

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 13-83—sSB 1018
Environment Committee

**AN ACT CONCERNING ENFORCEMENT OF ENVIRONMENTAL
CONSERVATION LAWS**

SUMMARY: This act makes various changes in the environmental conservation laws. Among other things, it lowers the fine, from up to \$1,000 to up to \$85, for importing, possessing, or liberating fish or aquatic invasive species and makes a violation an infraction. It exempts from the prohibition on possessing potentially dangerous animals (1) certain veterinarians and (2) people possessing cats certified by specified organizations.

The act authorizes the Department of Energy and Environmental Protection (DEEP) to (1) suspend a marine waters fishing license for violations of marine sport fishing regulations and (2) specify marking requirements for commercial fishing vessels and gear in regulations. It requires people to have a marine waters fishing license to use certain seines, nets, and traps for taking marine bait species.

The act also requires DEEP to maintain donated improvements to real property or, if not economically practicable, raze the structures and return the property to its natural condition.

EFFECTIVE DATE: Various, see below.

§§ 2-3 & 9 — PENALTY FOR AQUATIC INVASIVE SPECIES

The law prohibits importing, introducing, possessing, or liberating any live fish, wild bird or mammal, reptile, amphibian, or invertebrate into Connecticut. Violators are subject to a civil penalty of up to \$1,000, to be set by the court, for each offense.

The act lowers the maximum fine to \$85 for violators who import, introduce, possess, or liberate live fish or aquatic nuisance invertebrates (e.g., Asian carp or zebra mussels) and makes the violation an infraction. Importing, possessing, or liberating each fish or invertebrate is a separate offense, and each day of a continuing violation is a separate offense.

EFFECTIVE DATE: Upon passage

§ 10 — EXEMPTIONS TO POTENTIALLY DANGEROUS ANIMALS LAW

The act exempts from the law that makes it illegal to possess a potentially dangerous animal (1) a licensed veterinarian treating or caring for such an animal and (2) anyone possessing a breed of cat certified by the International Cat Association, Cat Fanciers Association, or American Cat Fanciers Association. By law, certain municipal parks, zoos, public nonprofit aquaria, nature centers, museums, exhibitors, and research facilities are exempt.

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Under prior law, anyone possessing certain Bengal cats was exempt from the ban on possessing a potentially dangerous animal. The Bengal cats had to be certified by an internationally recognized multiple-cat domestic feline breeding association as being without wild parentage for at least four prior generations and registered with the agriculture commissioner by October 1, 1996. Prior law also prohibited the importation of such Bengal cats into Connecticut after June 6, 1996. And it required a state or municipal official taking action to control rabies to consider Bengal cats as not vaccinated against rabies. The act eliminates these provisions.

EFFECTIVE DATE: Upon passage

§§ 4 & 5 — MARINE WATERS FISHING LICENSE

License Suspension

The act allows DEEP to suspend a marine waters fishing license for violations of marine sport fishing regulations, after notice and hearing. By law, DEEP may already suspend a hunting, fishing, and trapping license for violations of fish and game laws and regulations.

License Required to Use Seines, Nets, and Traps

The act requires a person to have a marine waters fishing license to use certain seines, nets, and traps to take bait species and other species in the marine district for personal use. Existing law requires a person to have a sport fishing license to use the seines, nets, and traps to take such species in the inland district.

EFFECTIVE DATE: October 1, 2013

§ 6 — TAKING FINFISH WITH LOBSTER POT LICENSE

The act requires finfish taken incidentally under a personal use lobster pot license to meet the sport fishing length limits and seasons adopted in state regulations. Under existing law, unchanged by the act, finfish must also meet the regulation's sport fishing creel limits.

EFFECTIVE DATE: October 1, 2013

§§ 7-8 & 12 — MARKING COMMERCIAL FISHING BOATS AND GEAR

The act repeals the law that sets requirements for marking commercial fishing boats and gear. It instead authorizes the DEEP commissioner to specify marking requirements in regulations. In doing so, it decreases the penalty for violating the marking requirements from a class D misdemeanor to an infraction (see Table on Penalties).

EFFECTIVE DATE: October 1, 2014

§ 11 — DONATED PROPERTY IMPROVEMENTS

The act requires DEEP to maintain any real property improvements donated to it in a safe, sanitary, and secure condition at least equivalent to the improvement's

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condition at the time of donation. If the maintenance cost becomes economically impracticable, the act requires DEEP to raze the structure and return the real property to its natural condition.

EFFECTIVE DATE: Upon passage

OLR Tracking: JLK:RP:VR:RO