

H.240

An act relating to no-net-loss of state hunting lands

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

Sec. 1. SHORT TITLE

This act shall be known as the "Hunting Heritage Protection Act of 2009."

Sec. 2. 10 V.S.A. § 4144 is amended to read:

~~§4144. ACQUISITION OF PROPERTY BY STATE, CLOSED SEASON~~

~~(a) The secretary with approval of the governor may acquire for the use of the state by gift, purchase or lease in the name of the state, lands, ponds or streams, and hunting and fishing rights and privileges in any lands or waters in the state, with necessary rights of ingress or egress to and from such lands and waters.~~

~~(b) The board may regulate the taking of wild animals on such lands or of fish in such waters and close or open such waters or lands or any part thereof to the taking of fish or wild animals.~~

~~(c) Such regulations shall be posted in the areas affected.~~

Sec. 3. 10 V.S.A. § 4147 is amended to read:

§4147. FISH AND WILDLIFE LANDS

(a) The secretary with the approval of the governor may acquire for the use of the state by gift, purchase, or lease in the name of the state lands, ponds, or

streams, and hunting and fishing rights and privileges in any lands or waters in the state, with necessary rights of ingress or egress to and from such lands and waters.

(b) Notwithstanding the provisions of section 166 of Title 29, the secretary with the approval of the governor, may exchange, sell or lease lands under the secretary's jurisdiction when, in his or her judgment, it is advantageous to the state to do so in the highest orderly development of such lands and management of game thereon. Provided, however, such lease, sale, or exchange shall not include oil and gas leases and shall not be contrary to the terms of any contract which has been entered into by the state.

(c) The board may regulate the taking of wild animals on such lands or of fish in such waters and close or open such waters or lands or any part thereof to the taking of fish or wild animals. Such regulations shall be posted in the affected areas.

(d) In acquiring, exchanging, divesting, or leasing land or in regulating the taking of wild animals or fish, a primary goal of the agency, the department, and the board shall be, to the greatest extent possible, to maintain, enhance, and optimize hunting and fishing opportunities.