



# House of Representatives

**File No. 632**

General Assembly

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January Session, 2021 **(Reprint of File No. 201)**

Substitute House Bill No. 6384  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 6, 2021

**AN ACT CONCERNING AQUATIC INVASIVE SPECIES EFFECTS ON LAKES AND RELATED FUNDING, CERTAIN GROUP FISHING EVENTS AND ELIMINATING THE SEASON LIMITATION FOR THE TAKING OF TROUT.**

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

1 Section 1. Section 22a-339h of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 On or before November 1, [2006] 2021, the Commissioner of Energy  
4 and Environmental Protection shall enter into an agreement with the  
5 town of Middlefield and the Lake Beseck Association regarding a  
6 schedule for annual water level draw downs of Lake Beseck. Water level  
7 draw downs shall be three feet during even-numbered years with  
8 completion achieved by December first of such year and maintained  
9 until March first of the following year. Water level draw downs shall be  
10 six feet during odd-numbered years achieved by November first of such  
11 year and maintained until [December] January thirty-first of [such] the

12 following year; a three-foot water level draw down shall be maintained  
13 thereafter until March first of the following year. Such water level draw  
14 downs are designed to balance the various concerns of the lake  
15 community, including: Recreational needs, preservation of lakefront  
16 infrastructure, fisheries habitat and other natural resource concerns.

17 Sec. 2. (*Effective from passage*) Not later than October 1, 2021, the  
18 Commissioner of Energy and Environmental Protection shall submit a  
19 report, in accordance with section 11-4a of the general statutes, to the  
20 joint standing committee of the General Assembly having cognizance of  
21 matters relating to the environment on the amount of revenue collected  
22 from the Aquatic Invasive Species fees authorized pursuant to section  
23 14-21bb of the general statutes and the number, value and purpose of  
24 any grants to municipalities and not-for-profit organizations awarded  
25 from the Connecticut Lakes, Rivers and Ponds Preservation account in  
26 accordance with section 14-21aa of the general statutes. The  
27 Commissioner of Motor Vehicles shall provide the Commissioner of  
28 Energy and Environmental Protection with any information necessary  
29 to perform the requirements of this section. Such report may include any  
30 recommendations from the Commissioner of Energy and  
31 Environmental Protection on additional means for funding projects to  
32 control or eradicate aquatic invasive species by municipalities and lake  
33 authorities.

34 Sec. 3. Subsection (h) of section 26-30 of the general statutes is  
35 repealed and the following is substituted in lieu thereof (*Effective from*  
36 *passage*):

37 (h) The Commissioner of Energy and Environmental Protection may  
38 issue a group fishing license to any tax-exempt organization qualified  
39 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any  
40 subsequent corresponding internal revenue code of the United States,  
41 as amended from time to time, for the purpose of conducting a group  
42 fishing event or events for persons: (1) With a service-related or other  
43 disability who receive services at a facility of the United States  
44 Department of Veterans Affairs Connecticut Healthcare System, (2) who

45 receive mental health or addiction services from: (A) The Department of  
46 Mental Health and Addiction Services, (B) state-operated facilities, as  
47 defined in section 17a-458, or (C) programs or facilities funded by the  
48 Department of Mental Health and Addiction Services, as provided for  
49 in sections 17a-468b, 17a-469, 17a-673 and 17a-676, (3) with intellectual  
50 disability who receive services from the Department of Developmental  
51 Services, as provided for in section 17a-217, or from facilities licensed by  
52 the Department of Developmental Services, as provided for in section  
53 17a-227, (4) diagnosed with autism spectrum disorder who receive  
54 services from the Department of Social Services, or (5) receiving care  
55 from the Department of Children and Families, as provided for in  
56 section 17a-94, or from programs or child-care facilities licensed  
57 pursuant to section 17a-145 or 17a-147. Any such organization shall  
58 conduct not more than fifty such events, including marine and inland  
59 water events, in any calendar year and each such event shall be limited  
60 to not more than [fifty] one hundred persons. Application for such a  
61 group fishing license shall be submitted once per calendar year on a  
62 form prescribed by the commissioner and with the necessary fee and  
63 shall provide such information as required by the commissioner. All  
64 fishing activities conducted pursuant to such group license shall be  
65 supervised by staff or volunteers of the organization conducting the  
66 event or events. Such staff or volunteers shall possess such group fishing  
67 license at the site of any such event or events. Each such staff member  
68 or volunteer shall have a license to fish. Such organization shall, not later  
69 than ten days after such group fishing event, report to the commissioner,  
70 on forms provided by the commissioner, information on the results of  
71 such event. Such information shall include, but not be limited to, the  
72 total: (A) Number of participants, (B) hours fished, (C) number of each  
73 species caught, and (D) number of each species not released. Such  
74 organization shall not charge a fee to any person that participates in any  
75 such group fishing event conducted pursuant to such group fishing  
76 license and any such group fishing event shall not be used by such  
77 organization as a fund raising event.

78 Sec. 4. (NEW) (*Effective from passage*) Notwithstanding any provision

79 of title 26 of the general statutes, there shall be no closed season for sport  
80 fishing of trout, provided nothing in this section shall be construed to  
81 limit the Department of Energy and Environmental Protection's  
82 authority to regulate the method and manner of take for such trout.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	22a-339h
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	26-30(h)
Sec. 4	<i>from passage</i>	New section

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:**

Municipalities	Effect	FY 22 \$	FY 23 \$
Middlefield	Potential Savings	Minimal	Minimal

**Explanation**

The bill extends, from December to January, the down period of Lake Beseck in odd-numbered years. This results in potential savings to the Town of Middlefield. It is anticipated that extending the down period of the lake may increase, at no additional cost, the effectiveness of this method of treating invasive aquatic species. This may consequently reduce the need for other treatment methods. Any savings is expected to be minimal.

The bill also requires that the Department of Environmental Protection (DEEP) and the Department of Motor Vehicles (DMV) submit various AIS reports to the Environment Committee. This has no fiscal impact as these agencies currently have the staff and expertise for this purpose.

Additionally, the bill increases the number of participants, from 50 to 100 people, allowed under a group fishing license issued by DEEP. Currently, DEEP issues a group fishing license to non-profit organizations to hold up to 50 group fishing events per year for certain qualified individuals. This is not anticipated to result in a fiscal impact, since the same number of group licenses are anticipated to be issued.

Lastly, the bill prohibits the state from having a closed trout fishing season. Currently, inland trout fishing is closed from March 1 to the second Saturday in April. This provision is not anticipated to result in a fiscal impact as this trout season has already been reopened.

House "A" alters the underlying bill by adding the fishing provisions which have no fiscal impact.

***The Out Years***

The potential municipal savings identified above would continue into the future.

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**OLR Bill Analysis****sHB 6384 (as amended by House "A")\******AN ACT CONCERNING AQUATIC INVASIVE SPECIES' EFFECTS ON LAKES AND RELATED FUNDING.*****SUMMARY**

This bill generally does the following:

1. provides for a longer six-foot draw down period of Lake Beseck in odd-numbered years;
2. requires the Department of Energy and Environmental Protection (DEEP) to report to the Environment Committee on (a) the Aquatic Invasive Species (AIS) fee revenue and (b) grants from the Connecticut Lakes, Rivers and Ponds Preservation account;
3. increases the number of participants allowed under a group fishing license from 50 to 100 people; and
4. prohibits the state from having a closed trout fishing season.

\*House Amendment "A" adds the group fishing license and trout fishing provisions.

EFFECTIVE DATE: Upon passage, except the Lake Beseck draw down provisions are effective October 1, 2021.

**LAKE BESECK DRAW DOWN**

The bill provides for a longer six-foot draw down period of Lake Beseck in odd-numbered years. By law, in odd-numbered years, the six-foot draw down must be achieved by November 1. The bill requires the draw down to be maintained until January 31, instead of December 31

as under current law.

The bill requires DEEP to enter into an agreement with Middlefield and the Lake Beseck Association about the lake's annual water level draw down by November 1, 2021.

### **REPORTING FROM DEEP**

The bill requires DEEP to report to the Environment Committee by October 1, 2021, on the (1) amount of revenue collected from the AIS fee and (2) number, value, and purpose of any grants to municipalities and nonprofit organizations from the Connecticut Lakes, Rivers and Ponds Preservation account (see BACKGROUND). DEEP may also report on recommendations for additional ways to fund municipalities' and lake authorities' AIS control or eradication projects.

The bill requires the Department of Motor Vehicles (DMV) commissioner to give the DEEP commissioner any information necessary for DEEP to complete its AIS report.

### **GROUP FISHING LICENSE**

The bill increases the number of participants allowed under a group fishing license, which DEEP issues, from 50 to 100 people. By law, DEEP may issue a group fishing license to a 501(c)(3) tax-exempt organization to conduct up to 50 group fishing events per year for qualified individuals (e.g., disabled veterans and certain people receiving services from the departments of Children and Families, Developmental Services, Mental Health and Addiction Services, and Social Services).

### **TROUT FISHING**

The bill prohibits the state from having a closed trout fishing season. (Under current DEEP regulations, trout fishing in most lakes, ponds, rivers, and streams is closed from March 1 to 6:00 a.m. on the second Saturday in April (Conn. Agencies Regs. § 26-112-45(m)).) However, the bill does not limit DEEP's existing statutory authority to regulate the method and manner of taking trout (CGS §§ 26-111 & 26-112).

### **BACKGROUND**



***Aquatic Invasive Species Fee***

By law, owners of registered vessels (i.e., generally, any type of watercraft except a seaplane) must pay an annual AIS fee. The fee is \$5 for in-state vessels (payable to DMV when registering a vessel) and \$20 for out-of-state vessels (payable to DEEP) (CGS § 14-21bb). DMV and DEEP must deposit all AIS fee proceeds in the Connecticut Lakes, Rivers and Ponds Preservation account. DEEP must use the account for various purposes, including allocating grants to state and municipal agencies and nonprofit organizations to conduct research and provide public education on managing state lakes, rivers, and ponds (CGS § 14-21aa).

***Related Bill***

sSB 838 (File 143), reported favorably by the Environment Committee, contains the same group fishing license and trout fishing provisions as this bill.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 33 Nay 0 (03/12/2021)