



House of Representatives

File No. 739

General Assembly

February Session, 2016

(Reprint of File No. 114)

Substitute House Bill No. 5315
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 27, 2016

**AN ACT CONCERNING THE HABITUATION OF BEARS AND
COYOTES ON PROPERTY NOT OWNED BY THE STATE.**

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

1 Section 1. Section 26-25a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Energy and Environmental Protection may
4 adopt regulations in accordance with the provisions of chapter 54
5 prohibiting or restricting the feeding of wildlife on state-owned
6 property and prohibiting or restricting the feeding of bears or coyotes
7 on property that is not owned by the state. Such regulations shall
8 include, but not be limited to, procedures for designating areas subject
9 to such prohibitions or restrictions and authorization to issue warnings
10 and provide educational materials for first-time violations that the law
11 enforcement officer determines to be de minimis in nature and that
12 occur on property that is not owned by the state. Any such designation
13 shall be effective after public notice and a public comment period.

14 (b) Any conservation officer appointed pursuant to section 26-5 and

15 any other officer authorized to serve criminal process may enforce any
16 regulations adopted pursuant to subsection (a) of this section. Any
17 violation of such regulations shall be an infraction, except a first-time
18 de minimis violation that occurs on property that is not owned by the
19 state shall result in the issuance of a written warning and provision of
20 education materials.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	26-25a

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: None

Municipal Impact: None

Explanation

The bill allows the Department of Energy and Environmental Protection (DEEP) to adopt regulations for the prohibition of bears and coyotes on land other than state lands. The regulations would include the provision of warnings and educational materials for first-time violations.

House "A" replaces the underlying bill with the provisions identified above, that are not anticipated to result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5315 (as amended by House "A")******AN ACT CONCERNING THE PREVENTION OF THE HABITUATION OF POTENTIALLY DANGEROUS ANIMALS AND THE STATUS OF SNAPPING TURTLES UNDER STATE LAW.*****SUMMARY:**

This bill expands the Department of Energy and Environmental Protection (DEEP) commissioner's regulatory authority to include prohibiting or restricting the feeding of bears and coyotes on property not owned by the state (e.g., private or municipal property). The commissioner already can adopt regulations regarding feeding wildlife on state-owned property, although none have been adopted.

As under existing law, a law enforcement officer may enforce the regulations. Current law makes any violation an infraction. The bill establishes a lesser penalty for a first-time de minimis violation occurring on property not owned by the state, for which officers must give the violator a written warning and educational materials. The regulations must authorize officers to determine what violations are de minimis in nature.

*House Amendment "A" (1) restricts the expansion of DEEP's regulatory authority over feeding wildlife on property not owned by the state by limiting it to bears and coyotes instead of "potentially dangerous animals"; (2) establishes a warning for certain de minimis first-time violations; and (3) eliminates a provision that generally prohibited, until regulations were adopted, commercial trade in snapping turtles.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 17 Nay 11 (03/04/2016)