

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred
3 Senate Bill No. 48 entitled “An act relating to authorizing a person with a
4 temporary physical disability to take game from a motor vehicle” respectfully
5 reports that it has considered the same and recommends that the bill be
6 amended by striking out all after the enacting clause and inserting in lieu
7 thereof the following:

8 * * * Reciprocal Assistance Agreements * * *

9 Sec. 1. 10 V.S.A. § 4199 is amended to read:

10 § 4199. RECIPROCAL ASSISTANCE AGREEMENTS

11 (a) ~~It~~ As used in this section “officer” means a game warden, a
12 conservation law enforcement officer, ~~or~~ a person in another state charged with
13 enforcing the fish and wildlife laws of that state, or a law enforcement officer
14 employed by the U.S. Fish and Wildlife Service, Office of Law Enforcement.

15 (b) The Commissioner may enter into a reciprocal assistance agreement
16 with his or her counterpart in any other state or with the U.S. Fish and Wildlife
17 Service. An agreement made under this section shall be for the sole purpose of
18 cooperating and assisting each other in detecting and apprehending people
19 violating the fish and wildlife or environmental laws of the State, subject to the
20 limitations of section 4193 of this title.

1 (c) Pursuant to an agreement under this section, the Commissioner may
2 send fish and wildlife wardens into another state for the purpose of assisting
3 the officers of that state or the U.S. Fish and Wildlife Service and may accept
4 officers of another state into Vermont for the purpose of assisting Vermont
5 wardens.

6 (d) Under an agreement pursuant to this section:

7 (1) When a Vermont game warden or an officer of one state enters
8 another state for the purposes of assistance, he or she shall be under the
9 operational control of the chief officer of the host state and shall have the same
10 duties, rights, privileges, and immunities as officers of the host state. An
11 officer of another state or the U.S. Fish and Wildlife Service operating in
12 Vermont under this section shall have the same powers as a Vermont game
13 warden provided the officer is certified by the Executive Director of the
14 Vermont Criminal Justice Training Council as meeting the standards
15 established in 20 V.S.A. § 2358 for Vermont law enforcement officers. This
16 subsection does not nullify subsection 4193(b) of this title.

17 (2) When an officer is serving in another state under this section, the
18 host state shall assume liability to third persons for actions of that officer taken
19 on account of or in connection with a request for assistance hereunder but only
20 to the extent that the host state would be liable for actions of one of its own
21 officers. The home state of the officer shall be responsible for payment of

1 salary, expenses, and injury and death benefits of the officer while on duty in
2 another state.

3 (e) A reciprocal assistance agreement shall be executed in writing, shall set
4 forth the terms and conditions under which assistance may be requested or
5 rendered and shall remain in full force and effect until terminated by mutual
6 consent of the parties to the agreement, or until 10 days after one of the parties
7 has given notification to another party of intention to terminate the agreement.

8 * * * Free Fishing Days * * *

9 Sec. 2. 10 V.S.A. § 4251 is amended to read:

10 § 4251. TAKING WILD ANIMALS AND FISH; LICENSE

11 (a) Except as provided in sections 4253 and 4254b of this title, a person
12 shall not take wild animals or fish without first having procured a license
13 ~~therefor~~ for the taking; provided, however, that a person under 15 years of age
14 may take fish in accordance with this part and regulations of the Board,
15 without first having procured a license therefor.

16 (b) The Commissioner of Fish and Wildlife may designate three days on
17 Labor Day weekend each year and an additional two days each calendar year
18 as “free fishing days” for which no license shall be required. ~~One~~ Of the
19 additional two days of free fishing, one day shall occur in the open water
20 fishing season and one day shall occur during the ice fishing season.

1 (I) ~~§ 4706. Snaring animals~~ [Repealed.]

2 * * *

3 (Y) ~~Appendix § 2; Appendix § 33, section 14.3.~~ Reporting of big
4 game

5 * * *

6 (II) ~~Appendix § 37, as it applies to annual deer limits~~ section 10.

7 Novice season

8 * * *

9 (QQ) ~~Appendix § 22, section 6.7; Appendix § 33, section 13.1(g);~~
10 ~~Appendix § 37, section 7.7. Possession or transport of a cocked crossbow in or~~
11 ~~on a motor vehicle, motorboat, airplane, snowmobile, or other motor propelled~~
12 ~~vehicle~~ [Repealed.]

13 (RR) ~~Appendix § 7, section 6.3(b). Hunting bear with any dog not~~
14 ~~listed on the permit~~ [Repealed.]

15 (SS) ~~Appendix § 37, section 9.0.~~ Feeding deer.

16 (TT) § 4716. Participating in a coyote-hunting competition.

17 (UU) § 5007(d) or (e). Failure to control dogs hunting black bear.

18 (VV) Appendix § 7, section 8.2.; Appendix § 33, section 14.7;

19 Appendix § 37, section 11.2. Failure to show warden the kill site.

1 (3) Twenty points shall be assessed for:

2 (A) ~~§ 4192. General powers and duties; failure to obey warden~~

3 [Repealed.]

4 * * *

5 (I) § 4745. Taking ~~deer~~ big game out of season prohibited

6 * * *

7 (O) Appendix § 7, sections 4.2, 5.1, 5.2, 5.3, 6.1, 6.2, 6.3(b), 6.3(d),
8 6.3(e), ~~6.4, 6.5(e), 6.5(d)~~, 7.1, and 7.2, 7.3, and 7.4. Bear, unauthorized taking

9 (P) Appendix § 22. Turkey season, excluding: requirements for
10 youth turkey hunting season; ~~section 6.2~~, size of shot used or possessed; and
11 ~~section 6.7~~, transport of cocked crossbow

12 * * *

13 (U) Appendix § 37, excluding: requirements for youth deer hunting
14 weekend; requirements for novice season; limitations on feeding of deer;
15 ~~section 7.7~~, transport of cocked crossbow; reporting big game; and section
16 11.0, ban of urine and other natural lures

17 * * *

18 (W) ~~§ 4711. Crossbow hunting~~ [Repealed.]

19 (X) Appendix § 4. ~~Hunting with a crossbow without a permit or~~
20 ~~license~~ [Repealed.]

21 * * *

1 (DD) § 4706. Snaring animals

2 (4) In addition to other points assessed under this subsection, a person
3 shall be assessed one point for each fish, bird, animal, or pelt possessed, taken,
4 transported, bought, or sold in excess of the limits established in statutes or
5 rules adopted under this part.

6 (c) Licenses shall be suspended as follows:

7 (1) For 10 to 14 points accumulated in five years—a one-year
8 suspension.

9 (2) For 15 to 19 points accumulated in five years—a two-year
10 suspension.

11 (3) For 20 or more points accumulated in five years—a three-year
12 suspension.

13 (d) The Commissioner shall establish a centralized registry of licensees and
14 shall track all convictions and the point accumulations, if any, against
15 licensees. The Commissioner shall provide adequate notice to licensees of
16 their point accumulations, and suspensions, if any.

17 (e) When a person holding a license issued under this part has been
18 convicted of a violation of 13 V.S.A. § 1023(a)(2) or has been convicted of
19 manslaughter by the careless and negligent use of firearms, the Commissioner
20 shall revoke the person's hunting license, 20 points shall accumulate on the
21 person's license, and another license shall not be issued to the person within

1 five years from the date of the revocation or within five years from the date of
2 the conviction if the person had no license. The court before which such
3 person is convicted shall certify the conviction to the Commissioner. A
4 revocation shall be deemed effective when notice is given, when made in
5 person, or three days after the deposit of the notice in the U.S. mail, if made in
6 writing.

7 (f) The Commissioner shall not reinstate a license suspended pursuant to
8 subdivisions (c)(2) and (3) of this section until the licensee has successfully
9 completed a remedial course designed to teach hunters, trappers, and anglers
10 correct legal and ethical behavior while hunting, trapping, and fishing in
11 Vermont. The remedial course shall be approved by the Commissioner and
12 conducted by the Department. The fee for the remedial course shall be
13 \$100.00. Funds collected for the course shall be deposited in the Fish and
14 Wildlife Fund.

15 * * * Fishing Tournaments * * *

16 Sec. 6. 10 V.S.A. § 4613 is amended to read:

17 § 4613. FISHING TOURNAMENTS

18 (a) No person or organization shall hold a fishing tournament on the waters
19 of the State without first obtaining a permit from the Department of Fish and
20 Wildlife. A tournament held on the Connecticut River, excluding Moore
21 Reservoir and Comerford Reservoir, that does not utilize an access area in

1 Vermont is not required to obtain a permit from the Department of Fish and
2 Wildlife.

3 (b) A fishing tournament means a contest, in which anglers pay a fee to
4 enter and in which the entrants compete for a prize based on the quality or size
5 of the fish they catch. A tournament may run multiple days, but in order for
6 the tournament to be considered a single event, the tournament shall be held on
7 consecutive days. A tournament that limits the entrants to people below
8 15 years of age or a tournament held as part of a Special Olympics program
9 shall be exempt from paying the fee required under subsection (d) of this
10 section.

11 (c) The Commissioner shall adopt rules that establish the procedure for
12 implementation of this section. The rules shall include a provision that an
13 angler may not enter a fish which was caught and confined to an enclosed area
14 prior to the beginning of the tournament.

15 (d) The Commissioner shall charge a fee of ~~\$50.00~~ for each permit issued
16 under this section based on the number of proposed participants and shall
17 deposit the fee collected into the Fish and Wildlife Fund. The fees for a permit
18 shall be:

19 (1) for tournaments of 1–25 participants: \$10.00;

20 (2) for 26–50 participants: \$30.00; or

21 (3) for more than 50 participants: \$100.00.

1 charged, pumped, or containing any projectile, including a bb, pellet, bolt,
2 arrow, or other projectile fitted to the weapon.

3 (2) Unless it is uncocked, a person shall not possess or transport a
4 crossbow in or on a motor vehicle, motorboat, airplane, snowmobile, or other
5 motor-propelled craft or any vehicle drawn by a motor-propelled vehicle
6 except as permitted under subsection 4705(e) of this title.

7 (3) A person who possesses a rifle, an airgun, an air rifle, an air bow, a
8 crossbow, or a shotgun, including a muzzle-loading rifle or muzzle-loading
9 shotgun, in or on a vehicle propelled by mechanical power, or drawn by a
10 vehicle propelled by mechanical power within a right-of-way of a public
11 highway shall upon demand of an enforcement officer exhibit the firearm for
12 examination to determine compliance with this section.

13 (c) A person while on or within 25 feet of the traveled portion of a public
14 highway, except a public highway designated Class 4 on a town highway map,
15 shall not take or attempt to take any wild animal by shooting a firearm, a
16 muzzle loader, a bow and arrow, an air gun, an air rifle, an air bow, or a
17 crossbow. A person while on or within the traveled portion of a public
18 highway designated Class 4 on a town highway map shall not take or attempt
19 to take any wild animal by shooting a firearm, a muzzle loader, a bow and
20 arrow, or a crossbow. A person shall not shoot a firearm, a muzzle loader, a
21 bow and arrow, an air gun, an air rifle, an air bow, or a crossbow over or across

1 the traveled portion of a public highway, except for a person shooting over or
2 across the traveled portion of a public highway from a sport shooting range, as
3 that term is defined in section 5227 of this title, provided that:

4 (1) the sport shooting range was established before January 1, 2014; and

5 (2) the operators of the sport shooting range post signage warning users
6 of the public highway of the potential danger from the sport shooting range.

7 * * *

8 * * * Game Suppers * * *

9 Sec. 8. 10 V.S.A. § 4786 is amended to read:

10 § 4786. GAME SUPPERS

11 (a) Notwithstanding any provision of law to the contrary, game suppers
12 may be held at any time by a church, volunteer fire department, rod and game
13 club, educational or cooperative organization, or ~~other~~ nonprofit organization
14 under permit issued by a fish and wildlife warden, the Commissioner, or a
15 designee of the Commissioner. The Department may hold game suppers or
16 similar fish and game food events without a permit issued under this section.

17 (b) Wild animals and fish legally taken in this State, or another state or
18 country, may be transported and sold as part of a game supper authorized by
19 permit. Big game provided by the Department may also be sold at such
20 suppers. Migratory waterfowl and anadromous salmon shall not be sold.

1 (c) The permit for a game supper required by this section shall state the
2 name of the organization holding the supper, and the date and place of the
3 supper. The permit shall be applied for ~~no~~ not later than 10 days before the
4 date of the supper.

5 * * * Feral Swine * * *

6 Sec. 9. 10 V.S.A. § 4709 is amended to read:

7 § 4709. TRANSPORT, IMPORTATION, POSSESSION, AND STOCKING
8 OF WILD ANIMALS; POSSESSION OF WILD BOAR OR
9 FERAL SWINE

10 (a) A person shall not bring into, transport into, transport within, transport
11 through, or possess in the State any live wild bird or animal of any kind,
12 including any manner of feral swine, without authorization from the
13 Commissioner or his or her designee. The importation permit may be granted
14 under such regulations therefor as the Commissioner shall prescribe and only
15 after the Commissioner has made such investigation and inspection of the birds
16 or animals as she or he may deem necessary. The Department may dispose of
17 unlawfully possessed or imported wildlife as it may judge best, and the State
18 may collect treble damages from the violator of this subsection for all expenses
19 incurred.

1 (b) No person shall bring into the State from another country, state, or
2 province wildlife illegally taken, transported, or possessed contrary to the laws
3 governing the country, state, or province from which the wildlife originated.

4 (c) No person shall place a Vermont-issued tag on wildlife taken outside
5 the State. No person shall report big game in Vermont when the wildlife is
6 taken outside the State.

7 (d) Nothing in this section shall prohibit the Commissioner or duly
8 authorized agents of the Department of Fish and Wildlife from bringing into
9 the State for the purpose of planting, introducing, or stocking or from planting,
10 introducing, or stocking in the State any wild bird or animal.

11 (e) Applicants shall pay a permit fee of \$100.00.

12 (f)(1) The Commissioner shall not issue a permit under this section for the
13 importation or possession of the following live species, a hybrid or genetic
14 variant of the following species, offspring of the following species, or
15 offspring or a hybrid of a genetically engineered variant of the following
16 species: feral swine, including wild boar, wild hog, wild swine, feral pig, feral
17 hog, ~~feral swine~~, old world swine, razorback, Eurasian wild boar, or Russian
18 wild boar (*Sus scrofo* Linnaeus). A feral swine is:

19 (A) a domestic pig that is outside of an enclosure for more than 96
20 hours and is free roaming on public or private land;

1 (B) an animal that exhibits at least one of the following skeletal
2 characteristics:

3 (i) skull characteristics of an elongated snout or sloping
4 appearance with little or no stop at the eye line;

5 (ii) a shoulder structure with a steep or predominate ridge along
6 the back appearance, known as a razorback;

7 (iii) hindquarters proportionally smaller than the forequarters
8 lacking natural muscling found in commercial species; or

9 (iv) visible tusks; or

10 (C) an animal that is genetically determined to be a Eurasian wild
11 boar or Eurasian wild boar-domestic pig hybrid as characterized with an
12 appropriate genome-wide molecular tool by the U.S. Department of
13 Agriculture, Animal and Plant Health Inspection Service, Wildlife Services to
14 be a feral swine hybrid based on results of genetic testing conducted at the
15 National Wildlife Research Center.

16 (2) The definition of feral swine under subdivision (1) of this subsection
17 shall not include feral swine collared and used by State or federal wildlife
18 damage management entities, such as the U.S. Department of Agriculture,
19 Animal and Plant Health Inspection Service, Wildlife Services, to determine
20 the location of free-ranging feral swine.

1 (3) This subsection shall not ~~apply to the domestic pig (*Sus domesticus*)~~
2 ~~involved in domestic hog production and shall not~~ restrict or limit the authority
3 of the Secretary of Agriculture, Food and Markets to regulate the importation
4 or possession of the domestic pig as livestock or as a domestic animal under
5 Title 6 of the Vermont Statutes Annotated.

6 (4) Any feral swine may be removed or destroyed by the Department;
7 the Agency of Agriculture, Food and Markets or a designee; or the U.S.
8 Department of Agriculture, Animal and Plant Health Inspection Service,
9 Wildlife Services. The Department shall notify the Agency of Agriculture,
10 Food and Markets prior to removal of or destruction of the feral swine.

11 (5) The Department shall notify the Agency of Agriculture, Food and
12 Markets of the disposition of the feral swine.

13 (6) Any person who kills a feral swine in Vermont shall report to a State
14 game warden and shall present the carcass to the State game warden within 24
15 hours.

16 (7) The State or its designee shall not be liable for damages or claims
17 associated with the removal or destruction of feral swine provided that the
18 actions of the State agents or designees are reasonable. The removal or
19 destruction of feral swine shall be deemed reasonable where:

20 (A) the Department has acted in accordance with subdivision (4) of
21 this subsection; and

1 (B) the Department determines that the swine:
2 (i) is a threat to public safety;
3 (ii) has harmed or posed a threat to any person or domestic
4 animal;
5 (iii) has damaged private or public property; or
6 (iv) has damaged or is damaging natural resources, including
7 wetlands; vernal pools; wildlife and their habitats; rare and irreplaceable
8 natural areas; or rare, threatened, or endangered species; or
9 (v) the Department determines that the swine constitutes or could
10 establish a breeding feral swine population in Vermont. The Department shall
11 consult with U.S. Department of Agriculture, Animal and Plant Health
12 Inspection Service, Wildlife Services and the Agency of Agriculture, Food and
13 Markets in making this determination.

14 Sec. 10. 13 V.S.A. § 351b is amended to read:

15 § 351b. SCOPE OF SUBCHAPTER

16 This subchapter shall not apply to:

17 (1) activities regulated by the Department of Fish and Wildlife pursuant
18 to 10 V.S.A. Part 4, including the act of destroying feral swine in accordance
19 with 10 V.S.A. § 4709(f);

20 (2) scientific research governed by accepted procedural standards
21 subject to review by an institutional animal care and use committee;

- 1 (3) livestock and poultry husbandry practices for raising, management,
2 and use of animals;
3 (4) veterinary medical or surgical procedures; and
4 (5) the killing of an animal as provided by 20 V.S.A. §§ 3809 and 3545.

5 Sec. 11. 20 V.S.A. § 3350 is added to read:

6 § 3350. THE DISPOSITION OF FERAL SWINE

7 (a) The General Assembly finds that feral swine, as defined in 10 V.S.A.
8 § 4709, have the potential for spreading serious disease to domestic livestock,
9 may cause devastating destruction to natural ecosystems, and pose a threat to
10 human health and safety.

11 (b) In light of the potential impacts of feral swine, and notwithstanding the
12 provisions of law in this chapter, the Department of Fish and Wildlife may
13 destroy or euthanize a feral swine in accordance with the requirements of
14 10 V.S.A. § 4709(f).

15 (c) The exercise by the Department of Fish and Wildlife of the authority
16 under 10 V.S.A. § 4709 (f)(3) shall not prevent any person from pursuing or
17 collecting the remedies set forth in this chapter.

18 * * * Retrieval, Disposal, and Use of Wild Animals * * *

19 Sec. 12. 10 V.S.A. chapter 113, subchapter 7 is added to read:

20 Subchapter 7. Retrieval, Disposal, and Use of Wild Animals

21 § 4921. DEFINITIONS

1 As used in this subchapter, “covered wild animal” means an animal that is a
2 big game animal, game quadruped, game bird, or fur-bearing animal.

3 § 4922. RETRIEVAL OF COVERED WILD ANIMALS

4 A person shall not intentionally or knowingly kill a covered wild animal
5 and intentionally, knowingly, or recklessly fail to make a reasonable effort to
6 retrieve the covered wild animal.

7 § 4923. WASTE OF COVERED WILD ANIMAL

8 (a) A person shall not intentionally take a covered wild animal subject to a
9 season and intentionally or knowingly leave the wounded or dead covered wild
10 animal in the field or forest.

11 (b) A person who retrieves a lawfully taken covered wild animal, or a
12 person to whom the lawfully taken covered wild animal is transferred, shall
13 retain the animal in the person’s possession until it is: processed as food;
14 processed for its fur, hide, or feathers; or used for taxidermy, provided that this
15 subsection shall not apply to covered wild animals that are unfit for
16 consumption or use. As used in this subsection, “unfit for consumption or use”
17 shall mean covered wild animals or their parts that are damaged, destroyed,
18 decayed, rotting, diseased or infected.

19 (c) This section shall not apply to a person taking a coyote or a crow.

1 § 4924. EXCEPTIONS

2 The requirements of this subchapter shall not apply:

3 (1) when the failure to retrieve and dispose, the failure to salvage, or the
4 failure to retain a covered wild animal is beyond the control of the person due
5 to:

6 (A) theft of the covered wild animal by another person;

7 (B) unanticipated weather conditions or other acts of God that
8 prevents salvage, retrieval, or retention;

9 (C) unavoidable loss in the field to a wild animal; or

10 (D) lack of legal access to property where a wounded or dead
11 covered wild animal is located;

12 (2) when defending a person or in defense of property;

13 (3) when the covered wild animal is sick or diseased;

14 (4) to a law enforcement officer or State employee acting within the
15 course of his or her employment; or

16 (5) when following generally accepted hunting, trapping, or fishing
17 practices for retrieval of a covered wild animal, including requirements or
18 practices under this part or rules adopted under this part.

1 § 4925. DISPOSAL

2 A person shall not place, leave, dump, or abandon the carcass or parts of a
3 covered wild animal:

4 (1) along or upon a public right-of-way or highway;

5 (2) upon a private property, without permission of the owner or the
6 owner’s agent, except when following generally accepted hunting, trapping,
7 and fishing practices; or

8 (3) where prohibited by State law.

9 § 4926. ENFORCEMENT DISCRETION

10 The Commissioner shall evaluate on a case by case basis, subject to the
11 facts of each alleged violation, whether to pursue enforcement for a violation
12 of this subchapter.

13 * * * Fish and Wildlife Board; Governance * * *

14 Sec. 13. FINDINGS

15 The General Assembly finds that:

16 (1) It is the policy of the State that:

17 (A) the fish and wildlife of Vermont are held in trust by the State for
18 the benefit of the citizens of Vermont and shall not be reduced to private
19 ownership;

1 (B) the protection, propagation control, management, and
2 conservation of fish, wildlife, and fur-bearing animals in this State are in the
3 interest of the public welfare; and

4 (C) the Commissioner of Fish and Wildlife is required to safeguard
5 the fish, wildlife, and fur-bearing animals of the State for all of the persons of
6 the State.

7 (2) How Vermonters' interactions with, recreation with, and
8 appreciation for wildlife in Vermont have shifted significantly and quantifiably
9 over recent decades.

10 (A) The number of Vermonters participating in hunting, fishing, and
11 trapping is steadily declining as evidenced by the reduction in resident license
12 sales.

13 (B) Since 1985, resident hunting license sales have decreased by
14 56 percent, resident trapping license sales have decreased by 43 percent, and
15 resident fishing license sales have decreased by 23 percent.

16 (C) Since 2006, U.S. Fish and Wildlife Service data indicate that the
17 number of Vermonters identifying as wildlife watchers has increased to
18 86 percent of the population, in contrast to 11.5 percent of the population who
19 identify as hunters.

20 (3) The Department of Fish and Wildlife has recognized that, according
21 to demographic projections, Vermont's population will continue to age and, as

1 a result, Department revenues from the sale of licenses and permits will
2 continue to decline.

3 (A) As a result of declining license and fee revenue, the General
4 Assembly has increased, and may need to further increase, the amount of
5 General Fund dollars annually appropriated to the Department of Fish and
6 Wildlife.

7 (B) To address declining license and permit fee revenue while also
8 reducing the need for additional General Fund appropriations, the Department
9 of Fish and Wildlife must find a predictable, long-term source of revenue to
10 pay for the costs of managing the fish, wildlife, and fur-bearing animals of the
11 State for all of the persons of the State.

12 (4) The General Assembly should form a working group on wildlife
13 governance to:

14 (A) assess how the principles and priorities for the management of
15 fish, wildlife, and fur-bearing animals of the State will evolve in the near
16 future;

17 (B) recommend how the statutes, rules, and policies of the State
18 regarding the management of fish, wildlife, and fur-bearing animals should be
19 amended for the benefit of all of the persons of the State;

20 (C) recommend whether the membership and authority of the Fish
21 and Wildlife Board should be amended to align the authority of the Board with

1 the diversification of the values the persons of the State have regarding the
2 fish, wildlife, and fur-bearing animals of the State;

3 (D) recommend new or additional programs at the Department of
4 Fish and Wildlife to serve the citizens of Vermont who value the fish, wildlife,
5 and fur-bearing animals of the State, but who are not hunters, fishers, or
6 trappers;

7 (E) recommend sustainable funding sources for the long-term
8 operation of the Department of Fish and Wildlife that are not dependent on
9 license and permit sales for hunting, fishing, or trapping; and

10 (F) assess the cost to the Department, including personnel and
11 resources, of providing services or assistance for functions or services outside
12 the scope of the Department’s statutory powers and duties, including wildlife
13 assessments, search and rescue assistance, and enforcement of laws that are not
14 fish and wildlife violations.

15 Sec. 14. VERMONT WORKING GROUP ON WILDLIFE GOVERNANCE;

16 REPORT

17 (a) Creation. There is created the Vermont Working Group on Wildlife
18 Governance to advise the General Assembly regarding the management of
19 fish, wildlife, and fur-bearing animals of the State in a manner that serves the
20 interests and values of all of the persons of the State.

1 (b) Membership. The Vermont Working Group on Wildlife Governance
2 shall be composed of the following members:

3 (1) three current members of the House of Representatives, who shall be
4 appointed by the Speaker of the House and who shall include:

5 (A) the Chair of the Committee on Natural Resources, Fish, and
6 Wildlife or designee;

7 (B) the Chair of the Committee on Appropriations or designee; and

8 (C) the Chair of the Committee on Government Operations or
9 designee; and

10 (2) three current members of the Senate, who shall be appointed by the
11 Committee on Committees and who shall include:

12 (A) the Chair of the Committee on Natural Resources and Energy or
13 designee;

14 (B) the Chair of the Committee on Appropriations or designee; and

15 (C) a member of the Senate at large.

16 (c) Powers and duties. The Vermont Working Group on Wildlife
17 Governance shall review and analyze the funding, management, governance,
18 and policies of the Department of Fish and Wildlife (Department) under statute
19 and rule and shall:

1 (1) provide an accounting of existing funding of the Department and
2 how funding and staffing are allocated according to Department program,
3 function, or audience served;

4 (2) recommend additional funding necessary for the Department to
5 adequately serve all of the citizens of Vermont who value the fish, wildlife,
6 and fur-bearing animals of the State, including proposed sustainable, stable,
7 and sufficient funding sources for all Department programs;

8 (3) analyze whether the purposes and guiding policy of the Department
9 reflect the current values of the public regarding the management of fish,
10 wildlife, and fur-bearing animals, including whether Vermont statutes, rules,
11 and policies are consistent with 21st century wildlife governance principles,
12 such as those stated in the North American Model of Wildlife Conservation as
13 updated;

14 (4) identify additional opportunities for increased participation by all
15 members of the public in the governance of fish, wildlife, and fur-bearing
16 animals of the State through proposed changes to the structure, culture, or
17 operation of the Department or the Fish and Wildlife Board; and

18 (5) propose new Department or State programs or opportunities to meet
19 the needs or interests of citizens of the State who value the fish, wildlife, and
20 fur-bearing animals of the State, but who are not hunters, fishers, or trappers.

1 (d) Assistance. The Vermont Working Group on Wildlife Governance
2 shall have the administrative, technical, and legal assistance of the Office of
3 Legislative Council. The Working Group shall have the assistance of the Joint
4 Fiscal Office on fiscal issues and the Department of Fish and Wildlife on
5 issues related to the jurisdiction of the Department.

6 (e) Report. On or before January 15, 2021, the Vermont Working Group
7 on Wildlife Governance shall report to the House Committees on Natural
8 Resources, Fish, and Wildlife, on Appropriations, and on Government
9 Operations and the Senate Committees on Natural Resources and Energy, on
10 Appropriations, and on Government Operations with its findings and any
11 recommendations for legislative action.

12 (f) Meetings.

13 (1) The Office of Legislative Council shall call the first meeting of the
14 Vermont Working Group on Wildlife Governance to occur on or before
15 August 1, 2020.

16 (2) The Vermont Working Group on Wildlife Governance shall select a
17 chair from among its members at the first meeting.

18 (3) A majority of the membership of the Vermont Working Group on
19 Wildlife Governance shall constitute a quorum.

20 (4) The Vermont Working Group on Wildlife Governance shall cease to
21 exist on February 1, 2021.

1 (g) Compensation and reimbursement.

2 (1) For attendance at meetings during adjournment of the General
3 Assembly, a legislative member of the Vermont Working Group on Wildlife
4 Governance serving in his or her capacity as a legislator shall be entitled to per
5 diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406
6 for not more than eight meetings. These payments shall be made from monies
7 appropriated to the General Assembly.

8 (2) Payments to members of the Vermont Working Group on Wildlife
9 Governance authorized under this subsection shall be made from monies
10 appropriated to the General Assembly.

11 * * * Fishing and Boating Access Areas * * *

12 Sec. 15. 10 V.S.A § 4001(41) is added to read:

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

1 Sec. 16. 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 fishing and boating access areas, landing areas, parking
5 areas, or of other lands or waters acquired or maintained pursuant to section
6 4144 of this title. ~~Such~~ The rules shall be posted in the areas affected ~~and~~. This
7 statute and the rules adopted under this statute shall permit the launching of the
8 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 the owner or operator is in possession
18 of a fish and wildlife access area license issued under section 4281 of this title.

19 (2) The rules shall allow the parking of vehicles and boat trailers for any
20 vessel permitted under this section to use a fishing and boating access area.

1 landing area, parking area, or other land or water acquired or maintained
2 pursuant to section 4144 of 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. 17. 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 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 a fishing access area,
5 landing area, wildlife management area, or riparian lands, or other land or
6 water acquired or maintained pursuant to section 4144 of this title unless
7 otherwise prohibited under 10 V.S.A. App. § 115 regarding the use of State
8 controlled fishing access areas and 10 V.S.A. App. § 15, regarding the public
9 use of Department of Fish and Wildlife lands.

10 * * *

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

17 Sec. 18. 10 V.S.A. § 4281 is added to read:

18 § 4281. FISH AND WILDLIFE ACCESS LICENSE

19 (a) A person using or present on an access area, landing area, parking area,
20 or other land or water acquired or maintained pursuant to section 4144 of this

1 title shall have a current fish and wildlife access license on their person at all
2 times, except if the person:

3 (1) is under 15 years of age;

4 (2) has on their person a current Vermont hunting, fishing, trapping,
5 combination, term, annual, lifetime, or permanent license;

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

8 (4) is participating in an activity or is present at any site, facility, or
9 event listed in in the Fish and Wildlife Access License Exemptions List
10 published by the Department annually;

11 (5) has a permanent license purchased prior to January 1, 2021; or

12 (6) has a permanent license purchased after January 1, 2021, who is
13 actively engaged in hunting, fishing, or trapping.

14 (b) A fish and wildlife access license shall be valid for not more than one
15 year and shall expire on December 31 of each year. The license shall be issued
16 in the form of a paper license.

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

20 (d) The Commissioner may waive the requirement for a fish and wildlife
21 access license under appropriate circumstances, including for:

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* * * Effective Dates * * *

Sec. 21. EFFECTIVE DATES

This act shall take effect on July 1, 2020, except that Secs. 15–20 shall take effect July 1, 2021.

and that after passage the bill be amended to read: “An act relating to miscellaneous fish and wildlife issues”

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE