



# Senate

General Assembly

**File No. 241**

January Session, 2017

Substitute Senate Bill No. 522

*Senate, March 27, 2017*

The Committee on Environment reported through SEN. KENNEDY of the 12th Dist. and SEN. MINER of the 30th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

## ***AN ACT AUTHORIZING BEAR HUNTING IN CONNECTICUT.***

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

1 Section 1. Section 26-86a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 (a) (1) The commissioner shall establish by regulation adopted in  
4 accordance with the provisions of chapter 54 standards for deer and  
5 black bear management, and methods, regulated areas, bag limits,  
6 seasons and permit eligibility for hunting deer and black bear with  
7 bow and arrow, muzzleloader and shotgun, except that no such  
8 hunting shall be permitted on Sunday by any means other than with  
9 bow and arrow on private property pursuant to section 26-73, as  
10 amended by this act. No person shall hunt, pursue, wound or kill deer  
11 or black bear with a firearm without first obtaining a deer or black bear  
12 permit from the commissioner in addition to the license required by  
13 section 26-27. Application for such permit shall be made on forms  
14 furnished by the commissioner and containing such information as he

15 may require. Such permit shall be of a design prescribed by the  
16 commissioner, shall contain such information and conditions as the  
17 commissioner may require, and may be revoked for violation of any  
18 provision of this chapter or regulations adopted pursuant thereto. As  
19 used in this section, "muzzleloader" means a rifle or shotgun of at least  
20 forty-five caliber, incapable of firing a self-contained cartridge, which  
21 uses powder, a projectile, including, but not limited to, a standard  
22 round ball, mini-balls, maxi-balls and Sabot bullets, and wadding  
23 loaded separately at the muzzle end, and "rifle" means a long gun the  
24 projectile of which is six millimeters or larger in diameter. The fee for a  
25 firearms permit shall be nineteen dollars for residents of the state and  
26 sixty-eight dollars for nonresidents, except that any nonresident who is  
27 an active full-time member of the armed forces, as defined in section  
28 27-103, may purchase a firearms permit for the same fee as is charged a  
29 resident of the state. The commissioner shall issue, without fee, a  
30 private land deer and black bear permit to the owner of ten or more  
31 acres of private land and the husband or wife, parent, grandparent,  
32 sibling and any lineal descendant of such owner, provided no such  
33 owner, husband or wife, parent, grandparent, sibling or lineal  
34 descendant shall be issued more than one such permit per season.  
35 Such permit shall allow the use of a rifle, shotgun, muzzleloader or  
36 bow and arrow on such land from November first to December thirty-  
37 first, inclusive. Deer and black bear may be so hunted at such times  
38 and in such areas of such state-owned land as are designated by the  
39 Commissioner of Energy and Environmental Protection and on  
40 privately owned land with the signed consent of the landowner, on  
41 forms furnished by the department, and such signed consent shall be  
42 carried by any person when so hunting on private land. The owner of  
43 ten acres or more of private land may allow the use of a rifle to hunt  
44 deer and black bear on such land during the shotgun season. The  
45 commissioner shall determine, by regulation, the number of consent  
46 forms issued for any regulated area established by said commissioner.  
47 The commissioner shall provide for a fair and equitable random  
48 method for the selection of successful applicants who may obtain  
49 shotgun and muzzleloader permits for hunting deer and black bear on

50 state lands. Any person whose name appears on more than one  
51 application for a shotgun permit or more than one application for a  
52 muzzleloader permit shall be disqualified from the selection process  
53 for such permit. No person shall hunt, pursue, wound or kill deer or  
54 black bear with a bow and arrow without first obtaining a bow and  
55 arrow permit pursuant to section 26-86c, as amended by this act. "Bow  
56 and arrow", as used in this section and in section 26-86c, as amended  
57 by this act, means a bow with a draw weight of not less than forty  
58 pounds. The arrowhead shall have two or more blades and may not be  
59 less than seven-eighths of an inch at the widest point. No person shall  
60 carry firearms of any kind while hunting with a bow and arrow under  
61 this section and section 26-86c, as amended by this act.

62 (2) The regulations adopted pursuant to subsection (a) of this  
63 section for the hunting of black bear shall: (A) Permit the taking of  
64 black bear during the first year of such hunting at a rate that does not  
65 exceed five per cent of the total black bear population in the state as of  
66 the effective date of this section, (B) provide for such taking of black  
67 bear in rural areas of the state in order to offset the relocation of black  
68 bear from densely populated areas of the state where documented  
69 interaction between humans and black bears presents identified public  
70 safety risks due to the frequency of black bear and human interaction,  
71 and (C) require the submission of a report to the joint standing  
72 committee of the General Assembly having cognizance of matters  
73 relating to the environment one year after the beginning of such black  
74 bear hunting that includes information on the number of black bear  
75 taken pursuant to such hunting, the number of licenses issued by the  
76 department to hunt such black bear and any recommendations of the  
77 commissioner for any modifications to such black bear hunting in the  
78 state.

79 (b) Any person who takes a deer or black bear without a permit  
80 shall be fined not less than two hundred dollars or more than five  
81 hundred dollars or imprisoned not less than thirty days or more than  
82 six months or shall be both fined and imprisoned, for the first offense,  
83 and for each subsequent offense shall be fined not less than two

84 hundred dollars or more than one thousand dollars or imprisoned not  
85 more than one year or shall be both fined and imprisoned.

86 Sec. 2. Section 26-86b of the general statutes is repealed and the  
87 following is substituted in lieu thereof (*Effective October 1, 2017*):

88 The commissioner shall issue tags to be attached to the carcass of  
89 any deer or black bear killed under the provisions of sections 26-82 and  
90 26-86a to 26-86c, inclusive, as amended by this act, which tag shall be  
91 immediately attached to such deer or black bear and remain affixed  
92 until such carcass is dressed and butchered and packaged for  
93 consumption. Each person so taking deer or black bear shall, within  
94 twenty-four hours, report such kill to the commissioner on a form  
95 furnished by him.

96 Sec. 3. Section 26-86c of the general statutes is repealed and the  
97 following is substituted in lieu thereof (*Effective October 1, 2017*):

98 No person may hunt deer, black bear or small game with a bow and  
99 arrow under the provisions of this chapter without a valid permit  
100 issued by the Commissioner of Energy and Environmental Protection  
101 pursuant to this section or section 26-86a, as amended by this act, for  
102 persons hunting deer or black bear with bow and arrow under private  
103 land deer and black bear permits issued free to qualifying landowners,  
104 or their husbands or wives, parents, grandparents, lineal descendants  
105 or siblings under that section. The fee for such bow and arrow permit  
106 to hunt deer, black bear and small game shall be forty-one dollars for  
107 residents and one hundred thirty-five dollars for nonresidents, or  
108 nineteen dollars for any person twelve years of age or older but under  
109 sixteen years of age, except that any nonresident who is an active full-  
110 time member of the armed forces, as defined in section 27-103, may  
111 purchase a bow and arrow permit to hunt deer, black bear and small  
112 game for the same fee as is charged a resident of the state. Permits to  
113 hunt with a bow and arrow under the provisions of this chapter shall  
114 be issued only to qualified applicants therefor by the Commissioner of  
115 Energy and Environmental Protection, in such form as said  
116 commissioner prescribes. Applications shall be made on forms

117 furnished by the commissioner containing such information as he may  
118 require and all such application forms shall have printed thereon: "I  
119 declare under the penalties of false statement that the statements  
120 herein made by me are true and correct." Any person who makes any  
121 material false statement on such application form shall be guilty of  
122 false statement and shall be subject to the penalties provided for false  
123 statement and said offense shall be deemed to have been committed in  
124 the town in which the applicant resides. No such application shall  
125 contain any material false statement. On and after January 1, 2002,  
126 permits to hunt with a bow and arrow under the provisions of this  
127 chapter shall be issued only to qualified applicants who have  
128 successfully completed the conservation education bow hunting  
129 course as specified in section 26-31 or an equivalent course in another  
130 state.

131 Sec. 4. Subsection (a) of section 26-28 of the general statutes is  
132 repealed and the following is substituted in lieu thereof (*Effective*  
133 *October 1, 2017*):

134 (a) Except as provided in subsections (b) to (f), inclusive, of this  
135 section, the fees for firearms hunting, archery hunting, trapping and  
136 sport fishing licenses or for the combination thereof shall be as follows:  
137 (1) Resident firearms hunting license, nineteen dollars; (2) resident  
138 fishing license, twenty-eight dollars; (3) resident marine waters fishing  
139 license, ten dollars; (4) one-day resident marine waters fishing license,  
140 five dollars; (5) resident all-waters fishing license, thirty-two dollars;  
141 (6) resident combination license to fish in inland waters and firearms  
142 hunt, thirty-eight dollars; (7) resident combination license to fish in  
143 marine waters and firearms hunt, twenty-five dollars; (8) resident  
144 combination license to fish in all waters and firearms hunt, forty  
145 dollars; (9) resident combination license to fish in all waters and bow  
146 and arrow permit to hunt deer, black bear and small game issued  
147 pursuant to section 26-86c, as amended by this act, sixty-five dollars;  
148 (10) resident firearms super sport license to fish in all waters and  
149 firearms hunt, firearms private land shotgun or rifle deer and black  
150 bear permit issued pursuant to section 26-86a, as amended by this act,

151 and permit to hunt wild turkey during the spring season on private  
152 land issued pursuant to section 26-48a, seventy dollars; (11) resident  
153 archery super sport license to fish in all waters, bow and arrow permit  
154 to hunt deer, black bear and small game issued pursuant to section 26-  
155 86c, as amended by this act, and permit to hunt wild turkey during the  
156 spring season on private land issued pursuant to section 26-48a,  
157 eighty-two dollars; (12) resident firearms super sport license to fish in  
158 all waters and firearms hunt, firearms private land shotgun or rifle  
159 deer and black bear permit, muzzleloader private land deer and black  
160 bear permit, pursuant to section 26-86 and private land permit to hunt  
161 wild turkey during spring season pursuant to section 26-48a, eighty-  
162 four dollars; (13) resident firearms super sport license to fish in all  
163 waters and firearms hunt, migratory bird conservation stamp, and  
164 migratory bird harvest permit (HIP), fifty dollars; (14) resident  
165 trapping license, thirty-four dollars; (15) resident junior trapping  
166 license for persons under sixteen years of age, eleven dollars; (16)  
167 junior firearms hunting license, eleven dollars; (17) nonresident  
168 firearms hunting license, ninety-one dollars; (18) nonresident inland  
169 waters fishing license, fifty-five dollars; (19) nonresident inland waters  
170 fishing license for a period of three consecutive days, twenty-two  
171 dollars; (20) nonresident marine waters fishing license, fifteen dollars;  
172 (21) nonresident marine waters fishing license for a period of three  
173 consecutive days, eight dollars; (22) nonresident all-waters fishing  
174 license, sixty-three dollars; (23) nonresident combination license to  
175 firearms hunt and inland waters fish, one hundred ten dollars; (24)  
176 nonresident combination license to fish in all waters and firearms hunt,  
177 one hundred twenty dollars; (25) nonresident combination license to  
178 fish in marine waters and firearms hunt, ninety-four dollars; and (26)  
179 nonresident trapping license, two hundred fifty dollars. Persons sixty-  
180 five years of age and over who have been residents of this state for not  
181 less than one year and who meet the requirements of subsection (b) of  
182 section 26-31 may be issued an annual license to firearms hunt or to  
183 fish or combination license to fish and firearms hunt or a license to trap  
184 without fee. The issuing agency shall indicate on a combination license  
185 the specific purpose for which such license is issued. The town clerk

186 shall retain a recording fee of one dollar for each license issued by such  
187 clerk.

188 Sec. 5. Section 26-73 of the general statutes is repealed and the  
189 following is substituted in lieu thereof (*Effective October 1, 2017*):

190 Sunday shall be a closed season except for hunting deer or black  
191 bear with bow and arrow on private property and for the purpose of  
192 trapping under the provisions of this chapter. The possession in the  
193 open air on Sunday of any implement for hunting, except for bow and  
194 arrow, shall be prima facie evidence of hunting in violation of the  
195 provisions of this section. No provision of this section shall be  
196 construed so as to affect any provision of section 26-31, 26-48, 26-52 or  
197 27-35. Artificially propagated birds designated by the commissioner  
198 may be shot on Sundays on licensed private shooting preserves subject  
199 to such regulations of the commissioner as may apply to such private  
200 shooting preserves, provided permission so to shoot has been obtained  
201 from the town or towns within which such licensed private shooting  
202 preserves are located. Any person who hunts deer or black bear on  
203 Sunday with bow and arrow on private property pursuant to this  
204 section shall: (1) Conduct such hunting only in deer or black bear  
205 management zones determined by the Department of Energy and  
206 Environmental Protection to be overpopulated and only in accordance  
207 with and pursuant to the wildlife management principles and practices  
208 established by the Commissioner of Energy and Environmental  
209 Protection, (2) have the written permission of the private property  
210 owner where such hunting is conducted, and (3) carry such written  
211 permission upon his or her person during the hunting. No person shall  
212 hunt with bow and arrow on Sunday on private property pursuant to  
213 this section within forty yards of a blazed hiking trail.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	26-86a
Sec. 2	<i>October 1, 2017</i>	26-86b
Sec. 3	<i>October 1, 2017</i>	26-86c

Sec. 4	<i>October 1, 2017</i>	26-28(a)
Sec. 5	<i>October 1, 2017</i>	26-73

**ENV**      *Joint Favorable Subst.*



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:**

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Resources of the General Fund	GF - Potential Revenue Gain	Up to 1,250	Up to 1,250
Department of Energy and Environmental Protection	GF - Revenue Gain	Less than \$20,000	Less than \$20,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires the Department of Energy and Environmental Protection (DEEP) to establish a black bear hunting season, and applies the same fees, penalties, requirements, and restrictions to black bear hunting as exist for deer hunting.

As it is anticipated that most people who would hunt black bear already purchase sportsmen licenses, the revenue gain associated with the sale of additional bear hunting licenses is expected less than \$20,000.

In FY 16, there were 39,830 deer permits sold generating \$1,231,590 in revenue.

Additionally, the bill subjects violators to a fine of \$250 which may result in a revenue gain to the resources of the General Fund. It is anticipated that up to 5 violations would occur, generating up to \$1,250 in revenue.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of licenses sold and the number of violations.

**OLR Bill Analysis****sSB 522*****AN ACT AUTHORIZING BEAR HUNTING IN CONNECTICUT.*****SUMMARY**

This bill requires the Department of Energy and Environmental Protection (DEEP) commissioner to establish by regulation a black bear hunting season in Connecticut. It applies to black bear hunting the same requirements, restrictions, fees, and penalties that apply to deer hunting under existing law.

Under the bill, DEEP's bear hunting regulations must provide for management standards, methods, regulated areas, bag limits, seasons, and permit eligibility for taking black bear by bow and arrow, muzzleloader, and shotgun. They must also:

1. limit the hunting of black bear in the first year to a rate that does not exceed 5% of the state's total black bear population as of October 1, 2017;
2. provide for the taking of black bear in rural areas to offset the relocation of bears from densely populated areas where bear and human interactions present public safety risks; and
3. require DEEP, one year after black bear hunting begins in the state, to report to the Environment Committee on the number of black bear taken by hunting, the number of black bear hunting licenses issued, and any recommendations to modify black bear hunting in the state.

EFFECTIVE DATE: October 1, 2017

**BLACK BEAR HUNTING*****License and Permit Required***

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Under the bill, no one may hunt black bear in Connecticut without first obtaining a hunting license and any required permits (e.g., firearms permit, bow and arrow permit, or private land permit) from DEEP. Anyone who takes a black bear without a required permit is subject to a fine between \$200 and \$500 dollars, imprisonment between 30 days and six months, or both for the first offense. For a subsequent offense, a person is subject to a fine between \$200 and \$1,000, imprisonment up to one year, or both.

### ***Combination Licenses include Black Bear***

Under the bill, black bear may be hunted under a variety of licenses, including a firearms license. The bill expands the various combination licenses available from DEEP to include black bear hunting. For example, black bear may be hunted under a combination (hunting and fishing) license, firearms super sport license, or archery super sport license. The fees for the licenses remain unchanged from those in existing law.

### ***Sunday Hunting***

The bill allows black bear hunting on Sunday only with a bow and arrow on private land in overpopulated bear management zones, as DEEP determines.

Sunday black bear hunting (1) must be in accordance with DEEP's wildlife management principles and (2) cannot take place within 40 yards of a blazed (clearly marked) hiking trail. The hunter must have the private landowner's written permission to hunt there and carry it while hunting.

Violators commit a class D misdemeanor and are subject to a fine of up to \$250, imprisonment for up to 30 days, or both (CGS § 26-81).

### ***Tags and Report of Kill***

The bill requires the DEEP commissioner to issue tags that a hunter must immediately attach to a black bear he or she kills. The tag must stay on the bear until the carcass is dressed, butchered, and packaged for consumption. The bill also requires a hunter to report the taking of

a black bear to DEEP within 24 hours after the taking.

**BACKGROUND**

***Related Bill***

sHB 5858, reported favorably by the Environment Committee, allows the DEEP commissioner to establish and issue lifetime hunting and fishing licenses, permits, and stamps, or combinations thereof.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 18 Nay 12 (03/10/2017)