



General Assembly

Amendment

January Session, 2009

LCO No. 9234

HB0587509234SD0

Offered by:

SEN. MAYNARD, 18th Dist.

SEN. DAILY, 33rd Dist.

SEN. COLEMAN, 2nd Dist.

To: House Bill No. 5875

File No. 323

Cal. No. 687

(As Amended)

**"AN ACT AUTHORIZING SPECIAL DISTRICTS TO MAINTAIN
WATER QUALITY IN LAKES."**

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

3 "Sec. 501. Section 26-142b of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) For the purposes of this section, "active" with regard to a
6 commercial finfish license, commercial fishing license or commercial
7 lobster pot license means that the license has been renewed in the
8 current year and "number of lobster pots actively fished" means the
9 maximum calculated number of pots as established by the
10 Commissioner of Environmental Protection pursuant to regulations
11 adopted in accordance with section 26-157c.

12 (b) Notwithstanding any other provision of law, the Commissioner
13 of Environmental Protection shall issue resident and nonresident
14 commercial finfish licenses, commercial fishing licenses and
15 commercial lobster pot licenses under section 26-142a only to persons
16 who held a commercial finfish license, a commercial fishing license, or
17 a commercial lobster pot license at any time from June 1, 1995, to
18 December 31, 2003, inclusive, provided, if such license holder is
19 incapacitated or unable to operate a vessel, the commissioner may
20 reissue a license to a member of such license holder's immediate family
21 or to a member of such license holder's crew, as designated by such
22 license holder, on a temporary basis not to exceed the duration of such
23 incapacity or inability. Such temporary license shall be subject to the
24 provisions of section 26-142a.

25 (c) (1) The commissioner may authorize the transfer of an active
26 commercial finfish license, commercial fishing license or commercial
27 lobster pot license, issued pursuant to subsection (c) of section 26-142a,
28 provided the person transferring the license held the license and
29 landed finfish, lobsters, sea scallops, crabs or squid in at least five of
30 the eight calendar years preceding the transfer request and reported
31 such landings to the commissioner, pursuant to section 26-157b, for at
32 least thirty fishing days in each year. Such landings shall be verified by
33 seafood dealer reports submitted pursuant to section 26-157b. The
34 recipient of a transferred commercial lobster pot license shall be
35 limited to the number of lobster pots allocated to such license, except a
36 transferee who currently holds a commercial lobster pot license, issued
37 pursuant to subsection (c) of section 26-142a, shall be limited to the
38 number of pots allocated to such person's currently held lobster pot
39 license or to the transferred license, whichever is greater. The length of
40 any commercial fishing vessel used by the recipient of a transferred
41 license to fish with a trawl net in the waters of this state shall be not
42 more than ten per cent greater than the length of the largest vessel
43 used by the person transferring the license during such qualifying
44 period.

45 (2) The commissioner shall authorize the transfer of an active

46 commercial fishing license, issued pursuant to subsection (c) of section
47 26-142a, provided the person transferring the license held the license
48 every year from 1980 to 1989, inclusive, and landed summer flounder
49 in this state in at least six of such ten years and reported such landings
50 to the commissioner pursuant to section 26-157b.

51 (d) The commissioner may authorize the transfer of an active
52 commercial finfish license, commercial fishing license or commercial
53 lobster pot license pursuant to subsection (c) of this section, for a
54 period of two years from the date of death of such license holder.

55 (e) Upon transfer of a license, the original license holder shall
56 become ineligible to obtain a renewal of that license. Such original
57 license holder may acquire a new license through a subsequent license
58 transfer.

59 (f) A transfer of a license under this section shall not be made while
60 a commercial fishery license, registration or vessel permit held by the
61 transferor or transferee is under suspension and a transfer shall not be
62 authorized for any transferee who has had a commercial fishery
63 license, registration or vessel permit revoked or suspended within the
64 preceding twelve months."