



General Assembly

January Session, 2013

Committee Bill No. 5412

LCO No. 3972



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING DEER MANAGEMENT PROGRAMS ON PRIVATE PROPERTY.

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

1 Section 1. Subsection (a) of section 26-82 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (a) No person shall hunt, pursue, wound or kill any deer or sell or
5 offer for sale or have in possession the flesh of any deer captured or
6 killed in this state, or have in possession the flesh of any deer from any
7 other state or country unless it is properly tagged as required by such
8 state or country except as provided by the terms of this chapter or
9 regulations adopted pursuant thereto, and except that any landowner
10 or primary lessee of land owned by such landowner or the husband or
11 wife or any lineal descendant of such landowner or lessee or any
12 designated agent of such landowner or lessee may kill deer with a
13 shotgun, rifle or bow and arrow provided a damage permit has first
14 been obtained from the commissioner and such person has not been
15 convicted for any violation of this section, section 26-85, 26-86a, 26-86b
16 or 26-90 or subsection (b) of section 26-86a-2 of the regulations of

17 Connecticut state agencies within three years preceding the date of
18 application. Upon the receipt of an application, on forms provided by
19 the commissioner and containing such information as said
20 commissioner may require, from any landowner who has or whose
21 primary lessee has an actual or potential gross annual income of
22 twenty-five hundred dollars or more from the commercial cultivated
23 production of grain, forage, fruit, vegetables, flowers, ornamental
24 plants or Christmas trees and who is experiencing an actual or
25 potential loss of income because of severe damage by deer, the
26 commissioner shall issue not more than six damage permits without
27 fee to such landowner or the primary lessee of such landowner, or the
28 wife, husband, lineal descendant or designated agent of such
29 landowner or lessee. The application shall be notarized and signed by
30 all landowners or by the landowner or a lessee to whom a farmer tax
31 exemption permit has been issued pursuant to subdivision (63) of
32 section 12-412. Such damage permit shall be valid through October
33 thirty-first of the year in which it is issued and may specify the hunting
34 implement or shot size or both which shall be used to take such deer.
35 The commissioner may at any time revoke such permit for violation of
36 any provision of this section or for violation of any regulation pursuant
37 thereto or upon the request of the applicant. Notwithstanding the
38 provisions of section 26-85, the commissioner may issue a permit to
39 any landowner or primary lessee of land owned by such landowner or
40 the husband or wife or any lineal descendant of such landowner or
41 lessee and to not more than three designated agents of such landowner
42 or lessee to use a jacklight for the purpose of taking deer when it is
43 shown, to the satisfaction of the commissioner, that such deer are
44 causing damage which cannot be reduced during the daylight hours
45 between sunrise and one-half hour after sunset on the land of such
46 landowner. The commissioner may require notification as specified on
47 such permit prior to its use. Any deer killed in accordance with the
48 provisions of this section shall be the property of the owner of the land
49 upon which the same has been killed, but shall not be sold, bartered,
50 traded or offered for sale, and the person who kills any such deer shall

51 tag and report each deer killed, as provided in section 26-86b. Upon
52 receipt of the report required by section 26-86b, the commissioner shall
53 issue an additional damage permit to the person making such report.
54 Any deer killed otherwise than under the conditions provided for in
55 this chapter or regulations adopted pursuant thereto shall remain the
56 property of the state and may be disposed of by the commissioner at
57 the commissioner's discretion to any state institution or may be sold
58 and the proceeds of such sale shall be remitted to the State Treasurer,
59 who shall apply the same to the General Fund, and no person, except
60 the commissioner, shall retail, sell or offer for sale the whole or any
61 part of any such deer. No person shall be a designated agent of more
62 than one landowner or primary lessee in any calendar year. No person
63 shall make, set or use any trap, snare, salt lick, bait or other device for
64 the purpose of taking, injuring or killing any deer, except that deer
65 may be taken over an attractant in areas designated by the
66 commissioner. For the purposes of this section, an attractant means
67 any natural or artificial substance placed, exposed, deposited,
68 distributed or scattered that is used to attract, entice or lure deer to a
69 specific location including, but not limited to, salt, chemicals or
70 minerals, including their residues or any natural or artificial food, hay,
71 grain, fruit or nuts. The commissioner may authorize any municipality,
72 landowner, homeowner association or nonprofit land-holding
73 organization approved by the commissioner under the provisions of
74 this section to take deer at any time [, other than Sundays,] or place
75 using any method consistent with professional wildlife management
76 principles when a severe nuisance or ecological damage can be
77 demonstrated to the satisfaction of the commissioner. Any such
78 municipality, landowner, homeowner association or nonprofit land-
79 holding organization shall submit to the commissioner, for the
80 commissioner's review and approval, a plan that describes the extent
81 and degree of the nuisance or ecological damage and the proposed
82 methods of taking. Prior to the implementation of any such approved
83 plan, the municipality, landowner, homeowner association or
84 nonprofit land-holding organization shall provide notice of such plan

85 to any abutting landowners of such place where the plan will be
86 implemented. Such plan shall not authorize the use of a snare. No
87 person shall hunt, pursue or kill deer being pursued by any dog,
88 whether or not such dog is owned or controlled by such person, except
89 that no person shall be guilty of a violation under this section when
90 such a deer is struck by a motor vehicle operated by such person. No
91 person shall use or allow any dog in such person's charge to hunt,
92 pursue or kill deer. No permit shall be issued when in the opinion of
93 the commissioner the public safety may be jeopardized.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	26-82(a)

Statement of Purpose:

To enable the Commissioner of Energy and Environmental Protection to authorize landowners to engage in deer management programs on private property.

[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.]

Co-Sponsors: REP. SHABAN, 135th Dist.

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