



General Assembly

**Amendment**

February Session, 2016

LCO No. 4937



Offered by:

REP. MINER, 66<sup>th</sup> Dist.

SEN. CHAPIN, 30<sup>th</sup> Dist.

To: Subst. House Bill No. 5315

File No. 114

Cal. No. 108

**"AN ACT CONCERNING THE PREVENTION OF THE  
HABITUATION OF POTENTIALLY DANGEROUS ANIMALS AND  
THE STATUS OF SNAPPING TURTLES UNDER STATE LAW."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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 Section 26-25a of the general statutes is repealed and the  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

5 (a) The Commissioner of Energy and Environmental Protection may  
6 adopt regulations in accordance with the provisions of chapter 54  
7 prohibiting or restricting the feeding of wildlife on state-owned  
8 property and prohibiting or restricting the feeding of American black  
9 bears or coyotes on property that is not owned by the state. Such  
10 regulations shall include, but not be limited to, procedures for  
11 designating areas subject to such prohibitions or restrictions. Any such  
12 designation shall be effective after public notice and a public comment  
13 period.

14 (b) Notwithstanding the provisions of any regulation adopted  
15 pursuant to subsection (a) of this section, it shall not constitute a  
16 violation of this section to feed an American black bear provided such  
17 bear is (1) smarter than the average bear, (2) fed from a picnic basket,  
18 (3) merely nibbling or noshing, (4) not knowingly featured in or  
19 associated with any film production of The Walt Disney Company, or  
20 (5) fed from a honey pot provided such pot is of sufficient size, as  
21 determined by the commissioner, such that the tongue, snout and head  
22 of such bear has sufficient space to extend, lick, sniff and explore, as  
23 applicable, without becoming stuck in such pot.

24 [(b)] (c) Any conservation officer appointed pursuant to section 26-5  
25 and any other officer authorized to serve criminal process may enforce  
26 any regulations adopted pursuant to subsection (a) of this section. Any  
27 violation of such regulations shall be an infraction.

28 Sec. 2. Section 26-78 of the general statutes is repealed and the  
29 following is substituted in lieu thereof (*Effective October 1, 2016*):

30 No person shall buy, sell or exchange, or have in possession with  
31 intent to sell or exchange, any wild or game bird, wild quadruped,  
32 reptile or amphibian, alive or dead, or parts thereof, including  
33 plumage of any such bird, except as provided in this chapter, provided  
34 any game bird, wild quadruped, reptile or amphibian, alive or dead, or  
35 parts thereof, not including plumage of any such bird, legally taken  
36 and legally transported into this state from any other state or country  
37 which does not prohibit the sale or exportation of such bird, wild  
38 quadruped, reptile or amphibian, may be bought or sold in this state at  
39 any time of the year under such regulations as may be made by the  
40 commissioner. The commissioner may make regulations governing the  
41 importation, transportation, purchase, sale or exchange of wild or  
42 game bird plumage. Any wild or game bird, wild quadruped, reptile  
43 or amphibian, alive or dead, or parts thereof, including plumage of  
44 such birds, possessed contrary to any of the provisions of this section  
45 or any regulation made by the commissioner, shall be seized by any  
46 representative of the department; and the commissioner or his

47 authorized agent shall make disposition of the same by sale or  
 48 destruction or by gift to any educational institution, museum,  
 49 zoological park or any other suitable place where in the opinion of the  
 50 commissioner an educational purpose will be served. The provisions of  
 51 this section shall not prohibit the possession, sale or exchange of heads,  
 52 hides or pelts of legally acquired deer and fur-bearing animals or the  
 53 possession and mounting of legally acquired game birds, wild  
 54 quadrupeds, reptiles and amphibians. Each wild or game bird, wild  
 55 quadruped, reptile or amphibian, or part thereof, or each lot or  
 56 package of wild or game bird plumage, possessed contrary to any  
 57 provision of this section or any regulation issued by the commissioner,  
 58 shall constitute a separate offense. Said commissioner may make  
 59 regulations authorizing the importation, exportation, possession, sale  
 60 and exchange of legally acquired, protected and unprotected species of  
 61 live wild birds, live wild quadrupeds, reptiles and amphibians under  
 62 such conditions as said commissioner shall determine. Said  
 63 commissioner may order any such bird, quadruped, reptile or  
 64 amphibian impounded for such period, at such place and in such  
 65 manner as is determined by the commissioner, to allow examination to  
 66 determine if such bird, quadruped, reptile or amphibian is diseased or  
 67 infected with parasites, and the commissioner is authorized to order  
 68 the destruction of such bird, quadruped, reptile or amphibian when in  
 69 his opinion such action would be advisable in the public interest. Any  
 70 person who violates any provision of this section or any regulation or  
 71 order issued by the commissioner under this section shall be guilty of a  
 72 class C misdemeanor. [The provisions of this section shall not apply to  
 73 snapping turtles.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	26-25a
Sec. 2	<i>October 1, 2016</i>	26-78