



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 14, 2013
Public Safety and Security Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented By Colonel Kyle Overturf

Raised House Bill No. 6595 – AN ACT PROHIBITING THE DISCHARGE OF FIREARMS NEAR PRIVATE RESIDENCES.

Thank you for the opportunity to present testimony regarding Raised House Bill No. 6595 - An Act Prohibiting the Discharge of Firearms Near Private Residences. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

The DEEP supports measures to ensure public safety while maintaining access to public trust resources, including hunting, and conservation of the state's precious natural resources. Hunting in general is a safe outdoor activity, especially for private homeowners and other outdoor users. Notwithstanding the excellent safety record of Connecticut hunters, DEEP feels strongly that owners of private residences should control the use of firearms within proximity to their homes. Reflecting that position DEEP has adopted regulations pursuant to Section 26-66 of the Connecticut General Statutes (CGS) establishing distances from buildings occupied by people or domestic animals or used to store flammable or combustible materials within which no hunting or associated carrying of loaded firearms or discharge of firearms may occur. The minimum distance is five hundred feet unless written permission of the landowner is secured, except when waterfowl is hunted in tidal water areas from land shooting positions or from floating blinds anchored adjacent to land or from rock formations. Under these limited conditions the minimum required distance is 250 feet unless written permission of the landowner is secured.

The regulations further establish that no hunting weapon may discharged toward any person, building or domestic animal when within range or to, from or across the traveled portion of any public road. Taken together, these measures ensure that the only legal discharge of a firearm while hunting shall be at distances greater than 500 feet, or 250 feet from an occupied building depending on location or type of hunting and most importantly, in a direction away from the building and its occupants.

Unfortunately Bill 6595 creates a conflict wherein it is unclear whether the provisions of section 26-66 of the CGS apply when hunting or whether those provisions are rendered moot. More specifically,

changing the minimum distance for waterfowl hunting in tidal areas would be unduly restrictive and deny sportsmen with reasonable access to parts of the coast and the waterfowl resource. There is no safety concern with the current 250 foot limit since coastal hunters are shooting seaward. Furthermore, reducing access for waterfowl hunters to large areas of our coastline will be counter-productive to statewide efforts to manage problems caused by nuisance Canada geese.

In summary, DEEP does not support the proposed bill as written. The provisions of Section 26-66 of the CGS are intended and have been applied to protect public safety while preserving access to public trust resources, therefore we strongly encourage amendment of Bill 6595 to create an exception for hunting as provided for in Title 26 of the CGS.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison Robert LaFrance at (860) 424-3401 or Robert.LaFrance@ct.gov.