
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 47 (H.231). An act relating to technical corrections to fish and wildlife statutes

Subjects: Fish and wildlife; technical corrections; definitions; uniform points; taking of amphibians and reptiles; transporting a crossbow in a motor vehicle

This act makes multiple changes to laws related to the management of fish and wildlife. The act amends the existing ban on the willful destruction of nests or birds' eggs except when necessary to protect a building to clarify a person cannot remove a nest to protect a building when eggs or chicks are in the nest. The act authorizes the enforcement of the Agency of Natural Resources' (ANR's) Use of Public Waters Rules as a civil violation in the Judicial Bureau.

The act provides that a Vermont resident with developmental disabilities may receive a free permanent fishing license upon submission to the Department of Fish and Wildlife (DFW) of a statement signed by a treating health care provider certifying that the person meets the definition of a person with development disabilities. The act also authorizes the Commissioner of Fish and Wildlife to designate Labor Day weekend each year as "free mentored fishing weekend," when up to four unlicensed anglers can fish with a licensed angler over the weekend. The act requires the DFW to maintain an accounting of lost revenue due to the issuance of free licenses, and DFW annually shall report to the General Assembly an accounting of lost revenue due to free licenses.

The act amends the permitting requirements for fishing tournaments in the State. The act clarifies that tournaments held on the Connecticut River, excluding Moore and Comerford Reservoirs, that do not utilize a Vermont access area do not need to obtain a permit. The act provides that a fishing tournament may run multiple days, but the days must be consecutive for that contest to be considered a single event. The act amends the fees for fishing tournaments. Tournaments with up to 25 participants pay a fee of \$10.00. Tournaments with 26 to 50 participants pay a fee of \$30.00. Tournaments with more than 50 participants pay a fee of \$100.00.

The act amends the definition of a big game violation and increases the fines for big game violations. The act defines a "big game violation" to mean violations relating to taking, possessing, transporting, buying, or selling of big game; violations related to threatened and endangered species; violations relating to taking fish or game while under a criminal suspension; violations relating to the trade in covered animal parts or products; interference with hunting, fishing, or trapping; or illegal commercial importation or possession of wild animals. The act also clarifies that a person cannot carry an air rifle, arrow rifle, pre-charged pneumatic rifle, or crossbow in a motor vehicle while the weapon is loaded.

The act provides that the Criminal Division of the Superior Court generally shall have exclusive jurisdiction over fish and wildlife violations except that a fish and wildlife violation shall be charged as a minor violation subject to a civil penalty in the Judicial

Bureau, provided that the offender has no prior history of fish and wildlife violations, there is no need to seize evidence in order to further investigate the violation, there is no need for a criminal warrant to further investigate the violation, and there is no possibility of forfeiture. If a violation is not eligible to be a minor violation, the violation shall be treated as criminal.

The act prohibits the intentional taking of reptiles or amphibians in the State beginning on January 1, 2027 unless the Commissioner of Fish and Wildlife allows for taking under DFW rules. The act authorizes the Commissioner to adopt rules that establish requirements for the collection or possession for commercial use, export, or sale of reptiles and amphibians. Prior to the Commissioner adopting rules, the act prohibits a person from importing, possessing, or selling a pond slider turtle in the State unless legally acquired as a pet before July 1, 2025 or legally acquired by a person with a pet dealer permit or commercial collection permit. The prohibitions related to sale of pond sliders shall be repealed when the Commissioner adopts rules regulating the import, possession, or sale of the pond slider.

The act clarifies the requirements for a person to obtain a permit from the Commissioner of Fish and Wildlife in order to import, transport into, transport within, or possess wild animals in the State. The act also authorizes the Secretary of Natural Resources to maintain the confidentiality of the location and type of a threatened and endangered species during regulatory planning or similar events. The act also repeals the statute requiring DFW to reimburse farmers for damage to farm crops by deer or black bear.

The act also amends requirements under the Climate Superfund Cost Recovery Program. The act authorizes ANR to adopt the Resilience Implementation Strategy as a report instead of by rule. The act also clarifies the definition of covered greenhouse gas emissions. Last, the act extends the deadline for ANR rules under the Climate Superfund Cost Recovery Program and the deadline for the State Treasurer's report on the cost to Vermont of covered greenhouse gas emissions.

Multiple effective dates, beginning on June 5, 2025