| 1 | TO THE HONORABLE SENATE: |
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| 2 | The Committee on Natural Resources, Fish, and Wildlife to which was |
| 3 | referred House Bill No. 292 entitled "An act relating to town banners over |
| 4 | highway rights-of-way" respectfully reports that it has considered the same and |
| 5 | recommends that the Senate propose to the House that the bill be amended by |
| 6 | striking out all after the enacting clause and inserting in lieu thereof the |
| 7 | following: |
| 8 | Sec. 1. 10 V.S.A. § 494 is amended to read: |
| 9 | § 494. EXEMPT SIGNS |
| 10 | The following signs are exempt from the requirements of this chapter |
| 11 | except as indicated in section 495 of this title: |
| 12 | * * * |
| 13 | (18)(A) A sign that is a banner erected over a highway right-of-way for |
| 14 | not more than 21 days if the bottom of the banner is not less than 16 feet 6 |
| 15 | inches above the surface of the highway and is securely fastened with |
| 16 | breakaway fasteners. |
| 17 | (B) As used in this subdivision (18), "banner" means a sign that is |
| 18 | constructed of soft cloth or fabric or flexible material such as vinyl or plastic |
| 19 | cardboard. |

| 1 | Sec. 2. 10 V.S.A. § 495 is amended to read: |
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| 2 | § 495. OTHER REGULATIONS APPLYING TO PERMITTED SIGNS |
| 3 | * * * |
| 4 | (d) Notwithstanding any other provisions of this title, a person, firm, or |
| 5 | corporation shall not erect or maintain any outdoor advertising structure, |
| 6 | device, or display within the limits of the highway right-of-way; however, |
| 7 | this limitation shall not apply to the signs and devices referred to in |
| 8 | subdivisions 494(1), (2), (3), (6), (7), (10), (14), and (17) of this title. |
| 9 | * * * |
| 10 | (f) Except on limited access facilities, the limitation established by |
| 11 | subsection (d) of this section shall not apply to the signs referred to in |
| 12 | subdivision 494(18) of this title. |
| 13 | Sec. 3. 1 V.S.A. § 377 is amended to read: |
| 14 | § 377. GREEN UP DAY; RIVER GREEN UP CLEANUP MONTH |
| 15 | (a) The first Saturday in the month of May is designated as Green Up Day. |
| 16 | (b) September of each year is designated as River Green Up Cleanup |
| 17 | Month. |
| 18 | Sec. 4. 10 V.S.A. § 1446 is amended to read: |
| 19 | § 1446. REGISTERED PROJECTS; EXEMPTIONS FROM PERMITTING |
| 20 | * * * |

| 1 | (b) Exemptions. The following activities in a protected shoreland area do |
|----|--|
| 2 | not require a permit under section 1444 or 1445 of this title: |
| 3 | * * * |
| 4 | (18) Removal of constructed feature. Temporary cutting or removal of |
| 5 | vegetation to remove an existing constructed feature, provided that the area of |
| 6 | removal is revegetated according to the requirements for the management of |
| 7 | vegetative cover under section 1447 of this title and all cutting and removal of |
| 8 | vegetation complies with the Agency's low-risk site handbook for erosion |
| 9 | prevention and sediment control. |
| 10 | * * * |
| 11 | Sec. 5. 10 V.S.A. § 4254 is amended to read: |
| 12 | § 4254. FISHING AND HUNTING LICENSES; ELIGIBILITY, DESIGN, |
| 13 | DISTRIBUTION, SALE, AND ISSUE |
| 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 not 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 |
| 21 | permits authorized by the Board. The Board shall adopt rules necessary for the |

| 1 | Department to establish, implement, and run the auction process. The |
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| 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 | not 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. The total number of annual moose permits |
| 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 |
| 21 | implement the set-aside program for <u>auction and for</u> veterans, including a |

| method to award applicants preference bonus points and a method by which |
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| 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. 6. 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. 7. 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. 8. 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. 9. AMENDMENTS TO AIR POLLUTION CONTROL |
| 7 | RULES REGARDING WOOD HEATERS; COMMENCEMENT; |
| 8 | ADOPTION; INSTITUTIONAL, COMMERCIAL, AND |
| 9 | INDUSTRIAL WOOD HEATING APPLIANCES |
| 10 | (a)(1) The Secretary of Natural Resources, in consultation with interested |
| 11 | parties and parties having expertise in wood heating and wood heating |
| 12 | appliances, shall adopt amendments to the provisions of the Vermont Air |
| 13 | Pollution Control Regulations governing the manufacture, sale, purchase, |
| 14 | installation, and operation of wood heating appliances for use in institutional, |
| 15 | commercial, or industrial applications in Vermont. These rules shall allow for |
| 16 | alternative methods of demonstrating compliance with applicable air quality |
| 17 | and efficiency standards as determined by the Air Pollution Control Officer. |
| 18 | (2) On or before July 1, 2019, the Secretary of Natural Resources shall |
| 19 | submit to the Senate Committee on Natural Resources and Energy and the |
| 20 | House Committees on Energy and Technology and on Natural Resources, Fish |

| 1 | and Wildlife a copy of the draft rule amendments to Vermont Air Pollution |
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| 2 | Control Regulations required in subsection (a) of this section. |
| 3 | (3) The Secretary of Natural Resources shall commence the rulemaking |
| 4 | required under this subsection on or before October 1, 2019 and shall adopt the |
| 5 | rules on or before May 1, 2020. |
| 6 | (b)(1) Until such time that a rule amendment as required in subsection (a) |
| 7 | of this section is adopted, and notwithstanding §5-204 of Code of Vermont |
| 8 | Rules 12-031-001, manufacturers of wood heating appliances for use in |
| 9 | institutional, commercial, or industrial applications shall be subject to a |
| 10 | certification process conducted by the Agency of Natural Resources wherein |
| 11 | each discrete model to be installed in Vermont shall be certified by the Air |
| 12 | Pollution Control Officer before installation occurs, unless such appliance has |
| 13 | been certified by the United States Environmental Protection Agency as |
| 14 | meeting the requirements of 40 C.F.R. Part 60, Subparts AAA and QQQQ as |
| 15 | published in the Federal Register on March 16, 2015. |
| 16 | (2) Certification procedure. |
| 17 | (A) The Secretary shall develop a certification procedure in |
| 18 | accordance with this section as soon as practicable. |
| 19 | (B) A fee of \$1000 shall be due the Agency for each certification |
| 20 | application that is submitted in accordance with the certification procedure. |

| 1 | (C) Certification of a particular unit model issued by the Air |
|----|---|
| 2 | Pollution Control Officer is not subject to the procedures and requirements of |
| 3 | 10 V.S.A. chapter 170. |
| 4 | Sec. 10. EFFECTIVE DATES |
| 5 | (a) This section, Sec. 4 (lake shoreland; removal of constructed features), |
| 6 | and Sec. 9 (air pollution rules; wood heating) shall take effect on passage. |
| 7 | (b) All other sections shall take effect on July 1, 2019. |
| 8 | and that after passage the title of the bill be amended to read: "An act relating |
| 9 | to town banners over highways, river cleanup, lake shoreland protection, |
| 10 | moose management, and wood heating rules" |
| 11 | |
| 12 | |
| 13 | (Committee vote:) |
| 14 | |
| 15 | Senator |
| 16 | FOR THE COMMITTEE |