



Legislative History for Connecticut Art

HB 6626	PA 266	1999
SENATE:	3612-3613, 3662-3664	5p.
HOUSE:	4594-4599	6p.
Environment:	202, 210, 216, 303, 304, 482-483, 1388, 1390	9p.
		Total - 20p.

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1999

VOL. 42
PART 11
3511-3808

003612

kmg

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Senate

Tuesday, June 8, 1999

THE CHAIR:

There is a motion on the floor to refer this item
to the Consent Calendar. Without objection, so ordered.
Senator Scarpetti.

SEN. SCARPETTI:

My apologies, Madam Chairman. Thank you very much, I was out of the Chamber for that last vote, and I would like to be put in the affirmative.

THE CHAIR:

The Journal will so note.

SEN. SCARPETTI:

Thank you.

THE CHAIR:

Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. Two items previously marked Go. Page 5, Calendar 568, and page 9, Calendar 600, should be passed temporarily.

THE CHAIR:

Thank you, sir.

THE CLERK:

Calendar page 7, Calendar No. 586, File No. 35 and 812. Substitute for HB6626, AN ACT CONCERNING
COMMERCIAL AND MARINE FISHERIES MANAGEMENT. As amended by House Amendment Schedules A and B. Favorable Report

kmg

175 003613

Senate

Tuesday, June 8, 1999

of Committees on Environment, Finance Revenue and Bonding, and Appropriations.

THE CHAIR:

Senator Daily.

SEN. DAILY:

Thank you very much, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Question is on passage. Will you remark?

SEN. DAILY:

Thank you, Madam President. The title explains the attempts the bill makes. It's the on-going regulation of our fishing industries. It expands the pool of people that may inherit a license. And also states that one may not reissue or inherit a suspended license.

THE CHAIR:

Question is on passage. Will you remark further?
Will you remark further? Senator Daily.

SEN. DAILY:

Thank you, Madam President. Without objection, I would move this to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

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224 003662

Senate

Tuesday, June 8, 1999

At this time then, would the Clerk please announce a roll call vote on the Consent Calendar. And the Consent Calendar, would you call it, please?

THE CLERK:

Immediate roll call has been ordered in the Senate on the Consent Calendar. An immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the third Consent Calendar begins on Calendar page 5. Calendar No. 548, Substitute for HB6620.

Calendar No. 553, Substitute for HB -- correction. The first bill is Calendar page 5. Calendar No. 548, Substitute for HB6620.

Calendar No. 553, Substitute for HB6926.

Calendar page 6. Calendar No. 572. Substitute for HB6264.

Calendar page 7. Calendar No. 586. Substitute for HB6626.

Calendar page 8. Calendar No. 592. Substitute for HB6840.

Calendar page 9. Calendar No. 599. Substitute for HB7035.

Calendar page 10. Calendar No. 602. Substitute for HB6625.

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Senate

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Calendar No. 604. Substitute for HB6726.

Calendar page 11. Calendar No. 201. Substitute
for SB178.

Calendar page 12. Calendar No. 332. Substitute
for SB669.

Calendar page 29. Calendar No. 530. Substitute
for HB6752.

Calendar No. 532. Substitute for HB6844.

And, Calendar page 30, Calendar No. 549.
Substitute for HB6750.

Madam President, that completes the third Consent
Calendar.

THE CHAIR:

Thank you, sir. Would you once again announce the
roll call vote on the Consent Calendar. The machine
will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate
on the Consent Calendar. Will all Senators please
return to the Chamber. Immediate roll call has been
ordered in the Senate on the Consent Calendar. Will all
Senators please return to the Chamber.

THE CHAIR:

Have all members voted? If all members have voted,
the machine will be locked. Clerk, please announce the

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Senate

Tuesday, June 8, 1999

tally.

THE CLERK:

Motion is on adoption of Consent Calendar No. 3.

Total Number Voting 36

Those voting Yea 36

Those voting Nay 0

Those absent and not voting 0

THE CHAIR:

The Consent Calendar is adopted. Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. I move at this time for immediate transmittal of all matters acted upon to the House of Representatives.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Madam President, at this time I would ask that the Chamber stand in recess, probably for approximately half an hour. And there will be a Senate Democratic caucus commencing in five minutes.

THE CHAIR:

The Chamber will stand in recess, subject to the Call of the Chair.

(The Senate reconvened at 11:59 p.m.)

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1999

VOL. 42
PART 13
4515-4878

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House of Representatives

Friday, June 4, 1999

Administration and Elections.

SPEAKER LYONS:

Representative Ernie Newton.

REP. NEWTON: (124TH)

Good afternoon, Madam Speaker.

SPEAKER LYONS:

Good afternoon, sir.

REP. NEWTON: (124TH)

I move that this item be referred to Finance.

SPEAKER LYONS:

Hearing no objection, so ordered.

Would the Clerk please call Calendar 110?

CLERK:

On page 17, Calendar 110, Substitute for House Bill
Number 6626, AN ACT CONCERNING COMMERCIAL AND MARINE
FISHERIES MANAGEMENT. Favorable Report of the Committee
on Appropriations.

SPEAKER LYONS:

The Honorable Terry Backer of the 121st district.

REP. BACKER: (121ST)

Thank you, Madam Speaker. I move acceptance of the
Joint Committee's favorable report and passage of the
bill.

SPEAKER LYONS:

The question before the Chamber is on acceptance

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004595

House of Representatives

Friday, June 4, 1999

and passage. Will you remark?

REP. BACKER: (121ST)

Thank you, Madam Speaker. This bill is a department bill that contemplates the new federal regulations on lobster fishery and I urge passage.

The Clerk has LCO 8278. Would he please call and may I be allowed to summarize?

SPEAKER LYONS:

The Clerk is in possession of LCO 8278 which will be designated House "A". Would the Clerk please call? The gentleman has asked leave to summarize.

CLERK:

LCO Number 8278, House "A" offered by Representatives Backer and Collins.

SPEAKER LYONS:

Representative Backer.

REP. BACKER: (121ST)

Thank you, Madam Speaker. When the original agency bill came over, the agency had no idea what resources they would have in the budget. Now that we know a little better, maybe some of us do, we have constructed an amendment that would reflect their needs and also protect the interest of the fishermen and I urge adoption.

SPEAKER LYONS:

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House of Representatives

Friday, June 4, 1999

The question is on adoption. Will you remark? Will you remark?

Representative Collins.

REP. COLLINS: (117TH)

Thank you, Madam Speaker. I rise in support of the amendment. I thank Representative Backer for the efforts he has put into this during this last almost entire session, but for legislative intent, I would ask him one question.

On line two of the amendment you have that they had landed any amount of fish and under that description, does that also include lobsters?

SPEAKER LYONS:

Representative Backer.

REP. BACKER: (121ST)

Through you, Madam Speaker. It includes all of the animals or fish that maybe legally landed under those licenses. The answer is yes.

SPEAKER LYONS:

Representative Collins.

REP. COLLINS: (117TH)

I thank Representative Backer for that and I stand in strong support of this bill and once again, I thank Representative Backer for doing this.

SPEAKER LYONS:

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004597

House of Representatives

Friday, June 4, 1999

Thank you, sir.

Will you remark further on the amendment that is before us? Will you remark further on the amendment that is before us?

If not, let me try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER LYONS:

Those opposed, nay. The ayes have it. The amendment is adopted.

Will you remark further on the bill, as amended?

Representative Backer.

REP. BACKER: (121ST)

Thank you, Madam Speaker. The Clerk has LCO 9647. Would he please call and I be allowed to summarize?

SPEAKER LYONS:

The Clerk is in possession of LCO 9647 to be designated House "B". Will the Clerk please call and the Representative has asked leave to summarize.

CLERK:

LCO Number 9647, House "B" offered by Representative Backer.

SPEAKER LYONS:

Representative Backer.

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House of Representatives

Friday, June 4, 1999

REP. BACKER: (121ST)

Thank you, Madam Speaker. This amendment is an amendment that lifts a 1949 restriction on the taking of fish by gill net for personal use in certain geographical areas and I urge adoption.

SPEAKER LYONS:

The question before the Chamber is on adoption. Will you remark on the amendment that is before us? Will you remark on the amendment that is before us? If not, let me try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER LYONS:

Those opposed, nay. The ayes have it. The amendment is adopted.

Will you remark further on the bill, as amended? Will you remark further on the bill, as amended? If not, staff and guests to the Well of the House. The machine will be opened.

CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting by roll call. Members to the Chamber, please.

SPEAKER LYONS:

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House of Representatives

Friday, June 4, 1999

Have all the members voted? Would the members please check the board to make sure that your vote is accurately recorded? If all the members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

CLERK:

House Bill Number 6626, as amended by House Amendment Schedules "A" and "B",

Total Number Voting	135
Necessary for Passage	68
Those voting Yea	135
Those voting Nay	0
Those absent and not Voting	16

SPEAKER LYONS:

The bill, as amended passes.

Would the Clerk please call Calendar 565.

CLERK:

On page 13, Calendar 565, Substitute for Senate Bill Number 942, AN ACT CONCERNING ACCESS TO DENTAL CARE FOR CHILDREN, THE ELDERLY, AND OTHER UNDER-SERVED POPULATIONS. Favorable Report of the Committee on Appropriations.

SPEAKER LYONS:

Representative Vicki Nardello.

REP. NARDELLO: (89TH)

JOINT
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COMMITTEE
HEARINGS

ENVIRONMENT
PART 1
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ENVIRONMENT

February 5, 1999
9:00 a.m.

000202

PRESIDING CHAIRMEN: Senator Daily
Representative Stratton

COMMITTEE MEMBERS PRESENT:

SENATORS: Handley, McKinney

REPRESENTATIVES: Backer, Boughton, Caruso,
Collins, Davis, Heagney,
Jarmoc, Maddox, McGrattan,
Mikutel, Mordasky, Murphy,
Mushinsky, Nystrom,
Piscopo, Prelli, Roraback,
Roy, Wallace, Widlitz

REPRESENTATIVE STRATTON: Good morning, folks.

If we could ask people to take their seats, so we could begin this public hearing? Appreciate it.

Thank you, Representative Roy. You have a heavier hand than I.

Just as a quick reminder, the first hour will be devoted to testimony from Commissioners and municipal representatives and other state officials and legislators. And then we will move into the public at a little after 10:00.

So, first people to testify, I guess there's nothing happening across the street because we have Commissioner Rocque, Commissioner Stahl and Commissioner Leff here. So are you coming up together or separately?

: This is a tag team.

REPRESENTATIVE STRATTON: Okay.

COMMISSIONER ROCQUE: Good morning, Chairman Stratton, members of the Committee. I'm Arthur Rocque. I'm the Commissioner of the Department of Environmental Protection and I am joined as was previously advertised with Assistant Commissioner Stahl and Assistant Commissioner Leff.

With the Chair's permission, we have prepared detailed comments on this package of bills here

problem of increasing concern in the region and the states have agreed to collectively pursue labeling as a means of preventing mercury to get into the atmosphere in particular.

This labeling proposal is consistent with that mercury action plan which was adopted by the Governors and the eastern Canadian premiers last year and was the subject of a conference, regional conference in Cromwell just a couple of weeks ago.

6626, An Act Concerning Commercial and Marine Fisheries Management. Again, this is a -- Section 1 extends the current moratorium on commercial fishing licenses for another two years, but allows the transfer of a license to a member of the license holders immediate family.

The current moratorium expires at the end of this calendar year. But we are concerned, quite frankly, that among other things the depleted stocks and federal closures are pushing commercial fisheries to areas that are previously unexploited. Long Island Sound will likely get increased pressure from fishermen from offshore, if you will, due to these federal closures. So we're concerned that we provide sufficient protection for the fish stocks in Long Island Sound, so that they don't suffer adverse effects before we can react.

Section 2 authorize the agency to implement a non-controversial coast-wide lobster management plan. Those of you, if you follow these issues and other New England states know that they have been very calmly dealt with and non-controversial, we're looking forward to that here in Connecticut.

This is a benefit that has been foisted upon us under federal law and the plan will require that we limit the number of traps in Long Island Sound. This is a conservation effort that most biologists feel is long overdue.

Federal government and the national fisheries management councils have agreed and this is our opportunity, we feel that we need this in order to -- in order to proceed.

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REP. STRATTON: Other questions? Representative Collins.

REP. COLLINS: Thank you. Good morning, Commissioner.

COMMR. ROCQUE: Good morning.

REP. COLLINS: I have two just questions about language.

On 6626, in line 26, well 24 to 26, it says about "The transfers upon death or relinquishment shall be allowed only in cases of transfers from license holders or registrants who actually fished in 1998 and in the 12 months immediately preceding."

Could we not delete the words of "in 1998" just leaving in the 12 months prior? I'm just thinking that this works great for today, but in five years we'll probably be back with a technical reviser thing doing the very same thing.

'Cause I think you accomplish what you want anyhow. 'Cause in five years you'll be saying you had to fish in '98 and in the 12 months and it just --

COMMR. ROCQUE: I'll be honest with you, Representative Collins, quick reading, I would be inclined to agree and why don't we take a look at that and I'll get back to you with a more specific response if we have specific problems with that change.

REP. COLLINS: And the other one is on 5313 --

COMMR. ROCQUE: I'm sorry?

REP. COLLINS: On 5313, the boat horsepower restrictions.

COMMR. ROCQUE: Yeah, uh-huh.

REP. COLLINS: The language I have it says that boat's engine, "to allow a boat operator to remove the propeller from a boat's engine and incline the engine out of the water so that the absence of the prop is clearly visible."

That's fine, but I'm thinking of instead of having the term "out of the water" to maybe something like

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solutions to natural resource issues.

The reorganization envisions a stronger, professional role with greater local responsibilities. To that end, we intend to seek reinstatement of the district funding adjusted to meet our current needs.

The attached memo, which was distributed, I believe earlier this morning, provides the basic elements of the reorganization and I thank you for your patience and attention and would be happy to answer any questions if you have any.

SEN. DAILY: Thank you very much.

Are there questions?

Thank you, Mr. Breakell. Ed Mitchell --
Representative Prelli, you have a question?

REP. PRELLI: I just wanted to point out to the Chair that that's the shortest I've ever heard John speak.

(Laughter)

JOHN BREAKELL: Thank you, Representative Prelli.

SEN. DAILY: (inaudible - microphone not on.)

Ed Mitchell, followed by Nan Zyla.

ED MITCHELL: Senator Daily, honorable members of the Committee, my name is Ed Mitchell and I'm the Chair of the DEP Fisheries Advisory Council.

We advise the DEP Fisheries Division on a wide range of issues. We are diverse in nature. We represent charter boat captains, commercial fishermen, leaders of angling organizations and fishery scientists.

I'm here to support a number of bills. I'm going to make most of my comments to support the motor boat fuels bill, which I presented some written testimony to you.

HB 6625 HB 6623 HB 6626

SB 213

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But, first, I just want to mention that we do wholeheartedly agree that mercury has to come out of here. It's a major, major problem. PCB's and things like that actually can be partially fileted out of a fish and certain preparations can reduce them, but mercury is a big deal. HB 6625

And to some degree fish are parakeet in a cage. When they're in trouble, to some degree, we're in trouble.

And as someone who worked in the electrical industry for awhile, I installed millions of fluorescent tubes. There's a mile of room to put something on there. I'm surprised by some of the comments I heard today.

But we do support several bills here today. 6623, the increase in fees in the motor boat fuels. And 6626, the moratorium and the lobster tag system.

Most importantly, we support 213, the motor boat fuels. Now to that end, I have shown you some financial need in the division. And I have accounted for just about two-and-a-half million dollars worth of it.

I just want to add to my comments here, there are several things that I was not able to squeeze on this sheet.

Generally, license sales are on their way down. So license sales in this state in terms of fishing license are a decreasing source of revenue. There could be many reasons behind it, partly is that the population is graying. And once you reach a certain age, you no longer pay for a license. That could be one of the reasons.

So had not shown here that license figures are actually going down in terms of the revenue that they generate.

So that is happening. Where is our federal monies in fisheries? I haven't put it on here, because it's something of a mystery to me. At one point we thought it was going down, then it seemed like it was coming back up.

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STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Public Hearing --February 5, 1999
Environment Committee

Testimony Submitted by Commissioner Arthur J. Rocque, Jr.
Department of Environmental Protection

Raised Bill # 6626

An Act Concerning Commercial and Marine Fisheries Management

The Department supports this bill which extends the current moratorium on the issuance of most commercial fishing licenses for an additional 2 years, allows for a limited transfer of a commercial license, and establishes a lobster trap tag system to manage fishing effort.

Section 1

Public Act 95-90 was passed in 1995 to address concerns that new restrictions on commercial fishing in federal offshore waters would result in an influx of large commercial fishing vessels into Long Island Sound, and to cap the fishing effort in the Sound in order to protect our depleted fish and lobster resources. This bill established a 2 year moratorium on most new commercial licenses. The moratorium was extended in 1997 for an additional 2 years and will expire on December 31, 1999.

The Department, based upon a review of commercial and recreational landings, fishing effort, and biological monitoring data for the past 15 years, found that the majority of finfish in Long Island Sound were over exploited, and lobster was fully exploited. The Department has implemented management programs and numerous regulations to rebuild and restore these important renewable marine resources. We are now seeing significant improvements in the summer flounder, striped bass, and weakfish stocks which are directly attributable to our management programs. But, other stocks such as winter flounder and scup have been slower to respond and rebuild as such the Department believes it is unwise to allow unlimited entry into Long Island Sound Fisheries. The commercial fishing industry on the Atlantic coast also continues to suffer from over capitalization and excess fish effort in relation to the capacity of harvestable resources to support the industry. Consequently, dramatic restrictions on fishing effort and harvest continue to be imposed in federal waters such as the recent closures in the Gulf of Maine. Therefore, we are concerned that there would be an influx of offshore fishing vessels into Long Island if the moratorium is not continued. In summary, extension of the current moratorium will preserve Connecticut's historical fishery and continue to control fishing effort and harvest until the stocks are completely rebuilt.

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The Department recognizes that a moratorium impacts the ability of Connecticut residents to enter commercial fishing, and may make it difficult for existing fishers to leave commercial fishing as they must find a buyer for their capital investment and business. The Department recognizes that the moratorium, which has been in place for 4 years, may have caused a hardship to some fishers that may wish to have a son or daughter continue the family business. We believe that license holders should be able, on a "one-time-only" basis, transfer their commercial license to an immediate family member during the moratorium. This one-time license transfer will not increase fishing effort nor will it retard efforts to rebuild fish stocks. The Department will continue to evaluate the need for the moratorium as stocks rebuild.

Section 2

This proposal will give the Department the authority to require placement of an "effort management tag" on each lobster trap in Connecticut waters used for commercial or recreational purposes. The bill would also authorize the Department to charge up to \$1.00 per tag to cover the cost of the tags, lobster research and management, program administration, and law enforcement. The Department is required to implement the trap tag system by January 1, 2000. Non-compliance can result in a closure of that state's lobster fishery by the U.S. Secretary of Commerce. The states of Maine and Massachusetts already have a lobster trap tag system in place.

There has been a dramatic increase in fishing effort and harvest throughout the lobster's range. Fishing effort for lobster in Long Island Sound has increased by 400% since the early 1980s with harvest from Connecticut waters increasing from 1.7 million lbs to 3.4 million lbs in 1998. The number of lobster traps in Connecticut waters has increased from approximately 185,000 in 1995 to 296,000 in 1998. Fishery managers and lobster fishers in all states are concerned about escalation in the fishery as the stock is overfished throughout most of the lobster's range.

The Atlantic States Marine Fisheries Commission (ASMFC) Commission has developed a new coastwide lobster management plan to reduce fishing effort and fishing mortality to prevent overfishing. A mandatory component of the plan is a cap on the number of lobster traps in Long Island Sound and trap reductions in all other areas. The mechanism approved by ASMFC for capping or reducing the number of traps is a tag which must be affixed to each trap. All lobster fishers will be allocated a number of tags based on the historical number of traps they have fished. It will be illegal to fish an un-tagged lobster trap.

The American lobster fishery in Long Island accounts for approximately 70% of total commercial landings by weight harvested from the Sound (excluding shellfish) and over 90% of the economic value. This valuable resource provides jobs to over 500 commercial license holders, their crew members, as well as the 40 seafood dealers and their employees. The lobster fishery is estimated to have an annual net economic value to the Connecticut economy of over \$60 million. In addition, over 1,200 recreational fishers also can fish to 10 lobster traps each for personal use.

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really not in the position to provide this kind of highly technical police training. And so if these officers are to have such authority, they should go to the academies.

At any rate, the bill right now as written, as you know, is fairly vague, but we are more than willing to work with the proponents to come up with a bill that will promote public safety on the State's waters.

The next bill is Proposed Bill 5601, AN ACT CONCERNING LOBSTERS. Certainly, the Department supports the intent of this bill, which is to protect our lobster stocks from depletion and also supply what is a very healthful seafood product in a reliable form to Connecticut's consumers.

Currently, we have very broad authority for the management of lobsters, so we don't feel at this point any additional authority is needed. As you know, you have before you Raised Bill 6626 which would include a fishing effort system that would require a per pot tag and that bill is in response to a coast-wide lobster fishery requirement. Maine and Massachusetts already have tag systems.

The next bill is 6104, AN ACT CONCERNING DEDICATION OF CERTAIN SALES TAX REVENUES TO THE CONSERVATION FUND.

The Department supports enhanced funding for wildlife diversity. And based on the funding sources proposed by this bill, that's what we would imagine the intent here is.

The Department began a non-harvested wildlife program in earnest in 1986 and we recognize that we're responsible for all wildlife species throughout the state.

Currently, the primary source of funding for our entire wildlife program are licensed revenues, permits and stamps paid by sportsmen. The funding of course, as you all know, is very limited and therefore we are only able to supply a very limited wildlife diversity program, although it has been