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H.528

Introduced by Representative Deen of Westminster

Referred to Committee on

Date:

Subject: Fish and wildlife; access areas; funding

Statement of purpose of bill as introduced: This bill proposes to create a fund
for fish and wildlife access areas.

An act relating to the creation of a fund for fish and wildlife access areas

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

Sec. 1. 10 V.S.A. § 4047 is amended to read:

§ 4047. DEPARTMENT OF FISH AND WILDLIFE FUNDS

(a) The receipts of the Department of Fish and Wildlife shall not become a
part of the General Fund of the State but shall be used solely for the
Department of Fish and Wildlife. Interest on the cash balance of Department
receipts shall likewise accrue to the Department.

* * *

(f) A Species and Habitat Conservation Fund is created within the Fish and
Wildlife Fund. The Commissioner may solicit federal funds, grants, and
private contributions and may accept mitigation payments directed toward fish
and wildlife species and habitat conservation. Such monies shall be deposited

1 in the Species and Habitat Conservation Fund, and the Commissioner may
2 make expenditures from the Fund for purposes of species and habitat
3 conservation. Interest accrued on the Fund shall be credited to the Fund.

4 (g) An Access Area Fund is created within the Fish and Wildlife Fund.
5 The Fund shall comprise federal funds, revenues from the fee established in
6 23 V.S.A. chapter 29, State appropriations, and private donations. The
7 Commissioner may make expenditures from the Fund for purposes of building
8 and maintaining access areas. Interest accrued on the Fund shall be credited to
9 the Fund.

10 Sec. 2. 10 V.S.A. § 4145 is amended to read:

11 § 4145. ACCESS, LANDING AREA RULES

12 (a) The Board may adopt rules, under 3 V.S.A. chapter 25, to regulate the
13 use by the public of access areas, landing areas, parking areas, or of other lands
14 or waters acquired or maintained pursuant to section 4144 of this title. Such
15 rules shall be posted in the areas affected and shall permit the launching of all
16 vessels which have a Vermont registration certificate required by 23 V.S.A.
17 chapter 29 and the parking of vehicles and boat trailers used by these vessels.
18 The rules shall not preclude the authorization to launch vessels not registered
19 in Vermont. These rules also shall permit the launching of all nonmotorized
20 vessels not used for commercial purposes and the parking of vehicles and boat
21 trailers used by these vessels.

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(c) The Commissioner shall keep account of funds, including private donations and State appropriations, which are deposited into the ~~Fish and Wildlife~~ Access Area Fund established in section 4047 of this title for the purpose of building and maintaining access areas ~~and shall annually~~. Annually, on or before January 15, the Commissioner shall report to the House Committee on Fish, Wildlife and Water Resources, the Senate Committee on Natural Resources and Energy, and to the Senate and House Committees on Appropriations; concerning the use of those funds in the past year and plans for use of the funds for the coming year. The provisions of 2 V.S.A. § 20(d)(expiration of required reports) shall not apply to the report to be made under this subsection.

* * *

Sec. 3. 23 V.S.A. § 3319 is amended to read:

§ 3319. FEES COLLECTED; SPECIAL FUND

(a) There is hereby established a special fund to be known as the Motorboat Registration Fund for the purposes of ensuring that the fees and penalties collected under this subchapter are utilized in the protection and maintenance of the State's water resources. Any interest earned on the monies in this Fund will be deposited in the General Fund.

1 (b) The fees and penalties collected under the provisions of this subchapter,
2 excluding surcharges collected under subsection 3305(b) and subdivisions
3 3305(c)(3)(A) and (B) of this title, shall be deposited in the Motorboat
4 Registration Fund and shall be allocated as follows:

5 (1) 15 percent to the Department of Public Safety, to be used for
6 enforcement of this subchapter and implementation of a boating safety
7 education program-;

8 (2) 50 percent to the Department of Fish and Wildlife to be deposited in
9 the Access Area Fund established in 10 V.S.A. § 4047, to be used: to match
10 federal funds; for upgrading and expanding boating access areas and facilities
11 located at those areas; for developing and constructing new boating access
12 areas; and for facilitating or establishing and maintaining pump out stations,
13 which may be, in the discretion of the Commissioner, constructed or operated
14 either by the Department or on a contractual basis by a private person or entity.
15 Users shall be charged reasonable and appropriate fees-;

16 * * *

17 Sec. 4. EFFECTIVE DATE

18 This act shall take effect on passage.