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H.323

Introduced by Representative Satcowitz of Randolph

Referred to Committee on

Date:

Subject: Fish and wildlife; hunting; hunting with dogs

Statement of purpose of bill as introduced: This bill proposes to prohibit the hunting of bears or coyote with the aid of dogs.

An act relating to prohibiting the hunting of bear or coyote with dogs

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

Sec. 1. 10 V.S.A. § 5007 is amended to read:

§ 5007. HUNTING BLACK BEAR WITH DOGS; PROHIBITION

(a) No person shall pursue black bear with the aid of dogs, either for training or taking purposes, ~~without a permit issued by the Commissioner. The number of permits issued to nonresidents in any given year shall not exceed 10 percent of the number of permits issued to residents in the preceding year. The Commissioner shall establish a process for determining which nonresidents are to receive a permit if there are more nonresident applicants than nonresident permits. A nonresident may train dogs to hunt bear only while training season is in effect in the nonresident's home state and subject to the laws and regulations of this State.~~

1       ~~(b) Permits will be issued to residents for a fee of \$50.00.~~

2       ~~(c) Application fees for nonresidents shall be \$10.00 with a permit fee of~~  
3       ~~\$200.00 for successful applicants.~~

4       Sec. 2. 2022 Acts and Resolves No. 165, Sec. 1 is amended to read:

5       Sec. 1. 10 V.S.A. §§ 5008 and 5009 are added to read:

6       § 5008. HUNTING COYOTE WITH AID OF DOGS; PERMIT

7       ~~(a) No person shall pursue coyote with the aid of dogs, either for training or~~  
8       ~~taking purposes, without a permit issued by the Commissioner.~~

9             ~~(1) The Commissioner may deny any permit at the Commissioner's~~  
10       ~~discretion. The Commissioner shall not issue more than 100 permits annually.~~

11            ~~(2) The number of permits that the Commissioner issues to nonresidents~~  
12       ~~in any given year shall not exceed 10 percent of the number of permits issued~~  
13       ~~to residents in the preceding year. The Commissioner shall establish a process~~  
14       ~~and standards for determining which nonresidents are to receive a permit,~~  
15       ~~including who will receive a permit if there are more nonresident applicants~~  
16       ~~than nonresident permits.~~

17            ~~(3) A nonresident may train dogs to pursue coyote only while the~~  
18       ~~training season is in effect in the nonresident's home state and subject to the~~  
19       ~~requirements of this part and rules adopted under this part.~~

20       ~~(b)(1) The Commissioner shall issue permits under this section to a resident~~  
21       ~~for a fee of \$50.00.~~

1           ~~(2) The application fee for a nonresident permit issued under this section~~  
2           ~~shall be \$10.00, and the fee for a nonresident permit issued under this section~~  
3           ~~shall be \$200.00 for a successful applicant.~~

4           ~~§ 5009. PURSUING COYOTE WITH AID OF DOGS; LANDOWNER~~  
5           ~~PERMISSION~~

6           ~~(a) A person shall not release a dog onto land posted in accordance with~~  
7           ~~section 5201 of this title for the purpose of pursuing coyote with the aid of~~  
8           ~~dogs unless the dog owner or handler of the hunting dog has obtained a~~  
9           ~~courtesy permission card from the landowner or landowner's agent allowing~~  
10           ~~the pursuit of coyote with the aid of dogs on the land.~~

11           ~~(b) A person shall not release onto land a dog for the purpose of pursuing~~  
12           ~~coyote with the aid of dogs if in the previous 365 days a dog had been~~  
13           ~~previously found on the land, and the dog owner, a handler of the dog, or a~~  
14           ~~person participating in the hunt has been personally informed by law~~  
15           ~~enforcement that hunting dogs are not permitted on the property.~~

16           ~~(c)(1) For a first offense, a person who violates this section shall have~~  
17           ~~committed a minor fish and wildlife violation and shall be assessed a five-point~~  
18           ~~violation under subdivision 4502(b)(1) of this title.~~

19           ~~(2) For a second or subsequent violation of this section, a person shall~~  
20           ~~be assessed a 10-point violation under subdivision 4502(b)(2) of this title and~~  
21           ~~shall be fined under section 4515 of this title. [Repealed.]~~

1 Sec. 3. REPEAL; COYOTE MORATORIUM; FISH AND WILDLIFE

2 BOARD RULES ON PURSUING COYOTE WITH DOGS

3 2022 Acts and Resolves No. 165, Secs. 2 and 3 (moratorium on hunting  
4 coyote with dogs; Fish and Wildlife Board rules on pursuing coyote with dogs)  
5 are repealed.

6 Sec. 4. 2022 Acts and Resolves No. 165, Sec. 11(c) is amended to read:

7 (c) Sec. 1 (~~permit requirement and prohibition on pursuing coyote with aid~~  
8 ~~of dogs) shall take effect on the effective date of the Fish and Wildlife Board~~  
9 ~~rules required under Sec. 3 of this act~~ July 1, 2023.

10 Sec. 5. 10 V.S.A. § 5001(a) is amended to read:

11 (a) While accompanying the dog, a person may train a hunting dog to hunt  
12 and pursue:

13 (1) ~~bear during the period from June 1 to September 15 and then only~~  
14 ~~from sunrise to sunset; [Repealed.]~~

15 (2) rabbits and game birds during the period from June 1 to the last  
16 Saturday in September and then only from sunrise to sunset;

17 (3) raccoon during the period from June 1 through any time of day or  
18 night on the day before the opening day of raccoon hunting season; and

19 (4) bobcat and fox during the period June 1 to March 15, except during  
20 regular deer season as prescribed in section 4741 of this title.

1 Sec. 6. 10 V.S.A. § 4502(b) is amended to read:

2 (b) A person violating provisions of this part shall receive points for  
3 convictions in accordance with the following schedule (all sections are in this  
4 title of the Vermont Statutes Annotated):

5 (1) Except for biological collection violations determined to be nonpoint  
6 violations under the rules of the Board, five points shall be assessed for any  
7 violation of statutes or rules adopted under this part except those listed in  
8 subdivisions (2) and (3) of this subsection.

9 (2) Ten points shall be assessed for:

10 \* \* \*

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

13 \* \* \*

14 (3) Twenty points shall be assessed for:

15 \* \* \*

16 (O) Appendix § 7, sections 4.2, 5.1, 5.2, 5.3, ~~6.1, 6.2~~, 6.3(d), ~~6.3(e)~~,  
17 6.4, 6.5(c), and 6.5(d), ~~7.1, and 7.2~~. Bear, unauthorized taking

18 \* \* \*

19 Sec. 7. 10 V.S.A. § 4747 is amended to read:

20 § 4747. BIG GAME TAKEN BY ILLEGAL MEANS

1           A person shall not take or possess big game by the aid of a snare, trap, salt  
2           lick, jack, or other light or use these devices to entrap or ensnare big game. A  
3           person shall not use a dog of any breed or sex at any time for the purpose of  
4           hunting any big game except ~~black bear and~~ wild turkey as provided in fish  
5           and wildlife rules, nor shall ~~he or she~~ a person harbor or have in ~~his or her~~ the  
6           person's possession a dog for this purpose. A person other than the owner or a  
7           person designated by the owner shall not take a confined fallow deer or a  
8           confined red deer.

9           Sec. 8. 10 V.S.A. App. § 7 is amended to read:

10          § 7. Bear Management Rule

11           1.0 Authority.

12           1.1 This rule is adopted pursuant to 10 V.S.A. § 4081(a). In adopting  
13           this rule, the Fish and Wildlife Board is following the policy established by the  
14           General Assembly that the protection, propagation, control, management, and  
15           conservation of fish, wildlife and furbearing animals in this State is in the  
16           interest of the public welfare and that the safeguarding of this valuable  
17           resource for the people of the State requires a constant and continual vigilance.

18           1.2 In accordance with 10 V.S.A. § 4082, this rule is designed to  
19           maintain the best health, population and utilization levels of the black bear  
20           population.







1           3.13 ~~“Relaying Dogs/Packs” means the removal and replacement of one~~  
2 ~~or more dog or dogs to the trail of a bear to the original pack of dogs once the~~  
3 ~~pursuit has begun. If the hunting or pursuit of a black bear commences with~~  
4 ~~fewer than six dogs in the original Pack of Dogs, the addition of a dog or dogs~~  
5 ~~shall not be considered relaying, provided that no more than the same six dogs~~  
6 ~~are part of a single Pack of Dogs during the hunting, pursuing or taking of a~~  
7 ~~black bear. [Repealed.]~~

8           3.14 “Bear Tag” means a document issued by the Department  
9 authorizing the taking of a black bear in the current season.

10           3.15 ~~“Unregistered Dog” means a dog that does not have a valid~~  
11 ~~numbered dog license as described in 3.8. [Repealed.]~~

12           4.0 Seasons and Shooting Hours.

13           4.1 Early and Late Season

14           (a) Early Season: For Vermont Residents: September 1 through the  
15 day before the first day of the Regular Deer Season.

16           For Non-Vermont Residents without the use of dogs: September 1  
17 through the day before the first day of the Regular Deer Season.

18           ~~For Non-resident Bear Dog Permit Holders: The early black bear~~  
19 ~~season shall be open to Non-Resident bear dog permit holders on September~~  
20 ~~15 and not before.~~



1 bow hunter education course in Vermont, another state or a province of Canada  
2 approved by the Commissioner.

3 ~~6.3 Dogs and Packs.~~

4 ~~(a) A person shall not take black bear with the aid of dogs unless the~~  
5 ~~person is in control of the dog or dogs.~~

6 ~~(b) No person shall take a black bear with the aid of any Unregistered~~  
7 ~~Dog. No person shall have an Unregistered Dog in his or her possession while~~  
8 ~~hunting, pursuing or taking a black bear.~~

9 ~~(c) A person hunting with dogs, pursuing, and taking black bear with~~  
10 ~~the aid of dogs shall attach a Department Registration Dog Tag and a metal~~  
11 ~~identification name plate with the person's name, address and telephone~~  
12 ~~number to the dog's collar.~~

13 ~~(d) A person taking a black bear with the aid of dogs shall only take a~~  
14 ~~black bear with a Pack of Dogs as defined in this rule. No person shall pursue,~~  
15 ~~hunt, or take black bear by Relaying Dogs/Packs.~~

16 ~~(e) Two or more permit holders may hunt together and combine~~  
17 ~~Department Registered dog(s) to form a Pack of Dogs. The combined bear~~  
18 ~~dog permit holders shall not take black bear with the aid of more than six dogs~~  
19 ~~combined forming a single pack of dogs. Once hunting with dogs commences,~~  
20 ~~dogs not on the hunt shall be restrained in the dog box or inside the vehicle.~~

1 ~~The combined bear dog permit holders shall not possess any Unregistered~~  
2 ~~Dogs while hunting, pursuing or taking black bear. [Repealed.]~~

3 7.0 Prohibitions.

4 7.1 No person shall place bait to attract black bear for the purposes of  
5 allowing a bear dog to catch/strike the scent of a black bear. No person take  
6 bear by using bait or a baited area.

7 7.2 A person shall not advertise, barter, exchange goods or services, or  
8 otherwise sell the use of a dog or dogs for the purpose of taking any black bear.

9 ~~7.3 While hunting with dogs, no person shall have in their possession an~~  
10 ~~Unregistered Dog while possessing Department Registered dogs. [Repealed.]~~

11 ~~7.4 It shall be a violation for a Vermont resident to apply for a bear dog~~  
12 ~~permit for the purpose of allowing a nonresident bear dog owner to hunt bear~~  
13 ~~in Vermont with the aid of dogs. [Repealed.]~~

14 7.5 No person shall hunt black bear with a bow and arrow or crossbow if  
15 the arrow or bolt has an arrowhead that measures less than seven-eighths of an  
16 inch at its widest point or that has less than two sharp cutting edges.

17 8.0 Reporting.

18 8.1 The black bear carcass shall be field dressed prior to reporting.

19 8.2 Upon request of a Game Warden, the person harvesting the bear and  
20 the permit holder shall show and return to the kill site with a Game Warden.

