



House of Representatives

General Assembly

File No. 380

January Session, 2011

House Bill No. 5516

House of Representatives, April 5, 2011

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT REQUIRING DEPOSIT OF CERTAIN CHARITABLE CONTRIBUTIONS IN THE "TURN IN POACHERS" FUND.

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

1 Section 1. Subsection (a) of section 26-27 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

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

15 provisions of this subsection may, in lieu of remitting payment of the
16 fine prescribed by section 26-64, as amended by this act, make a
17 contribution to the Turn In Poachers Fund established in section 3 of
18 this act.

19 Sec. 2. Section 26-64 of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective October 1, 2011*):

21 [Any] Except as provided in subsection (a) of section 26-27, as
22 amended by this act, any person who violates any provision of this
23 part for which no other penalty is provided shall be fined eighty-seven
24 dollars.

25 Sec. 3. (NEW) (*Effective October 1, 2011*) (a) The Department of
26 Environmental Protection shall establish a Turn In Poachers Fund for
27 the purpose of funding the turn in poachers program. The fund may
28 contain any moneys required by law to be deposited in the fund and
29 shall be held by the Treasurer separate and apart from all other
30 moneys, funds and accounts. The interest derived from the investment
31 of the fund shall be credited to the fund. Amounts in the fund may be
32 expended by the Department of Environmental Protection to provide a
33 grant to the Turn in Poachers nonprofit organization and to staff the
34 department's toll-free hotline that is used by persons to provide
35 information on poaching and other fish and game law violations. Any
36 balance remaining in the fund at the end of any fiscal year shall be
37 carried forward in the fund for the fiscal year next succeeding.

38 (b) Any contribution made in lieu of a fine, as described in
39 subsection (a) of section 26-27 of the general statutes, as amended by
40 this act, shall be deposited in the Turn In Poachers Fund. The
41 Department of Environmental Protection may apply for and receive
42 moneys for the fund from any federal, state or private source.

43 (c) Any administrative costs related to the operation of the Turn In
44 Poachers Fund shall be paid from the fund.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	26-27(a)
Sec. 2	<i>October 1, 2011</i>	26-64
Sec. 3	<i>October 1, 2011</i>	New section

ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Judicial Dept.	CICF - Potential Revenue Loss	Less than 25,000	Less than 25,000
Department of Environmental Protection	GF - Potential Revenue Gain	Less than 25,000	Less than 25,000

Note: CICF=Criminal Injuries Compensation Fund; GF=General Fund

Municipal Impact: None

Explanation

The bill allows any defendant charged with poaching to make a monetary contribution to the Turn in Poachers (TIP) Fund instead of to the Criminal Injuries Compensation Fund (CICF), in order to have the charges dropped.¹

This change may result in a revenue loss to the CICF of less than \$25,000 in both FY 12 and FY 13 if offenders choose to make a contribution to the TIP fund rather than pay a fine to the CICF. In 2010, approximately \$50,000 was collected by the Judicial Department as a result of fines provided for under Title 26. It is estimated that 50% of offenders will make a contribution to the TIP fund instead of the CICF, which will result in a potential revenue loss of \$25,000 in both FY 12 and FY 13 to the CICF.

The Out Years

The annualized ongoing revenue loss identified above would remain constant into the future since fine amounts are set by statute.

¹ In FY 10, charges were dropped in 751 cases filed under Title 26.

OLR Bill Analysis**HB 5516*****AN ACT REQUIRING DEPOSIT OF CERTAIN CHARITABLE CONTRIBUTIONS IN THE "TURN IN POACHERS" FUND.*****SUMMARY:**

This bill requires the Department of Environmental Protection (DEP) to establish a Turn in Poachers Fund to help fund the existing "turn in poachers" program (see BACKGROUND). DEP may use the fund to (1) provide a grant to the nonprofit organization called Turn in Poachers and (2) staff a toll-free hotline for people to use to provide information on poaching and other fish and game law violations. Any balance in the fund at the end of a fiscal year must be carried forward to the next fiscal year.

Under current law, a person who hunts, traps, or fishes without a license is subject to a fine of \$87. The bill allows the person, instead of paying the fine, to make a contribution of an unspecified amount to the Turn in Poachers Fund.

EFFECTIVE DATE: October 1, 2011

TURN IN POACHERS FUND

Under the bill, the fund may contain any money required by law to be deposited in it. The state treasurer must hold the fund separate from all other funds and accounts. Interest derived from investing the fund must be credited to it. DEP may apply for and receive money for the fund from federal, state, or private sources. Any administrative costs related to operating the fund must be paid from the fund.

BACKGROUND***Turn in Poachers Program***

The turn in poachers program (also called TIP) rewards people who

provide DEP with information about poaching and other fish and game law violations. Informants call a 24-hour, toll-free, confidential hotline staffed by DEP. Turn in Poachers, a statewide nonprofit organization, offers the informant a reward if a DEP investigation leads to an arrest.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 25 Nay 0 (03/21/2011)