



General Assembly

Amendment

February Session, 2008

LCO No. 3939

HB0585203939HDO

Offered by:

REP. OLSON, 46th Dist.
REP. MEGNA, 97th Dist.
REP. MUSHINSKY, 85th Dist.
REP. MOUKAWSHER, 40th Dist.

To: Subst. House Bill No. 5852

File No. 332

Cal. No. 199

"AN ACT CONCERNING THE CONTROL OF LYME DISEASE."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 22a-248 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2008*):

5 As used in sections 22a-247 to 22a-249, inclusive, 22a-250 and 22a-
6 251:

7 (1) "Commissioner" means the Commissioner of Environmental
8 Protection or his designated agent as defined in subsection (b) of
9 section 22a-2;

10 (2) "Department" means the Department of Environmental
11 Protection;

12 (3) "Person" means person as defined in subsection (c) of section
13 22a-2;

14 (4) "Litter" means any discarded, used or unconsumed substance or
15 waste material, whether made of aluminum, glass, plastic, rubber,
16 paper, or other natural or synthetic material, or any combination
17 thereof, including, but not limited to, fishing line, any bottle, jar or can,
18 or any top, cap or detachable tab of any bottle, jar or can, any
19 unlighted cigarette, cigar, match or any flaming or glowing material or
20 any garbage, trash, refuse, debris, rubbish, grass clippings or other
21 lawn or garden waste, newspaper, magazines, glass, metal, plastic or
22 paper containers or other packaging or construction material which
23 has not been deposited in a litter receptacle;

24 (5) "Litter bag" means a bag, sack or other container made of any
25 material which is large enough to serve as a receptacle for litter inside
26 a motor vehicle or watercraft of any person and is not necessarily
27 limited to the state recommended litter bag but shall be similar in size
28 and capacity;

29 (6) "Litter receptacle" means a receptacle suitable for the depositing
30 of litter;

31 (7) "Vehicle" includes every device capable of being moved upon a
32 public highway and in, upon or by which any person or property is or
33 may be transported or drawn upon a public highway, except devices
34 moved by human or animal power or used exclusively upon stationary
35 rails or tracks;

36 (8) "Watercraft" means any boat, ship, vessel, barge or other floating
37 craft;

38 (9) "Public place" means any area that is used or held out for use by
39 the public whether owned or operated by public or private interests;

40 (10) "Recycling" means the process of sorting, cleansing, treating
41 and reconstituting waste or other discarded material for the purpose of

42 using the altered form;

43 (11) "Recycling center" means any facility at which recyclable
44 material is processed or stored, separated or prepared for reuse or
45 resale;

46 (12) "Dump" means to discard (A) more than one cubic foot in
47 volume of litter at one time or (B) furniture, garbage bags or contents
48 thereof or other similar materials. Material which has been placed at a
49 location with an intent to leave it indefinitely at such location, or
50 material which has not been removed from a location within forty-five
51 days, is deemed discarded.

52 Sec. 502. Section 26-112 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2008*):

54 The commissioner may, after notice and public hearing, issue
55 regulations governing fishing for all species of fish and the taking of all
56 bait species in the inland district, which regulations may: (1) Establish
57 the open and closed seasons, which may be modified by decreasing or
58 increasing the number of days on any specific species, (2) establish
59 hours, days or periods during the open season when fishing shall not
60 be permitted in designated waters for all or limited species, (3)
61 prescribe the legal methods of taking, (4) establish the legal length, (5)
62 establish the daily creel limit, the season creel limit and the possession
63 limit, (6) restrict or prohibit wading in streams or portions thereof,
64 fishing from boats, canoes, rafts and other floating devices and fishing
65 from designated land areas, (7) establish the maximum number of
66 persons, boats, canoes and other floating devices that may use any area
67 of water for fishing, (8) require that a permit be obtained from the
68 landowner or his agent, or from the commissioner or an agent of the
69 department, to enter upon designated premises or areas for the
70 purpose of fishing, and further require that such permit be returned
71 within a specified time to the issuing authority with an accurate report
72 of all fish taken under such permit, time spent on the area and any
73 other data required by the commissioner for management purposes,

74 (9) restrict or prohibit the use of any craft other than manually
75 propelled, (10) designate areas of land and water that shall be
76 restricted for the exclusive use of children or the physically
77 handicapped. For the purpose of protecting public and private
78 interests and preventing unreasonable conduct and abuses by
79 fishermen, and to provide reasonable control of the actions and
80 behavior of such persons, said commissioner may issue regulations
81 and orders to (11) provide that entrance to and exit from streams, lakes
82 and ponds shall be restricted to rights-of-way designated by posters or
83 that consent shall be obtained from the landowner or his agent, (12)
84 establish reasonable distances from the banks of streams, lakes and
85 ponds beyond which fishermen shall not trespass, (13) prohibit
86 crossing over lawns and lands under cultivation, (14) prohibit damage
87 to property, livestock and agricultural crops, (15) prohibit swimming
88 and picnicking in designated areas, (16) prohibit the operation or
89 parking of vehicles on designated portions of public and private roads,
90 parking areas, lanes, passageways, rights-of-way, fields and lots, (17)
91 prohibit the discarding of bottles, glass, cans, paper, junk, litter and
92 trash, including, but not limited to, fishing line, and (18) control the
93 launching, anchoring, mooring, storage and abandonment of boats,
94 trailers and related equipment on properties under the control of the
95 commissioner.

96 Sec. 503. (NEW) (*Effective October 1, 2008*) Each sport fishing license
97 issued pursuant to part III of chapter 490 of the general statutes shall
98 contain a conspicuous statement printed on such license stating that
99 any person who discards fishing line in the waters of the state, on
100 public property of the state or on private property not owned by such
101 person, shall be subject to a fine under section 22a-250 of the general
102 statutes."