1	H.308
2	Introduced by Representative Sheldon of Middlebury
3	Referred to Committee on
4	Date:
5	Subject: Fish and Wildlife; fishing; hunting; enforcement
6	Statement of purpose of bill as introduced: This bill proposes to expand the
7	Fish and Wildlife Department's authority to enter into reciprocal assistance
8	agreements with law enforcement officers employed by the U.S. Fish and
9	Wildlife Service. This bill would amend the maximum number of annual
10	moose permits set aside for auction and set aside for Vermont veterans. This
11	bill would also amend the Moose Management Rule. Additionally, this bill
12	would repeal the Department's Special Opportunity Youth Moose License
13	Rule.
14	An act relating to fishing and hunting licensing
15	It is hereby enacted by the General Assembly of the State of Vermont:
16	Sec. 1. 10 V.S.A. § 4199 is amended to read:
17	§ 4199. RECIPROCAL ASSISTANCE AGREEMENTS
18	(a) In this section "officer" means a State game warden, a conservation law
19	enforcement officer, or a person in another state charged with enforcing the

1	fish and wildlife laws of that state, or a law enforcement officer employed by
2	the U.S. Fish and Wildlife Service Office of Law Enforcement.

- (b) The Commissioner may enter into a reciprocal assistance agreement with his or her counterpart in any other state or the U.S. Fish and Wildlife

 Service. An agreement made under this section shall be for the sole purpose of cooperating and assisting each other in detecting and apprehending people violating the fish and wildlife or environmental laws of the State, subject to the limitations of section 4193 of this title.
- (c) Pursuant to an agreement under this section, the Commissioner may send fish and wildlife State game wardens into another state for the purpose of assisting the officers of that state or the U.S. Fish and Wildlife Service and may accept officers of another state into Vermont for the purpose of assisting Vermont State game wardens.
 - (d) Under an agreement pursuant to this section:
- (1) When a Vermont State game warden or an officer of one state enters another state for the purposes of assistance, he or she shall be under the operational control of the chief officer of the host state and shall have the same duties, rights, privileges, and immunities as officers of the host state. An officer of another state or the U.S. Fish and Wildlife Service operating in Vermont under this section shall have the same powers as a Vermont State game warden provided the officer is certified by the Executive Director of the

1	Vermont Criminal Justice Training Council as meeting the standards
2	established in 20 V.S.A. § 2358 for Vermont law enforcement officers. This
3	subsection does not nullify subsection 4193(b) of this title.
4	* * *
5	Sec. 2. 10 V.S.A. § 4251(c) is added to read:
6	(c) The Commissioner of Fish and Wildlife may designate Labor Day
7	Weekend each year as "free mentored fishing weekend" during which an
8	unlicensed angler may fish accompanied by a licensed angler, at a one-to-one
9	ratio, throughout this three-day period. For the purposes of this subsection,
10	"accompanied" means being able to communicate without the aid of artificial
11	devices except medically prescribed eyeglasses or hearing aids. Both anglers
12	shall follow all applicable fishing regulations.
13	Sec. 3. 10 V.S.A. § 4254 is amended to read:
14	* * *
15	(i)(1) If the Board establishes a moose hunting season, up to five moose
16	permits shall be set aside to be auctioned no more than 10 percent of the total
17	number of annual moose permits authorized by the Board shall be set aside to
18	be auctioned. The total number of annual moose permits set aside to be
19	auctioned shall never exceed six. The moose permits, if any, set aside for
20	auction shall be in addition to the included in the total number of annual moose

permits authorized by the Board. The Board shall adopt rules necessary for the

1	Department to establish, implement, and run the auction process. The	
2	Commissioner annually may establish a minimum dollar amount of not less	
3	than \$1,500.00 for any winning bid for a moose permit auctioned under this	
4	subdivision. Proceeds from the auction shall be deposited in the Fish and	
5	Wildlife Fund and used for conservation education programs run by the	
6	Department. Successful bidders must have a Vermont hunting or combination	
7	license in order to purchase a moose permit.	
8	(2) If the Board establishes a moose hunting season, there shall be	
9	established a program to the Commissioner shall set aside five moose permits	
10	no more than 10 percent of the total number of annual moose permits	
11	authorized by the Board for Vermont residents who have served on active duty	
12	in any branch of the U.S. Armed Forces provided that he or she has not	
13	received a dishonorable discharge. <u>The total number of annual moose permits</u>	
14	set aside for Vermont veterans shall never exceed six. Veterans awarded a	
15	moose permit under this subsection shall possess a valid Vermont hunting	
16	license or combination license in order to purchase a moose permit. The	
17	Department of Fish and Wildlife shall coordinate with the Office of Veterans	
18	Affairs to provide notice to eligible veterans of the moose permits set aside	
19	under this subsection.	
20	(3) The Department of Fish and Wildlife shall adopt a procedure to	

implement the set-aside program for auction and for veterans, including a

method to award applicants preference bonus points and a method by which
auction participants and veterans who applied for but failed to receive a permit
in one hunting season are awarded priority in the subsequent moose hunting
season. The procedure adopted under this subdivision shall be consistent with
the preference system for the permit auction authorized under subdivision (1)
of this subsection. Veterans awarded a moose permit under this subsection
must possess a valid Vermont hunting or combination license in order to
purchase a moose permit. The Department of Fish and Wildlife shall
coordinate with the Office of Veterans Affairs to provide notice to eligible
veterans of the moose permits set aside under this subsection may include a
provision for freezing bonus points in the event that the Board does not
approve a moose hunting season or approves a small number of permits for the
moose hunting season.
Sec. 4. 10 App. V.S.A. § 33 is amended to read:
§ 33. MOOSE MANAGEMENT RULE
* * *
3.6 "Bonus point" means: 1) a point accrued for successfully applying
for a permit, but not being drawn, or 2) a point accrued by indicating on the
application that the person should not be entered into that year's drawing, but
wishes to accrue a point. [Repealed.]

* * *

7.0	Lottery	Points
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7.1 A person may accumulate one additional chance, or "bonus point" to win the lottery for each consecutive year that person legally submits and provides the fee for an application but is not selected to receive a permit.

7.2 Two separate lotteries may be held, one for the archery season and one for the regular season. Applicants may accumulate up to one bonus point per year in each of the two separate lotteries, provided a complete application is submitted.

7.3 Applicants may elect to accrue a bonus point without entering the moose hunt lottery by submitting a completed application and fee and indicating at the appropriate place on the application form that they do not wish to be entered in the lottery for the current calendar year.

7.4 To accrue bonus points, a person must provide a complete application for the given year's lottery for which the person wishes to receive a permit (archery or regular). All bonus points in both lotteries are lost upon receipt of a valid permit or failure to provide a complete application for each designated lottery – a person may continue to accrue bonus points in one lottery, even if he or she fails to provide a valid application for the other. [Repealed.]

20 ***

1 Sec. 5. 10 V.S.A. § 4255 is amended to read:

2 § 4255. LICENSE FEES

3 ***

(j) If the Board determines that a moose season will be held in accordance with the rules adopted under sections 4082 and 4084 of this title, the Commissioner annually may issue three no-cost moose licenses to a person who has a life-threatening disease or illness and who is sponsored by a qualified charitable organization, provided that at least one of the no-cost annual moose licenses awarded each year shall be awarded to a child or young adult 21 years of age or under who has a life-threatening illness. The child or adult shall comply with all other requirements of this chapter and the rules of the Board. Under this subsection, a person may receive only one no-cost moose license in his or her lifetime. The Commissioner shall adopt rules in accordance with 3 V.S.A. chapter 25 to implement this subsection. The rules shall define the child or adult qualified to receive the no-cost license, shall define a qualified sponsoring charitable organization, and shall provide the application process and criteria for issuing the no-cost moose license.

18 ***

1	Sec. 6. REPEAL; SPECIAL OPPORTUNITY YOUTH MOOSE LICENSE
2	RULE
3	The Vermont Department of Fish and Wildlife Commissioner Rule entitled
4	Special Opportunity Youth Moose License Rule, 12-010-072 Vt. Code R. § 1,
5	effective September 13, 2005, and amended May 18, 2010, is hereby repealed.
6	Sec. 7. 10 V.S.A. § 4613 is amended to read:
7	§ 4613. FISHING TOURNAMENTS
8	* * *
9	(b) A fishing tournament means a contest, in which anglers pay a fee to
10	enter and in which the entrants compete for a prize based on the quality or size
11	of the fish they catch. A contest may run multiple days, but the days must be
12	consecutive for that contest to be considered a single event. A tournament that
13	limits the entrants to people persons below 15 years of age or a tournament
14	held as part of a Special Olympics program shall be exempt from paying the
15	fee required under subsection (d) of this section.
16	(c) The Commissioner shall adopt rules that establish the procedure for
17	implementation of this section. The rules shall include a provision that an
18	angler may not enter a fish which was caught and confined to an enclosed area
19	prior to the beginning of the tournament. [Repealed.]
20	* * *

- 1 Sec. 8. EFFECTIVE DATE
- 2 This act shall take effect on July 1, 2019.