

1 H.67

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 value of the damage, and may except that reimbursement for damage by black
2 bear to crops, fruit trees, or crop-bearing plants shall be limited to 50 percent
3 of the value of the damage. A person seeking reimbursement for damage shall
4 apply to the Department of Fish and Wildlife within 72 hours of the occurrence
5 of the damage for reimbursement ~~for the damage. As used in this section,~~
6 ~~“post” means any signage that would lead a reasonable person to believe that~~
7 ~~hunting is prohibited on the land.~~

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

9 (1) A person is “engaged in the business of farming” if he or she earns at
10 least one-half of the farmer’s annual gross income from the business of
11 farming, as that term is defined in the Internal Revenue Code, 26 C.F.R.
12 § 1.175-3.

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

14 (3) “Post” means any signage that would lead a reasonable person to
15 believe that hunting is prohibited on the land.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on passage.