



General Assembly

January Session, 2009

Committee Bill No. 5211

LCO No. 4889

04889HB05211ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING LOCAL SHELLFISH COMMISSIONS.

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

1 Section 1. Section 26-257a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) Any town, city or borough, acting by its legislative body or its
4 board of selectmen, if a town, or its mayor, if a city, or its warden, if a
5 borough, may establish a shellfish commission or may join with one or
6 more other towns, cities or boroughs, acting by their respective
7 legislative bodies or boards of selectmen or mayors or wardens, as the
8 case may be, in establishing such a commission. The number of
9 members and their term of office shall be determined by the legislative
10 body or board of selectmen or mayor or warden, as the case may be,
11 or, in the case of such joint action, by agreement of the legislative
12 bodies or boards of selectmen or mayors or wardens, as the case may
13 be.

14 (b) Such commission shall have charge of all the shellfisheries and
15 shellfish grounds lying in such municipality or municipalities not
16 granted to others and not under the jurisdiction of the Commissioner

17 of Agriculture, including all rivers, inland waters and flats adjacent to
18 all beaches and waters within the limits and marine bounds of the
19 municipality or municipalities. The commission may designate
20 suitable places in the navigable waters within its jurisdiction for
21 planting or cultivating oysters, clams or mussels. The commission may
22 issue licenses for the taking of shellfish therefrom and fix the fees
23 therefor, may designate the quantities of such shellfish to be taken, the
24 sizes of such shellfish and the methods of taking. The commission may
25 prohibit the taking of such shellfish from certain designated areas for
26 periods not in excess of one year. All moneys collected by the
27 commission under the provisions of this section shall be paid to the
28 commission and used by it for the protection and propagation of the
29 shellfish under its control. Any person who violates any regulation
30 issued by the commission pursuant to this section shall be fined not
31 more than fifty dollars or imprisoned not more than thirty days or
32 both.

33 (c) The commission shall prepare and periodically update a shellfish
34 management plan. The plan shall be submitted to the Commissioner of
35 Agriculture and any appropriate board of selectmen, mayor or warden
36 for review and comment.

37 (d) All correspondence and communications by the commission
38 with persons other than members of the commission shall be in writing
39 and shall be subject to the provisions of chapter 14.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2009</i> | 26-257a |

Statement of Purpose:

To provide transparency in shellfish commission decisions.

[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.]

Co-Sponsors: REP. MINER, 66th Dist.

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