

**Proposed Substitute
Bill No. 426**

LCO No. 3041

AN ACT CONCERNING ABANDONED FISHING GEAR IN LONG ISLAND SOUND.

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

1 Section 1. Section 26-23 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) Any weapon, article or implement, capable of being used for the
4 purpose of taking, catching or holding any fish, crustacean, wild or
5 game bird, wild or game quadruped, reptile or amphibian, which is
6 abandoned, discarded or thrown away in an attempt to destroy or
7 conceal evidence or to prevent apprehension, may be seized and taken
8 into possession by any conservation officer. If the owner or person
9 having custody of any such article at the time it is abandoned,
10 discarded or thrown away fails to claim such article within one year
11 after it comes into the possession of such officer, such article shall be
12 forfeited to the state and may be retained for use by the commissioner,
13 may be sold at public auction or may be destroyed at the discretion of
14 said commissioner. The proceeds from such sales shall be paid to the
15 State Treasurer to be credited to the General Fund.

16 (b) Any derelict lobster gear may be seized by an authorized
17 representative of the commissioner. The commissioner, or the
18 commissioner's authorized representative, shall attempt to notify the
19 last known licensee of such derelict lobster gear not later than thirty
20 days following such seizure. In the event: (1) There is no identifying

21 marker on such seized derelict lobster gear, (2) the owner of such
22 seized derelict lobster gear cannot be identified, or (3) the last known
23 licensee of such seized derelict lobster gear fails to claim the seized
24 derelict lobster gear, the commissioner may dispose of such seized
25 derelict lobster gear or authorize the disposal of such seized derelict
26 lobster gear. For the purpose of this subsection, "derelict lobster gear"
27 means any lobster pot, trap, warp or live car found in Connecticut
28 waters that does not have the current Connecticut commercial license
29 number branded on the pot, trap, warp or live car in accordance with
30 section 26-157a and that is not attached to the annual trap tag required
31 by regulations adopted pursuant to section 26-157c for the current trap
32 tag year cycle or the trap tag from the previous year's trap tag year
33 cycle.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	26-23