



General Assembly

February Session, 2010

Raised Bill No. 5128

LCO No. 594

00594_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

**AN ACT CONCERNING ENVIRONMENTAL CONSERVATION
LICENSING.**

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

1 Section 1. Section 23-11 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 The Commissioner of Environmental Protection may grant
4 revocable licenses for public purposes to any person for the use of any
5 portion of any state forest, [or] state park or other lands under the
6 commissioner's control if [said] the commissioner finds that such
7 purposes are not in conflict with [park or forest] the purposes of such
8 park, forest or other lands.

9 Sec. 2. Section 26-1 of the general statutes is amended by adding
10 subdivision (23) as follows (*Effective January 1, 2011*):

11 (NEW) (23) "Agent", unless the context clearly indicates otherwise,
12 means any town clerk or retail establishment authorized by the
13 Commissioner of Environmental Protection to issue certain hunting,
14 fishing and trapping licenses, permits, stamps and tags.

15 Sec. 3. Section 26-15 of the 2010 supplement to the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective July*
17 *1, 2010*):

18 The state of Connecticut assents to the provisions of the Act of
19 Congress entitled "An Act to Provide that the United States Shall Aid
20 the States in Wildlife Restoration Projects, and for Other Purposes",
21 approved September 2, 1937, and the provisions of the Act of Congress
22 entitled "An Act to Provide that the United States Shall Aid the States
23 in Fish Restoration and Management Projects, and for Other
24 Purposes", approved August 9, 1950. The Commissioner of
25 Environmental Protection is authorized and directed to perform such
26 acts as may be necessary to the establishment and operation of
27 cooperative fish and wildlife restoration projects, as defined in said
28 [act] acts of congress, in compliance with said act and with rules and
29 regulations promulgated by the Secretary of the Interior thereunder,
30 and no funds accruing to the state from license, permit, stamp and tag
31 fees paid by hunters, trappers and anglers, including, but not limited
32 to, license fees paid by hunters pursuant to [section 26-28] sections 26-
33 27b, 26-28, 26-30, 26-31, 26-36, 26-48a, 26-86a and 26-86c, as amended
34 by this act, shall be diverted for any other purpose than [the
35 protection, propagation, preservation and investigation of fish and
36 game and administration of the functions of the department relating
37 thereto] to fund the programs and functions of the Bureau of Natural
38 Resources within the Department of Environmental Protection, in
39 accordance with 50 CFR 80.4.

40 Sec. 4. Subsection (a) of section 26-15a of the general statutes is
41 repealed and the following is substituted in lieu thereof (*Effective July*
42 *1, 2010*):

43 (a) The provisions of [sections 26-14 and] section 26-15, as amended
44 by this act, shall remain in full force and effect, and there shall be
45 appropriated to the Bureau of Natural Resources within the
46 Department of Environmental Protection for each fiscal year a sum not

47 less than the total estimated receipts from fishing and hunting and
48 trapping licenses, permits, stamps and tags for such year issued under
49 the provisions of this chapter.

50 Sec. 5. Section 26-27b of the 2010 supplement to the general statutes
51 is repealed and the following is substituted in lieu thereof (*Effective*
52 *January 1, 2011*):

53 (a) On or after July 1, 1993, no person sixteen years of age or older
54 may hunt waterfowl or take waterfowl in the state without first
55 procuring a Connecticut Migratory Bird Conservation Stamp and
56 having such stamp in his possession, [with his signature written in ink
57 across the face of the stamp while hunting waterfowl or taking
58 waterfowl.] The stamp shall not be transferable and shall be issued
59 annually. [beginning on July first.]

60 (b) The Commissioner of Environmental Protection shall provide for
61 the design, production and procurement of the mandatory Connecticut
62 Migratory Bird Conservation Stamp and shall, by regulations adopted
63 in accordance with the provisions of chapter 54, provide for the
64 issuance of the stamp. Stamps shall be sold at a price determined by
65 the commissioner, provided the price of a mandatory stamp shall not
66 exceed fifteen dollars. Any agent [or town clerk] issuing such stamps
67 may retain a fee [of fifty cents] established by the Commissioner of
68 Environmental Protection pursuant to section 14 of this act for each
69 stamp sold and shall remit the balance to the Department of
70 Environmental Protection.

71 Sec. 6. Subsection (a) of section 26-28 of the 2010 supplement to the
72 general statutes is repealed and the following is substituted in lieu
73 thereof (*Effective January 1, 2011*):

74 (a) Except as provided in subsection (b) of this section, the fees for
75 firearms hunting, archery hunting, trapping and sport fishing licenses
76 or for the combination thereof shall be as follows: (1) Resident firearms
77 hunting license, twenty-eight dollars; (2) resident fishing license, forty

78 dollars; (3) resident marine waters fishing license, ten dollars; (4) one-
79 day resident marine waters fishing license, fifteen dollars; (5) resident
80 all-waters fishing license, fifty dollars; (6) resident combination license
81 to fish in inland waters and firearms hunt, fifty-six dollars; (7) resident
82 combination license to fish in marine waters and firearms hunt, fifty
83 dollars; (8) resident combination license to fish in all waters and
84 firearms hunt, sixty dollars; (9) resident combination license to fish in
85 all waters and bow and arrow permit to hunt deer and small game
86 issued pursuant to section 26-86c, as amended by this act, eighty-four
87 dollars; (10) resident firearms super sport license to fish in all waters
88 and firearms hunt, firearms private land shotgun or rifle deer permit
89 issued pursuant to section 26-86a, as amended by this act, and permit
90 to hunt wild turkey during the spring season on private land issued
91 pursuant to section 26-48a, as amended by this act, one hundred
92 sixteen dollars; (11) resident archery super sport license to fish in all
93 waters, bow and arrow permit to hunt deer and small game issued
94 pursuant to section 26-86c, as amended by this act, and permit to hunt
95 wild turkey during the spring season on private land issued pursuant
96 to section 26-48a, as amended by this act, one hundred four dollars;
97 (12) resident trapping license, fifty dollars; (13) resident junior trapping
98 license for persons under sixteen years of age, fifteen dollars; (14)
99 junior firearms hunting license, fifteen dollars; (15) nonresident
100 firearms hunting license, one hundred thirty-four dollars; (16)
101 nonresident inland waters fishing license, eighty dollars; (17)
102 nonresident inland waters fishing license for a period of three
103 consecutive days, thirty-two dollars; (18) nonresident marine waters
104 fishing license, sixty dollars; (19) nonresident marine waters fishing
105 license for a period of three consecutive days, twenty-four dollars; (20)
106 nonresident all-waters fishing license, one hundred dollars; (21)
107 nonresident combination license to firearms hunt and inland waters
108 fish, one hundred seventy-six dollars; (22) nonresident combination
109 license to fish in all waters and firearms hunt, one hundred ninety
110 dollars; (23) nonresident combination license to fish in marine waters
111 and firearms hunt, one hundred seventy dollars; and (24) nonresident

112 trapping license, two hundred fifty dollars. Persons sixty-five years of
113 age and over who have been residents of this state for not less than one
114 year and who meet the requirements of subsection (b) of section 26-31,
115 as amended by this act, may be issued an annual license to firearms
116 hunt or to fish or combination license to fish and firearms hunt or a
117 license to trap without fee. The issuing agency shall indicate on a
118 combination license the specific purpose for which such license is
119 issued. The [town clerk] agent shall remit license fees in accordance
120 with the procedures and schedule established by the Commissioner of
121 Environmental Protection pursuant to section 14 of this act and retain a
122 recording fee [of one dollar] as established by the commissioner
123 pursuant to section 14 of this act for each license issued by [him] such
124 agent.

125 Sec. 7. Section 26-30 of the general statutes is repealed and the
126 following is substituted in lieu thereof (*Effective January 1, 2011*):

127 (a) Resident licenses to firearms hunt, archery hunt, trap or fish, or
128 the combination thereof, shall be issued only to qualified applicants
129 therefor by the [town clerk of any town, an agent of such town clerk
130 deputized pursuant to subsection (f) of this section or an agent of the]
131 Commissioner of Environmental Protection or an agent licensed
132 pursuant to subsection [(g)] (f) of this section. Such licenses shall be
133 issued in such form as the commissioner shall prescribe.

134 (b) Nonresident licenses shall be issued by [any town clerk, an agent
135 of such town clerk or an agent of] the commissioner or an agent, except
136 that nonresident trapping licenses shall be issued by the commissioner.
137 Such licenses shall be issued in such form, as prescribed by the
138 commissioner.

139 (c) Applications shall be made on forms furnished by the
140 commissioner, containing such information as the commissioner may
141 require, and any such application forms shall have printed thereon, "I
142 declare under the penalties of false statement that the statements
143 herein made by me are true and correct." Any person who makes any

144 material false statement on such application form shall be guilty of
145 false statement and shall be subject to the penalties provided for false
146 statement, and said offense shall be deemed to have been committed in
147 the town in which such application is presented or received for
148 processing.

149 (d) No application shall contain any material false statement.

150 (e) The [town clerk, an agent of such town clerk or an agent of the]
151 commissioner or agent shall, upon receipt of such application,
152 correctly filled out and accompanied by the required fee, issue to such
153 applicant the appropriate license. [If such application is by mail, the
154 town clerk shall mail such license to such applicant within five days
155 from the receipt of the application and proper fee.]

156 [(f) The town clerk of any town may deputize agents in such town to
157 issue firearms hunting, archery hunting, trapping and fishing licenses,
158 or the combination thereof, provided he shall be solely responsible for
159 compliance with the provisions of the statutes relating to the duties of
160 the town clerk in connection with such licenses and the moneys
161 received therefor.]

162 [(g)] (f) The Commissioner of Environmental Protection may, upon
163 application by persons on forms furnished by the commissioner and
164 containing such information as the commissioner may require, license
165 such persons as agents for the issuance of firearms hunting, archery
166 hunting, trapping and fishing licenses, or the combination thereof.
167 [Upon the request of any agent licensed by the commissioner, the town
168 clerk of the town in which such agent conducts business shall sell
169 license forms to such agent at the regular license cost minus twenty-
170 five cents for such agent's fee. Not later than the first Monday of each
171 month, such agent shall remit to the town clerk from whom the license
172 forms were purchased any license forms voided by such agent and two
173 copies of all licenses sold by such agent during the preceding month.
174 Upon the request of an agent, the town clerk shall reimburse such
175 agent for any unused or voided license forms remitted to such town

176 clerk] The agent shall remit license fees to the Department of
177 Environmental Protection in accordance with the procedures and
178 schedule established by the commissioner pursuant to section 14 of
179 this act.

180 Sec. 8. Subsection (b) of section 26-31 of the general statutes is
181 repealed and the following is substituted in lieu thereof (*Effective*
182 *January 1, 2011*):

183 (b) No firearms hunting, archery hunting or trapping license shall
184 be issued to any person unless he presents proof in the form of a
185 license or certified copy thereof that he has held a similar resident
186 license to hunt with firearms or with bow and arrow or to trap within
187 five years from the date of application in any state or country or
188 possession thereof, or unless he presents to the [town clerk] agent or
189 Commissioner of Environmental Protection a certificate of completion
190 issued under subsection (a) of this section or an equivalent, as deemed
191 by the commissioner, of such certificate. Each [town clerk] agent shall
192 transmit all such certificates presented to [him to the Commissioner of
193 Environmental Protection] such agent to the commissioner in
194 connection with [his] such agent's report to the commissioner under
195 section 26-36, as amended by this act.

196 Sec. 9. Section 26-36 of the general statutes is repealed and the
197 following is substituted in lieu thereof (*Effective January 1, 2011*):

198 Each [town clerk] agent shall keep a record of all licenses issued by
199 such [clerk] agent under the provisions of this chapter for a period of
200 two years after issuance, which record shall be open to public
201 inspection, and such [clerk] agent shall [, on the first Monday of each
202 month,] remit to the commissioner all money, except the recording
203 fees, received by such [clerk] agent for such licenses issued during the
204 month preceding [and shall also forward to the commissioner copies of
205 all licenses issued during the month preceding] in accordance with the
206 schedule established by the commissioner pursuant to section 14 of
207 this act. [Within fifteen days following] Following the close of each

208 calendar year, the [town clerk] agent shall send to the commissioner
209 [(1) all license forms, other than lifetime license forms, allotted to such
210 clerk which were not issued, (2)] an annual report in such form as is
211 required by the commissioner, accounting for all [license forms
212 furnished such clerk by the commissioner,] licenses sold and cancelled
213 by such [clerk, licenses voided by such clerk and licenses unused, and
214 (3) an affidavit attesting to the accuracy of the accounting in said
215 annual report] agent.

216 Sec. 10. Subsection (b) of section 26-48a of the 2010 supplement to
217 the general statutes is repealed and the following is substituted in lieu
218 thereof (*Effective January 1, 2011*):

219 (b) Such permits, tags or stamps shall be issued to qualified
220 applicants by [any town clerk] the commissioner or an agent.
221 Application for such permits, tags or stamps shall be on such form and
222 require of the applicant such information as the commissioner may
223 prescribe. The commissioner may [adopt regulations in accordance
224 with the provisions of chapter 54 authorizing a town clerk] authorize
225 an agent to retain part of any fee paid for a permit, tag or stamp issued
226 by such [town clerk] agent pursuant to this section. [, provided the]
227 The amount retained by such agent shall [not be less than fifty cents]
228 be the amount established by the commissioner pursuant to section 14
229 of this act.

230 Sec. 11. Subsection (a) of section 26-86a of the 2010 supplement to
231 the general statutes is repealed and the following is substituted in lieu
232 thereof (*Effective January 1, 2011*):

233 (a) The commissioner shall establish by regulation adopted in
234 accordance with the provisions of chapter 54 standards for deer
235 management, and methods, regulated areas, bag limits, seasons and
236 permit eligibility for hunting deer with bow and arrow, muzzleloader
237 and shotgun, except that no such hunting shall be permitted on
238 Sunday. No person shall hunt, pursue, wound or kill deer with a
239 firearm without first obtaining a deer permit from the commissioner or

240 an agent in addition to the license required by section 26-27.
241 Application for such permit shall be made on forms furnished by the
242 commissioner and containing such information as he may require.
243 Such permit shall be of a design prescribed by the commissioner, shall
244 contain such information and conditions as the commissioner may
245 require, and may be revoked for violation of any provision of this
246 chapter or regulations adopted pursuant thereto. As used in this
247 section, "muzzleloader" means a rifle or shotgun of at least forty-five
248 caliber, incapable of firing a self-contained cartridge, which uses
249 powder, a projectile, including, but not limited to, a standard round
250 ball, mini-balls, maxi-balls and Sabot bullets, and wadding loaded
251 separately at the muzzle end and "rifle" means a long gun the projectile
252 of which is six millimeters or larger in diameter. The fee for a firearms
253 permit shall be twenty-eight dollars for residents of the state and one
254 hundred dollars for nonresidents, except that any nonresident who is
255 an active full-time member of the armed forces, as defined in section
256 27-103, may purchase a firearms permit for the same fee as is charged a
257 resident of the state. The commissioner shall issue, without fee, a
258 private land deer permit to the owner of ten or more acres of private
259 land and the husband or wife, parent, grandparent, sibling and any
260 lineal descendant of such owner, provided no such owner, husband or
261 wife, parent, grandparent, sibling or lineal descendant shall be issued
262 more than one such permit per season. Such permit shall allow the use
263 of a rifle, shotgun, muzzleloader or bow and arrow on such land from
264 November first to December thirty-first, inclusive. Deer may be so
265 hunted at such times and in such areas of such state-owned land as are
266 designated by the Commissioner of Environmental Protection and on
267 privately owned land with the signed consent of the landowner, on
268 forms furnished by the department, and such signed consent shall be
269 carried by any person when so hunting on private land. The owner of
270 ten acres or more of private land may allow the use of a rifle to hunt
271 deer on such land during the shotgun season. The commissioner shall
272 determine, by regulation, the number of consent forms issued for any
273 regulated area established by said commissioner. The commissioner

274 shall provide for a fair and equitable random method for the selection
275 of successful applicants who may obtain shotgun and muzzleloader
276 permits for hunting deer on state lands. Any person whose name
277 appears on more than one application for a shotgun permit or more
278 than one application for a muzzleloader permit shall be disqualified
279 from the selection process for such permit. No person shall hunt,
280 pursue, wound or kill deer with a bow and arrow without first
281 obtaining a bow and arrow permit pursuant to section 26-86c, as
282 amended by this act. "Bow and arrow" as used in this section and in
283 section 26-86c, as amended by this act, means a bow with a draw
284 weight of not less than forty pounds. The arrowhead shall have two or
285 more blades and may not be less than seven-eighths of an inch at the
286 widest point. No person shall carry firearms of any kind while hunting
287 with a bow and arrow under said sections.

288 Sec. 12. Section 26-86b of the general statutes is repealed and the
289 following is substituted in lieu thereof (*Effective January 1, 2011*):

290 The commissioner [shall] may issue tags to be attached to the
291 carcass of any deer killed under the provisions of sections 26-82 and
292 26-86a to 26-86c, inclusive, as amended by this act, which tag shall be
293 immediately attached to such deer and remain affixed until such
294 carcass is dressed and butchered and packaged for consumption. Each
295 person so taking deer shall, within twenty-four hours, report such kill
296 to the commissioner on a form furnished by him.

297 Sec. 13. Section 26-86c of the 2010 supplement to the general statutes
298 is repealed and the following is substituted in lieu thereof (*Effective*
299 *January 1, 2011*):

300 No person may hunt deer or small game with a bow and arrow
301 under the provisions of this chapter without a valid permit issued by
302 the Commissioner of Environmental Protection or an agent pursuant
303 to this section or section 26-86a, as amended by this act, for persons
304 hunting deer with bow and arrow under private land deer permits
305 issued free to qualifying landowners, or their husbands or wives,

306 parents, grandparents, lineal descendants or siblings under that
307 section. The fee for such bow and arrow permit to hunt deer and small
308 game shall be sixty dollars for residents and two hundred dollars for
309 nonresidents, or twenty-six dollars for any person twelve years of age
310 or older but under sixteen years of age, except that any nonresident
311 who is an active full-time member of the armed forces, as defined in
312 section 27-103, may purchase a bow and arrow permit to hunt deer
313 and small game for the same fee as is charged a resident of the state.
314 Permits to hunt with a bow and arrow under the provisions of this
315 chapter shall be issued only to qualified applicants therefor by the
316 Commissioner of Environmental Protection or an agent, in such form
317 as said commissioner prescribes. Applications shall be made on forms
318 furnished by the commissioner containing such information as he may
319 require and all such application forms shall have printed thereon: "I
320 declare under the penalties of false statement that the statements
321 herein made by me are true and correct." Any person who makes any
322 material false statement on such application form shall be guilty of
323 false statement and shall be subject to the penalties provided for false
324 statement and said offense shall be deemed to have been committed in
325 the town in which the applicant resides. No such application shall
326 contain any material false statement. On and after January 1, 2002,
327 permits to hunt with a bow and arrow under the provisions of this
328 chapter shall be issued only to qualified applicants who have
329 successfully completed the conservation education bow hunting
330 course as specified in section 26-31, as amended by this act, or an
331 equivalent course in another state.

332 Sec. 14. (NEW) (*Effective January 1, 2011*) (a) The Commissioner of
333 Environmental Protection shall establish procedures and business
334 processes for the use of the Internet and other means of
335 communication and conducting transactions that shall be used for the
336 issuance of hunting, fishing and trapping licenses, permits, stamps and
337 tags pursuant to sections 26-27, 26-27b, 26-28, 26-30, 26-31, 26-36, 26-
338 48a, 26-86a and 26-86c of the general statutes, as amended by this act.

339 (b) The commissioner shall establish a schedule of the parts of fees
340 to be retained by agents for the issuance of certain hunting, fishing and
341 trapping licenses, permits, stamps and tags.

342 Sec. 15. (NEW) (*Effective July 1, 2010*) On or before October first of
343 each year, the Department of Environmental Protection shall submit a
344 report to the Chief of the Wildlife and Sport Fish Restoration Program
345 of the United States Fish and Wildlife Service, United States
346 Department of the Interior, that sets forth for the twelve-month period
347 ending the preceding June thirtieth, the amount of license, permit,
348 stamp and tag fees paid by hunters, trappers and anglers pursuant to
349 the provisions of chapter 490 of the general statutes and the amount of
350 funds expended on fish and wildlife programs and the purposes for
351 which such funds were expended. Additionally, such report shall
352 include, but not be limited to, the amount of expenditures for: (1) The
353 protection, propagation, preservation and investigation of fish and
354 game, (2) the operation, administration and maintenance of fish and
355 wildlife facilities, (3) the operation and administration of wildlife
356 management areas and fish and wildlife access areas, (4) the
357 restoration and enhancement of fish and wildlife habitat, (5) the
358 operation and administration of angler and hunter education and
359 outreach programs, and (6) the administration of fish and wildlife
360 technical assistance programs.

361 Sec. 16. Section 26-14 of the general statutes is repealed. (*Effective*
362 *July 1, 2010*)

363 Sec. 17. Section 26-37 of the general statutes is repealed. (*Effective*
364 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	23-11
Sec. 2	<i>January 1, 2011</i>	26-1
Sec. 3	<i>July 1, 2010</i>	26-15

Sec. 4	<i>July 1, 2010</i>	26-15a(a)
Sec. 5	<i>January 1, 2011</i>	26-27b
Sec. 6	<i>January 1, 2011</i>	26-28(a)
Sec. 7	<i>January 1, 2011</i>	26-30
Sec. 8	<i>January 1, 2011</i>	26-31(b)
Sec. 9	<i>January 1, 2011</i>	26-36
Sec. 10	<i>January 1, 2011</i>	26-48a(b)
Sec. 11	<i>January 1, 2011</i>	26-86a(a)
Sec. 12	<i>January 1, 2011</i>	26-86b
Sec. 13	<i>January 1, 2011</i>	26-86c
Sec. 14	<i>January 1, 2011</i>	New section
Sec. 15	<i>July 1, 2010</i>	New section
Sec. 16	<i>July 1, 2010</i>	Repealer section
Sec. 17	<i>from passage</i>	Repealer section

Statement of Purpose:

To update statutes concerning the issuance of hunting, fishing and trapping licenses and associated tags, permits and stamps to reflect changes in business processes.

[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.]