intending to kill deer to be donated
141 to a nonprofit entity, including, but not limited to, a soup kitchen,
142 halfway house or group home, that will serve such deer meat as food.
143 Such additional deer tags shall only be used for deer that are donated
144 to such nonprofit entities. The person who kills any such deer for
145 donation to such nonprofit entity shall tag and report each such deer
146 killed, as provided in section 26-86b.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	26-82

Sec. 2	<i>from passage</i>	26-86c
--------	---------------------	--------

Statement of Purpose:

To allow deer hunters to take two additional deer, provided the deer meat is donated to a nonprofit entity that serves food to the needy.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]