



# STATE OF CONNECTICUT

## DEPARTMENT OF ENVIRONMENTAL PROTECTION



Public Hearing – March 1, 2010  
Environment Committee

Testimony Submitted by Commissioner Amey Marrella  
Department of Environment Protection

### **Raised Senate Bill No. 122 - AN ACT CONCERNING FISHING LICENSES FOR DISABLED VETERANS**

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Thank you for the opportunity to present testimony regarding Raised Senate Bill No. 122, AN ACT CONCERNING FISHING LICENSES FOR DISABLED VETERANS. This bill would provide free lifetime fishing and hunting licenses to disabled veterans whose disability consists of the permanent impairment of the use of any body part or function. While the Department recognizes the tremendous sacrifices made by these Veterans, we cannot support this bill in its current form as its provisions would result in an annual loss of at least \$136,000 per year in license revenues. The actual loss could be much greater.

The Department estimates sales of annual licenses would be reduced by nearly 2,500 inland fishing, 2,500 marine fishing and 600 hunting licenses each year, approximately a \$136,000 loss in revenue. The Department considers this estimated annual loss to be highly conservative as requirements for eligibility of disabled veterans as proposed in this bill are broad (permanent impairment of a body part or function).

The United States Department of Veteran Affairs reports over 245,000 veterans reside in Connecticut (Annual Benefits Report *FY 2008*). Of these veterans, approximately 54% are under the age of 65 (approximately 137,000 individuals) and are not eligible to obtain the existing "age 65 and older" free annual licenses. There are over 20,000 veterans in CT who are receiving disability compensation for a service-related disability (Annual Benefits Report *FY 2008*), of which approximately 11,000 are below age 65. Using a disability rate of 10.7% for Connecticut (Kaiser Family "StateHealthFacts"), there are also approximately 13,500 veterans under age 65 with non service related disabilities. Participation rates based on Census Bureau/USFWS data specific to Connecticut (inland fishing - 10%, marine fishing - 10%, hunting - 2%) were used to estimate a minimum number of free "lifetime" fishing and hunting licenses that would be issued to veterans.

The Department believes that the intent of this bill is to find a way to facilitate participation of disabled veterans in fishing programs run by non-profit organizations. As such, the Department wishes to offer substitute language that addresses the issues and needs as we understand them.

In summary, the DEP cannot support this bill as it would result in an annual license revenue loss of at least \$136,000 per year. Attached is substitute language that DEP wishes to offer to address disabled veterans fishing participation, and that would not result in a revenue loss.

Thank you for the opportunity to present the DEP's views on this proposal, and to propose alternative language. If you should require any additional information, please contact the Department's legislative liaison, Robert LaFrance, at (860) 424-3401 or [Robert.LaFrance@CT.gov](mailto:Robert.LaFrance@CT.gov).

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*Below is the substitute language that the Department wishes to offer for Raised Senate Bill 122:*

Sec. 1. Section 26-27 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in subsection (b), (c), (e) [or], (f), (g) or (h) of this section and other provisions of this chapter providing specific license exemption, no person shall take, hunt or trap, or shall attempt to take, hunt or trap, or assist in taking, hunting or trapping, any wild bird or mammal and no person more than sixteen years of age shall take, attempt to take, or assist in taking any fish or bait species in the inland waters or marine district by any method or land marine fish and bait species in the state, regardless of where such marine fish or bait species are taken, without first having obtained a license as provided in this chapter. No person under sixteen years of age shall hunt or trap, except as provided in section 26-38.

(b) Any landowner who has a domiciliary residence in this state, or such landowner's spouse or lineal descendants may hunt, trap or fish on land owned by the landowner or on land leased by the landowner and on which the landowner is actually domiciled, which land is not used for club, fishing or hunting purposes, without a license, subject to the provisions of this chapter.

(c) No fishing license shall be required for any person who is rowing a boat or operating the motor of a boat from which other persons are taking or attempting to take fish.

(d) The taking of fish and bait species as herein provided shall be regarded as sport fishing and the taking or landing of such species in the inland waters or marine district by commercial methods for commercial purposes shall be governed by other provisions of this chapter.

(e) No fishing license shall be required for any resident of the state who is participating in a fishing derby authorized in writing by the Commissioner of Environmental Protection provided (1) no fees are charged for such derby, (2) such derby has a duration of one day or less and (3) such derby is sponsored by a nonprofit civic service organization. Such organization shall be limited to one derby in any calendar year.

(f) The Commissioner of Environmental Protection may designate one day in each calendar year when no license shall be required for sport fishing.

(g) No fishing license shall be required for any person who is fishing as a passenger on a party boat, charter boat or head boat registered under section 26-142a, as amended by this act, and operating solely in the marine district.

(h) No fishing license shall be required for any eligible person who is participating in a fishing event conducted by an organization or agency issued a group fishing license as provided for in section 3 of this act, provided all persons participating in the event or assisting participants shall be subject to all other provisions of the statutes and the regulations of the commissioner relating to fishing. Such organizations shall conduct no more than fifty events in any calendar year, and each event shall be limited to no more than fifty eligible participants.

Sec. 2. Section 26-28 of the general statutes, as amended by section 28 of Public Act 09-8 of the September special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in [subsection] subsections (b) and (c) of this section, the fees for firearms hunting, archery hunting, trapping and sport fishing licenses or for the combination thereof shall be as follows: (1) Resident firearms hunting license, twenty-eight dollars; (2) resident fishing license, forty dollars; (3) resident marine waters fishing license, ten dollars; (4) one-day resident marine waters fishing license, fifteen dollars; (5) resident all-waters fishing license, fifty dollars; (6) resident combination license to fish in inland waters and firearms hunt, fifty-six dollars; (7) resident combination license to fish in marine waters and firearms hunt, fifty dollars; (8) resident combination license to fish in all waters and firearms hunt, sixty dollars; (9) resident combination license to fish in all waters and bow and arrow permit to hunt deer and small game issued pursuant to section 26-86c, as amended by public act 09-3 of the June special session, eighty-four dollars; (10) resident firearms super sport license to fish in all waters and firearms hunt, firearms private land shotgun or rifle deer permit issued pursuant to section 26-86a, as amended by public act 09-3 of the June special session, and permit to hunt wild turkey during the spring season on private land issued pursuant to section 26-48a, as amended by public act 09-3 of the June special session, one hundred sixteen dollars; (11) resident archery super sport license to fish in all waters, bow and arrow permit to hunt deer and small game issued pursuant to section 26-86c, as amended by public act 09-3 of the June special session, and permit to hunt wild turkey during the spring season on private land issued pursuant to section 26-48a, as amended by public act 09-3 of the June special session, one hundred four dollars; (12) resident trapping license, fifty dollars; (13) resident junior trapping license for persons under sixteen years of age, fifteen dollars; (14) junior firearms hunting license, fifteen dollars; (15) nonresident firearms hunting license, one hundred thirty-four dollars; (16) nonresident inland waters fishing license, eighty dollars; (17) nonresident inland waters fishing license for a period of three consecutive days, thirty-two dollars; (18) nonresident marine waters fishing license, sixty dollars; (19) nonresident marine waters fishing license for a period of three consecutive days, twenty-four dollars; (20) nonresident all-waters fishing license, one hundred dollars; (21) nonresident combination license to firearms hunt and inland waters fish, one hundred seventy-six dollars; (22) nonresident combination license to fish in all waters and firearms hunt, one hundred ninety dollars; (23) nonresident combination license to fish in marine waters and firearms hunt, one hundred seventy dollars; and (24) nonresident trapping license, two hundred fifty dollars. Persons sixty-five years of age and over who have been residents of this state for not less than one year and who meet the requirements of subsection (b) of section 26-31 may be issued an annual license to firearms hunt or to fish or combination license to fish and firearms hunt or a license to trap without fee. The issuing agency shall indicate on a combination license the specific purpose for which such license is issued. The town clerk shall retain a recording fee of one dollar as for each license issued by him.

(b) Any nonresident residing in one of the New England states or the state of New York may procure a license to hunt or to fish or to hunt and fish for the same fee or fees as a resident of this state if he is a resident of a state the laws of which allow the same privilege to residents of this state.

(c) The fee for a group fishing license issued by the Commissioner of Environmental Protection shall be two hundred fifty dollars.

Sec. 3. Section 26-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

(b) Nonresident licenses shall be issued by any town clerk, an agent of such town clerk or an agent of the commissioner, except that nonresident trapping licenses shall be issued by the commissioner.

(c) Applications shall be made on forms furnished by the commissioner, containing such information as the commissioner may require, and any such application forms shall have printed thereon, "I declare under the penalties of false statement that the statements herein made by me are true and correct." Any person who makes any material false statement on such application form shall be guilty of false statement and shall be subject to the penalties provided for false statement, and said offense shall be deemed to have been committed in the town in which such application is presented or received for processing.

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

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

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

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

(h) The Commissioner of Environmental Protection may issue group fishing licenses to a tax-exempt organization qualified under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time

amended, for the purposes of conducting group fishing events for persons: (1) with a service-related disability receiving services at facilities of the United States Department of Veterans Affairs Connecticut Healthcare System, (2) receiving mental health or addiction services from the department of mental health and addiction services, state-operated facilities as defined in section 17a-458, or from programs or facilities funded by the department of mental health and addiction services as provided for in sections 17a-468b, 17a-469, 17a-673 and 17a-676, (3) with mental retardation or autism receiving services from the department of developmental services as provided for in section 17a-217 or from facilities licensed by the department of developmental services as provided for in section 17a-227, or (4) receiving care from the department of children and families as provided for in section 17a-94 or from programs or child-care facilities licensed under sections 17a-145, 17a-147 or 17a-154. Application for a group license shall be submitted on a form prescribed by the commissioner with the necessary fee and shall provide such information as required by the commissioner. All such activities conducted under such group license must be supervised by staff or volunteers of the entity conducting the event, who shall have in their possession the group license. Such staff or volunteers assisting participants in sport fishing must be licensed to fish. The group fishing licensee shall, within ten days after conducting a group fishing event, report to the commissioner, on forms provided by the commissioner, information on the results of the event. Such information shall include, but need not be limited to: total number of participants; total hours fished; total number of each species caught; and total number of each species not released. No fee shall be charged for group fishing events conducted under a group license by the organization conducting the event, and such event shall not be used as a fund raising device.

