

Responses to the Legislative Commissioners' Office (LCO) Report on

Legislative Regulations Review Committee No. 2013-21

LCO Comment	Action Taken in Response to LCO Report
<i>Substantive Concerns</i>	
<p>Section 26-27b-1(b), it appears that the intent of the proposed regulations is to have the stamp issued January 1st of each year and to have the stamp expire on December 31st of the issuing year. However, because the regulation does not indicate when the stamp will be issued, such intent is not clearly stated.</p>	<p>Section 26-27-1(b) has been revised to read as follows: Such stamps shall be issued annually beginning on [July] <u>January</u> first and shall [expire on June thirtieth of the following calendar year] <u>be valid for the calendar year of issuance, expiring on December 31 of said year.</u></p>
<p>Section 26-48-7(a)(1), the proposed regulation contravenes section 26-48 of the general statutes which requires the tagging of birds with tags furnished by the commissioner for a reasonable fee.</p>	<p>Section 26-48-7(a)(1) has been revised to read as follows: All pheasants, quail, chukar partridge and/or ducks shot on the property included in the permit and recovered shall be [securely tagged with a sealed, numbered tag supplied by the department at a cost of ten cents per tag] <u>identified with a tag furnished at no cost by the Department of Energy and Environmental Protection upon which the permittee shall have written their name and the date of taking. The department shall furnish said tags to any such permittee electronically through the department's website and in the applicable annual Connecticut Hunting and Trapping Guide.</u></p>
<p>Section 26-49-2(g), the proposed regulation contravenes subsection (b) of section 26-49 of the general statutes which requires tags to be furnished by the commissioner.</p>	<p>Section 26-49-2(g) has been revised to read as follows: All birds after they are shot in connection with dog training, shall be identified with a tag [obtained from] <u>furnished at no cost by the Department [at a fee of ten cents each] of Energy and Environmental Protection upon which the permittee shall have written their name and the date of taking. The department shall furnish said tags to any such permittee electronically through the department's website and in the applicable annual Connecticut Hunting and Trapping Guide.</u></p>
<p>Section 26-52-1(h), the proposed regulation contravenes section 26-52 of the general statutes which requires such tags to be furnished by the commissioner.</p>	<p>Section 26-52-1(h) has been revised to read as follows: All pheasant, quail, chukar partridge or ducks shot shall be [immediately tagged by an agent of the commissioner. Tags shall be obtained from the Department of Environmental Protection upon payment of a fee of ten cents each] <u>identified with a tag furnished at no cost by the Department of Energy and Environmental Protection upon which the permittee shall have written their name and the date of taking. The department shall furnish said tags to any such permittee electronically through the department's website and in the applicable annual</u></p>

	<u>Connecticut Hunting and Trapping Guide.</u>
Section 26-66-14(d)(7), it is unclear to which restrictions in subsection (d) the provision in said subdivision intends to refer.	Section 26-66-14(d)(7) has been revised to read as follows: <u>The restrictions in subdivisions (1), (2), (3) and (5) of this subsection shall not apply to private pond or lake owners or owners of aquaculture facilities trapping for the purposes of releasing turtles back into the wild at another location.</u>
<i>Technical Corrections</i>	
Throughout the proposed regulation, the section number of the regulation should appear prior to the introductory language of the section, for proper form. For example, on page 1, "Section 26-16-3a of the Regulations of Connecticut State Agencies is amended to read as follows: Section 1. Sec. 26-16-3a. Limitation of Public Use of State Controlled Wildlife Management Areas" should be "Section 1. Section 26-16-3a of the Regulations of Connecticut State Agencies is amended to read as follows: Sec. 26-16-3a. Limitation of Public Use of State Controlled Wildlife Management Areas".	The recommended revisions have been made.
On page 2, in section 26-27b-1, "[(1)] <u>(a)</u> " and "[(2)] <u>(b)</u> " should be "(a)" and "(b)", respectively, to accurately reflect the existing regulation.	The recommended revision has been made.
Section 26-48a-3(e), an opening bracket should be inserted before "(e)" and a closed bracket should be inserted after the period, for proper form.	The recommended revision has been made.
Section 26-48a-3(f), "(f)" should be "[f] <u>(e)</u> ", for proper form.	The recommended revision has been made.
Section 26-66-1(r)(8), the provision should be rewritten to state the dates during which the exception for coyote and fox hunting from a blind applies rather than have the provision written in the form of an exception to an exception, for clarity.	Section 26-66-1(r)(8) has been revised to read as follows: <u>(8) coyote and fox hunting from a blind from September 1 through the first Friday in October, and from January 1 through the last day in February.</u>
Section 26-66-3, in the first line, " <u>subsections</u> " should be inserted before "(i)", for proper form.	The recommended revision has been made.
Section 26-66-3(g), the semicolon should be bracketed and, in the third line, "and skunk" should be "[and] <u>or</u>	The recommended revision has been made.

skunk", for clarity.	
Section 26-66-4, "United States fish and wildlife service" should be "United States [fish and wildlife service] <u>Fish and Wildlife Service</u> ", for proper form, and "section 26-66-1(c)." should be "section 26-66-1(c) <u>of the Regulations of Connecticut State Agencies.</u> ", for clarity.	The recommended revisions have been made.
Subsections (a) and (b) of section 26-66-4, the opening bracket should be inserted before "(a)", the closed bracket should be inserted after "float." and "(b)" should be "[<u>(b)</u> <u>(a)</u> ", for clarity and consistency.	The recommended revision has been made.
Section 26-66-5(b), " <u>of the Regulations of Connecticut State Agencies</u> " should be inserted after "26-66-5(a)", for clarity, and "26-55-5(a)" should be "[26-55-5(a)] <u>26-66-5(a)</u> <u>of the Regulations of Connecticut State Agencies</u> ", for accuracy and clarity.	The recommended revision has been made.
Section 26-66-12, the subsection catchlines should appear in bold type to reflect the appearance of the existing regulation.	The recommended revisions have been made.
Sections 26-66-12(a)(1) and (a)(2), " <u>to, provide direct supervision and instruction of the junior hunter at all times</u> " should be " <u>to provide direct supervision and instruction of, the junior hunter at all times</u> ", for proper form.	The recommended revision has been made.
Subdivisions (3) and (4) of section 26-66-12(a), "his applicable" should be "[his] <u>the</u> applicable", for accuracy.	The recommended revision has been made.
Section 26-66-12(e)(2)(B)(ii), "section 26-66-12(d) of the Regulations of Connecticut State Agencies" should be "[section 26-66-12(d) of the Regulations of Connecticut State Agencies] <u>subsection (d) of this section</u> ", for clarity.	The recommended revision has been made.
Section 26-66-12(f)(2), " <u>of this subsection</u> " should be inserted after "subdivision (3)", for clarity.	The recommended revision has been made.
Section 26-66-14(d)(3), " <u>turtle eggs and nests</u> " should be " <u>turtle eggs. Nests</u> ", for clarity and " <u>Department</u> " should be " <u>Department of Energy and Environmental Protection</u> ", for clarity and proper form.	The recommended revision has been made.
Section 26-66-14(d)(5), " <u>must</u> " should be " <u>shall</u> " in accordance with the committee's directive concerning mandates.	The recommended revision has been made.

Section 26-66-14(d)(6), in both instances, " <u>Department</u> " should be " <u>department</u> ", for proper form.	The recommended revision has been made.
Subsections (a) and (b) of section 26-86a-1, " <u>Energy and</u> " should be underlined, for proper form.	The recommended revision has been made.
Section 26-86a-2(a), " <u>Commissioner</u> " should be " <u>commissioner</u> ", for proper form.	The recommended revision has been made.
Section 26-86a-2(e), "26-86a-8(c)" should be "26-86a-2(c) of the <u>Regulations of Connecticut State Agencies</u> ", for proper form.	The recommended revision has been made.
Section 26-86a-2(i), in the fourth line, " <u>only</u> " should be deleted as it is unnecessary.	The recommended revision has been made.
Subsections (a) and (b) of section 26-86a-4, a comma should be inserted prior to " <u>as defined in section 26-86a of the Connecticut General Statutes</u> ", for clarity and proper form.	The recommended revision has been made.
Section 26-86a-4(c), " <u>may hunt with a 12, 16, 20 gauge shotgun using shells containing a single projectile, or a muzzleloader or centerfire rifle as defined in section 26-86a of the Connecticut General Statutes</u> " should be " <u>may hunt with a 12, 16 or 20 gauge shotgun using shells containing a single projectile, a centerfire rifle or a muzzleloader, as defined in section 26-86a of the Connecticut General Statutes</u> ", for clarity and proper form.	The recommended revision has been made.
Section 26-86a-4(d), " <u>with battery connected</u> " should be " <u>with the battery connected</u> ", for clarity.	The recommended revision has been made.
Section 26-86a-6 "Sec. 26-82" should be "[Sec.] <u>section</u> 26-82", for proper form.	The recommended revision has been made.
Section 26-86a-6(c), " <u>to, provide direct supervision and instruction of the junior hunter at all times</u> " should be " <u>to provide direct supervision and instruction of, the junior hunter at all times</u> ", for proper form.	The recommended revision has been made.