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H.146

Introduced by Representatives Martin of Wolcott, Townsend of Randolph, and
Woodward of Johnson

Referred to Committee on

Date:

Subject: Fish and wildlife; hunting; notices; posting

Statement of purpose of bill as introduced: This bill proposes to create
uniform signage to be furnished by and registered with the State of Vermont
for the purpose of posting land to prohibit fishing, hunting, or trapping.

An act relating to the creation of an official sign for posting land to prohibit
the taking of game, wild animals, and fish

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

Sec. 1. 10 V.S.A. § 5201 is amended to read:

§ 5201. NOTICES; POSTING

(a) An owner, or a person having the exclusive right to take fish or wild
animals upon land or the waters thereon, who desires to protect his or her land
or waters over which he or she has exclusive control, may maintain notices
stating, if he or she wishes to prohibit the taking of game and wild animals,
that shooting and trapping are prohibited, or, if he or she wishes to prohibit the
taking of fish, that fishing is prohibited, or, if he or she wishes to prohibit the

1 taking of fish and wild animals, that fishing, hunting, and trapping are
2 prohibited.

3 (b) Notices prohibiting the taking of wild animals shall be erected upon or
4 near the boundaries of lands to be affected with notices at each corner and not
5 over 400 feet apart along the boundaries thereof. Notices prohibiting the
6 taking of fish shall show the date that the waters were last stocked and shall be
7 maintained upon or near the shores of the waters not over 400 feet apart.
8 Legible signs must be maintained at all times and shall be dated each year.
9 ~~These signs shall be of a standard size and design as the commissioner shall~~
10 ~~specify.~~

11 (c) ~~The owner or person posting the lands shall record this posting annually~~
12 ~~in the town clerk's office of the town in which the land is located. The~~
13 ~~recording form shall be furnished by the commissioner and shall be filled out~~
14 ~~in triplicate, one copy to be retained by the town clerk, one copy to the~~
15 ~~commissioner and one copy to be retained by the person having the right to~~
16 ~~post the lands. The forms shall contain the information as to the approximate~~
17 ~~number of acres posted, location in town, date of posting and signature of~~
18 ~~person so posting the lands. The town clerk shall file the record and it shall be~~
19 ~~open to public inspection. The town clerk shall retain a fee of \$5.00 for this~~
20 ~~recording. Signs prohibiting fishing, hunting, or trapping shall be furnished by~~
21 the Department of Fish and Wildlife. The signs shall:

1 (1) not be less than 11 and one half inches wide and eight inches high in
2 size;

3 (2) have a background and lettering of contrasting colors and shall
4 contain the wording that hunting, fishing, or trapping or any combination of
5 the three are prohibited or forbidden;

6 (3) display the Vermont state seal in an appropriate size and location to
7 be easily visible and recognizable; and

8 (4) be valid even if additional information appears on the sign, as long
9 as a reasonable person would understand that hunting, fishing, or trapping are
10 prohibited on the posted land.

11 ~~Land posted as provided in subsection (b) of this section shall be~~
12 ~~enclosed land for the purposes herein~~ The owner or person posting the land
13 shall purchase and register all signs with the Commissioner. The
14 Commissioner shall make available to town clerk's offices and through the
15 Department's website a registration form to be filled out and returned to the
16 Department. Upon submission of a completed registration form, the person
17 posting the land shall submit an initial registration fee of \$50.00 in addition to
18 a purchase payment of \$2.00 per sign being registered.

19 (e) The owner or person posting lands shall record this posting annually in
20 the town clerk's office of the town in which the land is located. The recording
21 form shall be furnished by the Commissioner and shall be filled out in

1 triplicate, one copy to be retained by the town clerk, one copy to be returned to
2 the Commissioner, and one copy to be retained by the person having the right
3 to post the lands. The form shall contain the information as to the approximate
4 number of acres posted, location in town, date of posting, and signature of
5 person so posting the lands. The town clerk shall file the record and it shall be
6 open to public inspection and copying. The town clerk shall retain a fee of
7 \$5.00 for this recording.

8 (f) Land posted according to the requirements of this section shall be
9 enclosed land for the purposes herein.

10 Sec. 2. 10 V.S.A. § 5204 is amended to read:

11 § 5204. POACHING; PRIVATE PRESERVES

12 (a) A person who, without the written consent of the owner or person
13 having the exclusive right to take fish or wild animals, takes fish, game, or
14 other animals or carries or possesses a firearm, bow and arrow, or wild animal
15 trap in private preserve as posted under section 5201 of this title or mutilates or
16 defaces the notice called for in ~~subsection 5201(b)~~ section 5201 of this title
17 shall be fined not less than ~~\$25.00~~ \$250.00 nor more than ~~\$100.00~~ \$500.00.

18 * * *

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on July 1, 2013.