1	H.211				
2	Introduced by Representatives Bates of Bennington, McCullough of Willisto				
3	and Sullivan of Dorset				
4	Referred to Committee on				
5	Date:				
6	Subject: Fish and wildlife; game; hunting; big game; air guns				
7	Statement of purpose of bill as introduced: This bill proposes to prohibit the				
8	use of air guns to take big game.				
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9	An act relating to prohibiting the use of air guns to take big game				
10	It is hereby enacted by the General Assembly of the State of Vermont:				
11	Sec. 1. 10 V.S.A. § 4001 is amended to read:				
12	§ 4001. DEFINITIONS				
13	Words and phrases used in this part, unless otherwise provided, shall be				
14	construed to mean as follows:				
15	* * *				
16	(9) Game: game birds or game quadrupeds, or both.				
17	* * *				
18	(12) Game quadruped: caribou, elk, moose, deer, gray squirrel, rabbit,				
19	and black bear.				
20	* * *				

1	(23) Take and taking: pursuing, shooting, hunting, killing, capturing,
2	trapping, snaring, and netting fish, birds, and quadrupeds and all lesser acts,
3	such as disturbing, harrying, or worrying, or wounding or placing, setting,
4	drawing, or using any net or other device commonly used to take fish or wild
5	animals, whether they result in the taking or not; and shall include every
6	attempt to take and every act of assistance to every other person in taking or
7	attempting to take fish or wild animals, provided that when taking is allowed
8	by law, reference is had to taking by lawful means and in a lawful manner.
9	* * *
10	(31) Big game: deer, bear, moose, wild turkey, caribou, elk, and
11	anadromous Atlantic salmon taken in the Connecticut River Basin.
12	* * *
13	(34) Small game: game birds, except for turkeys; game quadrupeds,
14	except for big game; furbearers; and other wild animals.
15	* * *
16	(41) Air gun: a weapon that is not a firearm that is manufactured to
17	expel a projectile of any kind by force of air pressure, gas pressure, or spring
18	action.

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1	Sec. 2.	10 V.S.A.	§ 4747 is a	mended to read:
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2 § 4747. BIG GAME TAKEN BY ILLEGAL MEANS

- A person shall not take or possess big game by the aid of a snare, trap, salt lick, jack, or other light or use these devices to entrap or ensnare big game. A person shall not use a dog of any breed or sex at any time for the purpose of hunting any big game except black bear and wild turkey as provided in fish and wildlife rules, nor shall he or she harbor or have in his or her possession a dog for this purpose. A person other than the owner or a person designated by the owner shall not take a confined fallow deer or a confined red deer. A person shall not take big game with an air gun.
- 11 Sec. 3. 10 V.S.A. § 4502 is amended to read:
- 12 § 4502. UNIFORM POINT SYSTEM; REVOCATION OF LICENSE
- 13 (a) A uniform point system that assigns points to those convicted of a
 14 violation of a provision of this part is established. The conviction report from
 15 the Court shall be prima facie evidence of the points assessed. In addition to
 16 other penalties assessed for violation of fish and wildlife statutes, the
 17 Commissioner shall suspend licenses issued under this part which that are held
 18 by a person who has accumulated 10 or more points in accordance with the
 19 provisions of subsection (c) of this section.

1	(b) A person violating provisions of this part shall receive points for		
2	convictions in accordance with the following schedule (all sections are in this		
3	title of the Vermont Statutes Annotated):		
4	(1) Except for biological collection violations determined to be nonpoint		
5	violations under the rules of the Board, five points shall be assessed for any		
6	violation of statutes or rules adopted under this part except those listed in		
7	subdivisions (2) and (3) of this subsection.		
8	(2) Ten points shall be assessed for:		
9	* * *		
10	(UU) § 4747. Solely for taking big game with an air gun.		
11	(3) Twenty points shall be assessed for:		
12	* * *		
13	(J) § 4747. Taking big game by illegal means, except for taking big		
14	game with an air gun		
15	* * *		
16	(4) In addition to other points assessed under this subsection, a person		
17	shall be assessed one point for each fish, bird, animal, or pelt possessed, taken,		
18	transported, bought, or sold in excess of the limits established in statutes or		
19	rules adopted under this part.		
20	Sec. 4. EFFECTIVE DATE		
21	This act shall take effect on passage.		