

1 TO THE HONORABLE SENATE:

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 (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  
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 auction and for veterans, including a

1 method to award applicants ~~preference~~ bonus points and a method by which  
2 auction participants and veterans who applied for but failed to receive a permit  
3 in one hunting season are awarded priority in the subsequent moose hunting  
4 season. The procedure adopted under this subdivision ~~shall be consistent with~~  
5 ~~the preference system for the permit auction authorized under subdivision (1)~~  
6 ~~of this subsection. Veterans awarded a moose permit under this subsection~~  
7 ~~must possess a valid Vermont hunting or combination license in order to~~  
8 ~~purchase a moose permit. The Department of Fish and Wildlife shall~~  
9 ~~coordinate with the Office of Veterans Affairs to provide notice to eligible~~  
10 ~~veterans of the moose permits set aside under this subsection~~ may include a  
11 provision for freezing bonus points in the event that the Board does not  
12 approve a moose hunting season or approves a small number of permits for the  
13 moose hunting season.

14 Sec. 6. 10 App. V.S.A. § 33 is amended to read:

15 § 33. MOOSE MANAGEMENT RULE

16 \* \* \*

17 3.6 ~~“Bonus point” means: 1) a point accrued for successfully applying~~  
18 ~~for a permit, but not being drawn, or 2) a point accrued by indicating on the~~  
19 ~~application that the person should not be entered into that year’s drawing, but~~  
20 ~~wishes to accrue a point. [Repealed.]~~

21 \* \* \*





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  
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