

1 H.488

2 Introduced by Representative Deen of Westminster

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; fish; didymo; felt-soled boots and
6 waders; prohibition

7 Statement of purpose: This bill proposes to prohibit the manufacture and sale
8 of felt-soled boots and waders in Vermont for the purpose of preventing the
9 spread of didymo and other aquatic nuisance species.

10

11 *An act relating to the use of felt-soled boots in the waters of Vermont*

12 ~~An act relating to prohibiting the manufacture and sale of felt-soled boots and~~
13 ~~waders~~

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 ~~Sec. 1. 10 V.S.A. § 4616 is added to read:~~

16 ~~§ 4616. FELT-SOLED BOOTS AND WADERS; MANUFACTURE AND~~
17 ~~SALES PROHIBITED~~

18 ~~It is unlawful to manufacture, offer for sale, or sell into the stream of~~
19 ~~commerce any felt-soled boots or felt-soled waders in the state of Vermont.~~

20 ~~This prohibition shall not apply to the casual sale, as defined in 32 V.S.A.~~

21 ~~§ 9701, of felt-soled boots or felt-soled waders.~~

1 ~~Sec. 2. EFFECTIVE DATE~~

2 ~~This act shall take effect on January 1, 2012.~~

~~Sec. 1. 10 V.S.A. § 4616 is added to read:~~

~~§ 4616. FELT-SOLED BOOTS AND WADERS; USE PROHIBITED~~

~~It is unlawful to use external felt-soled boots or external felt-soled waders in the waters of Vermont.~~

~~Sec. 2. 10 V.S.A. § 4572 is amended to read:~~

~~§ 4572. DEFINITIONS~~

~~(a) As used in this subchapter, a minor fish and game violation means:~~

~~(1) A violation of 10 V.S.A. § 4145 (violation of access and landing area rules);~~

~~(2) A violation of 10 V.S.A. § 4251 (taking wild animals and fish without a license);~~

~~(3) A violation of 10 V.S.A. § 4266 (failure to carry a license on person or failure to exhibit license);~~

~~(4) A violation of 10 V.S.A. § 4267 (false statements in license application; altering license; transferring license to another person; using another person's license; or guiding an unlicensed person); ~~or~~~~

~~(5) A violation of 10 V.S.A. § 4713 (tree or ground stands or blinds); or~~

~~(6) A violation of 10 V.S.A. § 4616 (use of external felt-soled boots or external felt-soled waders).~~

~~(b) "Bureau" means the judicial bureau as created in 4 V.S.A. § 1102.~~

~~Sec. 2a. ANR REPORT ON PUBLIC OUTREACH REGARDING FELT-SOLED PROHIBITION~~

~~On or before January 15, 2011, the agency of natural resources shall report to the house fish and wildlife and water resources committee and the senate natural resources and energy committee with a proposed program for education and outreach to the public regarding the prohibition on the use of external felt-soled boots and waders under 10 V.S.A. § 4616. The report shall:~~

~~(1) address whether signage regarding the prohibition on the use of external felt-soled boots and waders should be posted at access points to state surface waters;~~

~~(2) address whether a notification regarding the prohibition on the use of external felt-soled boots and waders should be included on hunting and fishing license applications or in department of fish and wildlife printed materials.~~

~~Sec. 3. EFFECTIVE DATE~~

~~This act shall take effect on January 1, 2012.~~

~~Sec. 3. EFFECTIVE DATES~~

~~(a) Sec. 1 and 2 (prohibition on external felt-soled boots and waders) shall take effect on January 1, 2012.~~

~~(b) This Sec. and Sec. 2a (education and outreach report) shall take effect upon passage.~~

Sec. 1. 10 V.S.A. § 4616 is added to read:

§ 4616. FELT-SOLED BOOTS AND WADERS; USE PROHIBITED

It is unlawful to use external felt-soled boots or external felt-soled waders in the waters of Vermont, except that a state or federal employee or emergency personnel, including fire, law enforcement, and EMT personnel, may use external felt-soled boots or external felt-soled waders in the discharge of official duties.

Sec. 2. 10 V.S.A. § 4572 is amended to read:

§ 4572. DEFINITIONS

(a) As used in this subchapter, a minor fish and game violation means:

(1) A violation of 10 V.S.A. § 4145 (violation of access and landing area rules);

(2) A violation of 10 V.S.A. § 4251 (taking wild animals and fish without a license);

(3) A violation of 10 V.S.A. § 4266 (failure to carry a license on person or failure to exhibit license);

(4) A violation of 10 V.S.A. § 4267 (false statements in license application; altering license; transferring license to another person; using another person's license; or guiding an unlicensed person); ~~or~~

(5) A violation of 10 V.S.A. § 4713 (tree or ground stands or blinds); or

(6) A violation of 10 V.S.A. § 4616 (use of external felt-soled boots or external felt-soled waders).

(b) "Bureau" means the judicial bureau as created in 4 V.S.A. § 1102.

Sec. 3. ANR PUBLIC OUTREACH REGARDING FELT-SOLED PROHIBITION

To provide education and outreach to the public regarding the prohibition, beginning April 1, 2011, on the use of external felt-soled boots and felt-soled waders under 10 V.S.A. § 4616, the agency of natural resources shall:

(1) post signage regarding the prohibition, beginning April 1, 2011, on the use of external felt-soled boots and felt-soled waders at access points to state surface waters;

(2) include a notification regarding the prohibition on the use of external felt-soled boots and felt-soled waders and instructions for checking, cleaning, and drying equipment to prevent the spread of didymo and other aquatic nuisance diseases on hunting and fishing license applications or in department of fish and wildlife printed materials made available where hunting and fishing licenses are sold.

Sec. 4. EFFECTIVE DATES

(a) This section and Sec. 3 (education and outreach regarding felt-soled prohibition) of this act shall take effect upon passage.

(b) Secs. 1 (prohibition on use of felt-soled boots and waders) and 2 (minor fish and game violations) shall take effect April 1, 2011.