

1 H.595

2 Introduced by Representative Brennan of Colchester

3 Referred to Committee on

4 Date:

5 Subject: Fish and wildlife; game; deer or bear doing damage

6 Statement of purpose of bill as introduced: This bill proposes to repeal the
7 requirement that the Department of Fish and Wildlife reimburse persons
8 engaged in the business of farming for damage to crops from deer or bear.

9 An act relating to deer and bear doing damage to crops

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

11 Sec. 1. 10 V.S.A. §§ 4829–4832 are amended to read:

12 § 4829. ~~PERSON SUFFERING DAMAGE BY DEER OR BLACK BEAR~~

13 ~~(a) A person engaged in the business of farming who suffers damage by~~
14 ~~deer to the person's crops, fruit trees, or crop bearing plants on land not posted~~
15 ~~against the hunting of deer, or a person engaged in the business of farming who~~
16 ~~suffers damage by black bear to the person's cattle, sheep, swine, poultry, or~~
17 ~~bees or bee hives on land not posted against hunting or trapping of black bear~~
18 ~~is entitled to reimbursement for the damage up to an amount not to exceed~~
19 ~~\$5,000.00 per year, and may apply to the Department of Fish and Wildlife~~
20 ~~within 72 hours of the occurrence of the damage for reimbursement for the~~

1 ~~damage. As used in this section, “post” means any signage that would lead a~~
2 ~~reasonable person to believe that hunting is prohibited on the land.~~

3 ~~(b) As used in this section, a person is “engaged in the business of farming”~~
4 ~~if he or she earns at least one-half of the farmer’s annual gross income from the~~
5 ~~business of farming, as that term is defined in the Internal Revenue Code, 26~~
6 ~~C.F.R. § 1.175-3. [Repealed.]~~

7 § 4830. REGULATIONS

8 ~~The State Fish and Wildlife Board shall adopt rules and regulations relating~~
9 ~~to application for reimbursement, examination by State fish and wildlife~~
10 ~~wardens of damage, and reimbursement therefor. [Repealed.]~~

11 § 4831. REIMBURSEMENT

12 ~~Reimbursement under this subchapter shall be made by the State Treasurer,~~
13 ~~on the voucher of the Commissioner of Fish and Wildlife, from money~~
14 ~~received by the State Treasurer under the provisions of this part. [Repealed.]~~

15 § 4832. APPEAL

16 ~~A person who is denied reimbursement under this subchapter or who is~~
17 ~~dissatisfied with the amount of the reimbursement granted may appeal to the~~
18 ~~Superior Court of the county in which he or she resides. [Repealed.]~~

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2024.