

1 S.215

2 Introduced by Senator Rodgers

3 Referred to Committee on

4 Date:

5 Subject: Fish and wildlife; access areas; use of access areas

6 Statement of purpose of bill as introduced: This bill proposes to require a  
7 person to possess a fish and wildlife access area license when using a State  
8 access area, landing area, or parking area unless the person is less than  
9 15 years of age; holds a valid fishing, hunting, or trapping license; is the owner  
10 of, operator of, or passenger in a validly registered vessel; or is approved by  
11 the Commissioner of Fish and Wildlife.

12 An act relating to the use of State fishing access areas

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

14 Sec. 1. 10 V.S.A § 4001(41) is added to read:

15 (41) Nonmotorized vessel: every description of nonmotorized  
16 watercraft, including sailboats, rowboats, paddleboats, paddleboards, rafts,  
17 canoes, kayaks, or inflatable rafts and kayaks, used or capable of being used as  
18 a means of transportation on unfrozen water. Nonmotorized vessel does not  
19 mean a single air mattress, single inner tube, or other water toy used for  
20 flotation.

1 Sec. 2. 10 V.S.A. § 4145 is amended to read:

2 § 4145. ACCESS, LANDING AREA RULES

3 (a)(1) The Board may adopt rules, under 3 V.S.A. chapter 25, to regulate  
4 the use by the public of access areas, landing areas, parking areas, or of other  
5 lands or waters acquired or maintained pursuant to section 4144 of this title.  
6 ~~Such~~ The rules shall be posted in the areas affected and. This statute and the  
7 rules adopted under this statute shall permit the launching of only one or more  
8 of the following types of vessels:

9 (A) all vessels that have a Vermont registration certificate required  
10 by 23 V.S.A. chapter 29 and the parking of vehicles and boat trailers used by  
11 these vessels. The rules shall not preclude the authorization to launch vessels  
12 not registered in Vermont. These rules also shall permit the launching of all  
13 nonmotorized vessels not used for commercial purposes and the parking of  
14 vehicles and boat trailers used by these vessels. or a valid vessel registration  
15 from another state;

16 (B) all vessels the owner or operator of which holds a valid Vermont  
17 fishing, hunting, or trapping license; or

18 (C) a person in possession of a fish and wildlife access area license  
19 issued under section 4281 of this title.

20 (2) The rules shall allow the parking of vehicles and boat trailers for any  
21 vessel permitted under this section to use an access area, landing area, parking

1 area, or other land or water acquired or maintained pursuant to section 4144 of  
2 this title.

3 \* \* \*

4 (c) The Commissioner shall keep account of funds, including private  
5 donations and State appropriations, which are deposited into the Fish and  
6 Wildlife Fund for the purpose of building and maintaining access areas and  
7 shall annually, on or before January 15, report to the House Committee on  
8 ~~Fish, Wildlife and Water Resources~~ Natural Resources, Fish, and Wildlife, the  
9 Senate Committee on Natural Resources and Energy, and the Senate and  
10 House Committees on Appropriations, concerning the use of those funds in the  
11 past year and plans for use of the funds for the coming year. The provisions of  
12 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to  
13 be made under this subsection.

14 (d) The Board shall allow the Commissioner of Environmental  
15 Conservation to post aquatic nuisance signs pursuant to subdivision 1453(b)(6)  
16 of this title.

17 Sec. 3. 10 V.S.A. § 4252 is amended to read:

18 § 4252. ACTIVITIES PERMITTED UNDER LICENSES

19 (a) Subject to provisions of this part and rules of the Board:

20 (1) A fishing license shall entitle the holder to take fish.

1 (2) A hunting license shall entitle the holder to take wild animals, other  
2 than fish, except by trapping and for those species that require a separate big  
3 game license, and to shoot and spear pickerel.

4 (3) A trapping license shall entitle the holder to take animals other than  
5 fish with the use of traps.

6 (4) A combination fishing and hunting license shall entitle the holder to  
7 take fish and wild animals, except by trapping and for those species that  
8 require a separate big game license, and to shoot and spear pickerel.

9 (5) An archery license shall entitle the holder to take wild deer by bow  
10 and arrow or crossbow.

11 (6) A muzzle loader license shall entitle the holder to take deer with a  
12 muzzle loading firearm.

13 (7) A turkey license shall entitle the holder to take wild turkey.

14 (8) A small game license shall entitle the holder to take small game by  
15 any lawful means other than a trap.

16 \* \* \*

17 (11) A moose license shall entitle the holder who has been issued a  
18 moose permit under the authority of the Fish and Wildlife Board under  
19 subsection 4081(b) and sections 4082 and 4084 of this title to take moose.

20 (12) A super sport license shall entitle the holder to take fish, shoot  
21 pickerel, take wild animals pursuant to chapter 113 of this title, take wild

1 animals as allowed under a combination hunting and fishing license and the  
2 following big game licenses: archery, muzzle loader, and turkey. The  
3 Commissioner may establish procedures to encourage purchasers of a super  
4 sport license to make a stewardship donation of \$10.00 to the Fish and Wildlife  
5 Fund for the purpose of habitat improvement.

6 (13) A mentored hunting license shall entitle the holder to the same  
7 privileges as permitted by the fully licensed accompanying hunter's hunting  
8 license under subdivision (2) of this section.

9 (14) A free youth turkey hunting weekend license for persons aged 15 or  
10 under on youth turkey hunting weekend shall entitle the holder to take wild  
11 turkey.

12 (15) A free youth deer weekend license for persons aged 15 or under on  
13 youth deer hunting weekend shall entitle the holder to take deer.

14 (16) A youth hunting license for persons aged 17 and under on the date  
15 of the license purchase shall entitle the holder to take wild animals, other than  
16 fish, except by trapping and for those animals that require a separate big game  
17 license, and to shoot and spear pickerel.

18 (17) A youth fishing license, eligible for persons aged 15 to 17 on the  
19 date of the license purchase, shall entitle the holder to take fish.

20 (18) A youth combination fishing and hunting license, eligible for  
21 persons aged 15 to 17 on the date of the license purchase, shall entitle the

1 holder to take fish and wild animals, except by trapping and for those animals  
2 that require a separate big game license, and to shoot and spear pickerel.

3 (19) A fish and wildlife access license issued under section 4281 of this  
4 title shall entitle the holder to use or be present on an access area, landing area,  
5 parking area, or other land or water acquired or maintained pursuant to section  
6 4144 of this title.

7 \* \* \*

8 (c) In addition to the activities authorized under subsection (a) of this  
9 section and the rules authorized under this part, the holder of a valid license  
10 listed under subsection (a) of this section is authorized to use or be present on,  
11 including the launch or removal of a motorized and nonmotorized vessel, an  
12 access area, landing area, parking area, or of other land or water acquired or  
13 maintained pursuant to section 4144 of this title.

14 Sec. 4. 10 V.S.A. § 4281 is added to read:

15 § 4281. FISH AND WILDLIFE ACCESS LICENSE

16 (a) A person using or present on an access area, landing area, parking area,  
17 or other land or water acquired or maintained pursuant to section 4144 of this  
18 title shall have a current fish and wildlife access license on their person at all  
19 times, except if the person:

20 (1) is under 15 years of age;

1           (2) has on their person a current Vermont hunting, fishing, or trapping  
2 license;

3           (3) is the owner of, operator of, or passenger in a valid registered  
4 motorboat; or

5           (4) is a corridor manager, as that term is defined by the Commissioner  
6 by procedure, who contributes to trail management, including members of  
7 VAST.

8           (b) A fish and wildlife access license shall be valid for one year and shall  
9 expire on December 31 of each year. The license shall be issued in the form of  
10 a paper license.

11           (c) A fish and wildlife access license issued under this section shall be  
12 issued to a specific person and shall not be transferrable to any other  
13 individual.

14           (d) The Commissioner may waive the fee for a fish and wildlife access  
15 license under appropriate circumstances, including for:

16           (1) contractors and subcontractors employed by or on behalf of the  
17 Department of Fish and Wildlife;

18           (2) persons who are participating in a Department-sponsored event or  
19 training;

20           (3) persons who are engaged in volunteer activities such as facility or  
21 trail maintenance, habitat management, or aquatic nuisance control; and

1           (4) persons engaged in scientific study whose access has been approved  
2 by the Commissioner.

3           (e) The Commissioner may promulgate rules to implement the  
4 requirements of this section, including when the fee for a fish and wildlife  
5 access license shall be waived.

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

7 § 4255. LICENSE FEES

8           (a) Vermont residents may apply for licenses on forms provided by the  
9 Commissioner. Fees for each license shall be:

10                                   \* \* \*

11 <u>(13) Annual fish and wildlife access license</u>	<u>\$20.00</u>
12 <u>(14) One-day fish and wildlife access license</u>	<u>\$3.00</u>
13 <u>(15) Three-day fish and wildlife access license</u>	<u>\$6.00</u>
14 <u>(16) One-week fish and wildlife access license</u>	<u>\$10.00</u>

15           (b) Nonresidents may apply for licenses on forms provided by the  
16 Commissioner. Fees for each license shall be:

17                                   \* \* \*

18 <u>(17) Annual fish and wildlife access license</u>	<u>\$40.00</u>
19 <u>(18) One-day fish and wildlife access license</u>	<u>\$6.00</u>
20 <u>(19) Three-day fish and wildlife access license</u>	<u>\$12.00</u>
21 <u>(20) One-week fish and wildlife access license</u>	<u>\$20.00</u>



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Sec. 6. 10 V.S.A. § 4572 is amended to read:

§ 4572. DEFINITIONS

(a) As used in this subchapter, a minor fish and wildlife violation means:

(1) a violation of 10 V.S.A. § 4145 (violation of access and landing area rules);

(2) a violation of 10 V.S.A. § 4251 (taking wild animals and fish without a license);

(3) a violation of 10 V.S.A. § 4266 (failure to carry a license on person or failure to exhibit license);

(4) a violation of 10 V.S.A. § 4267 (false statements in license application; altering license; transferring license to another person; using another person's license; or guiding an unlicensed person);

(5) a violation of 10 V.S.A. § 4713 (tree or ground stands or blinds); or

\* \* \*

(7) a violation of a biological collection rule adopted by the Board under part 4 of this title.

(8) a violation of 10 V.S.A. § 4281 (failure to possess a fish and wildlife access license when using an access area).

(b) "Bureau" means the Judicial Bureau as created in 4 V.S.A. § 1102.

Sec. 7. EFFECTIVE DATE

1        This act shall take effect on July 1, 2021.