

1 H.575

2 Introduced by Representative Harrison of Chittenden

3 Referred to Committee on

4 Date:

5 Subject: Fish and wildlife; bear doing damage; agricultural crops;

6 compensation

7 Statement of purpose of bill as introduced: This bill proposes to authorize a  
8 person engaged in the business of farming to seek compensation from the  
9 Department of Fish and Wildlife for damage by a black bear to crops, fruit  
10 trees, or crop-bearing plants.

11 An act relating to bears doing damage to agricultural crops

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

13 Sec. 1. 10 V.S.A. § 4829 is amended to read:

14 § 4829. PERSON SUFFERING DAMAGE BY DEER OR BLACK BEAR

15 (a) A person engaged in the business of farming who suffers damage by  
16 deer to the person's crops, fruit trees, or crop-bearing plants on land not posted  
17 against the hunting of deer, or a person engaged in the business of farming who  
18 suffers damage by black bear to the person's cattle, sheep, swine, poultry,  
19 crops, fruit trees, crop-bearing plants, or bees or ~~bee~~ hives on land not posted  
20 against hunting or trapping of black bear is entitled to reimbursement for the

1 damage, and may apply to the Department of Fish and Wildlife within  
2 72 hours of the occurrence of the damage for reimbursement for the damage.  
3 As used in this section, “post” means any signage that would lead a reasonable  
4 person to believe that hunting is prohibited on the land.

5 (b) As used in this section, ~~a~~ :

6 (1) A person is “engaged in the business of farming” if he or she earns at  
7 least one-half of the farmer’s annual gross income from the business of  
8 farming, as that term is defined in the Internal Revenue Code, 26 C.F.R.  
9 § 1.175-3.

10 (2) “Hive” has the same meaning as in 6 V.S.A. § 3021.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on passage.