

1 H.928

2 Introduced by Committee on Environment

3 Date:

4 Subject: Conservation and development; fish and wildlife conservation;  
5 penalties and enforcement; licenses

6 Statement of purpose of bill as introduced: This bill proposes to make  
7 technical changes to the uniform point system statute for fish and wildlife  
8 violations. This bill would grant the Commissioner of Fish and Wildlife  
9 discretion to determine whether annual hunting licenses expire on December  
10 31 of the year for which they were issued or 365 days after the date they were  
11 issued. This bill also would grant the Department of Fish and Wildlife the  
12 ability to assess a fee for additional tags or permits that are not otherwise  
13 identified in statute.

14 An act relating to technical corrections to fish and wildlife statutes

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

16 Sec. 1. 10 V.S.A. § 4502 is amended to read:

17 § 4502. UNIFORM POINT SYSTEM; REVOCATION OF LICENSE

18 (a) A uniform point system that assigns points to those convicted of a  
19 violation of a provision of this part is established. The conviction report from

1 the court shall be prima facie evidence of the points assessed. In addition to  
2 other penalties assessed for violation of fish and wildlife statutes, the  
3 Commissioner shall suspend licenses issued under this part that are held by a  
4 person who has accumulated 10 or more points in accordance with the  
5 provisions of subsection (c) of this section.

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

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

13 (2) Ten points shall be assessed for:

14 \* \* \*

15 (G) § 4704. Use of machine guns, and autoloading rifles, ~~and gun~~  
16 ~~suppressors~~

17 (H) § 4705. Shooting from motor vehicles or aircraft, excluding  
18 § 4705(a)

19 \* \* \*

1 (GG) Appendix § 44. Trapping, except for violations of Appendix  
2 § 44, sections 4.3, 4.4, 4.6, 4.9, 4.10, 4.11, 4.12, 4.14(e) 4.18(b), and 4.14(e)  
3 4.18(e)

4 (HH) § 4827. Taking black bear doing damage

5 (II) Appendix § 37, ~~section 10~~ sections 4.1, 7.5, 8.5, 11.0, 11.1, 11.2,  
6 11.3, 11.4, 11.5, 13.0, and 13.1. Deer management rule

7 \* \* \*

8 (OO) Appendix § 22a. Taking turkey doing damage

9 (PP) Appendix § 35. Taking moose doing damage

10 \* \* \*

11 (SS) ~~Appendix § 37, section 9.0. Feeding deer~~ Appendix § 7, section  
12 5.3. Bear management rule

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

14 (UU) Appendix § 22, sections 6.2, 8.0, 8.1, 8.2, 8.3, 8.4, and 8.5.

15 Turkey seasons

16 (VV) Appendix § 33, section 12. Moose management rule

17 (WW) Appendix § 5. Bow and arrow standards

18 (XX) § 4701. Use of gun, bow and arrow, and crossbow; legal day;  
19 dogs.

20 (3) Twenty points shall be assessed for:

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\* \* \*

Sec. 2. 10 V.S.A. § 4263 is amended to read:

§ 4263. EXPIRATION; NONTRANSFERABILITY

Licenses shall not be transferable and shall be dated when issued. Annual licenses shall be valid from January 1 of the calendar year for which they are issued or from the day of purchase and issue in that year as certified by the issuing agent. All annual licenses shall expire on December 31 of the year for which they were issued or 365 days after the date on which they are issued, as determined by the Commissioner. Term licenses shall be valid only for the time period certified on the license form by the issuing agent. Any licenses may be sold prior to the date that they are to become effective.

~~Sec. 3. 10 V.S.A. § 4255 is amended to read:~~

~~§ 4255. LICENSE FEES~~

~~(a) Vermont residents may apply for licenses on forms provided by the Commissioner. Fees for each license shall be:~~

- |  |                    |
|--|--------------------|
| <del>(1) Fishing license</del>                                   | <del>\$28.00</del> |
| <del>(2) Hunting license</del>                                   | <del>\$28.00</del> |
| <del>(3) Combination hunting and fishing license</del>           | <del>\$47.00</del> |
| <del>(4) Big game licenses (all require a hunting license)</del> |                    |
| <del>(A) archery license</del>                                   | <del>\$23.00</del> |
| <del>(B) muzzle loader license</del>                             | <del>\$23.00</del> |

1	(C) turkey license	\$23.00
2	(D) [Repealed.]	
3	(E) [Repealed.]	
4	(F) moose license	\$100.00
5	(G) bear tag	\$5.00
6	(H) additional deer archery tag	\$23.00
7	(5) Trapping license	\$23.00
8	(6) Hunting license for persons 17 years of age or under	\$8.00
9	(7) Trapping license for persons 17 years of age or under	\$10.00
10	(8) Fishing license for persons 15 through 17 years of age	\$8.00
11	(9) Super sport license	\$150.00
12	(10) Three-day fishing license	\$11.00
13	(11) Combination hunting and fishing license for persons 17 years of	
14	age or under	\$12.00
15	(12) Mentored hunting license	\$10.00
16	* * *	
17	<u>(o) If the Board determines that it is necessary to issue or require additional</u>	
18	<u>big game tags or big game permits that are not otherwise identified in this</u>	
19	<u>section, the Department may issue such tags and permits and may assess a fee</u>	
20	<u>for such tags and permits of not more than the prevailing rate for big game</u>	
21	<u>tags</u>	

*Sec. 3. 10 V.S.A. § 4255 is amended to read:*

*§ 4255. LICENSE FEES*

*(a) Vermont residents may apply for licenses on forms provided by the Commissioner. Fees for each license shall be:*

<i>(1) Fishing license</i>	<i>\$28.00</i>
<i>(2) Hunting license</i>	<i>\$28.00</i>
<i>(3) Combination hunting and fishing license</i>	<i>\$47.00</i>
<i>(4) Big game licenses (all require a hunting license)</i>	
<i>(A) archery license</i>	<i>\$23.00</i>
<i>(B) muzzle loader license</i>	<i>\$23.00</i>
<i>(C) turkey license</i>	<i>\$23.00</i>
<i>(D) [Repealed.]</i>	
<i>(E) [Repealed.]</i>	
<i>(F) moose license</i>	<i>\$100.00</i>
<i>(G) bear tag</i>	<i>\$5.00</i>
<i>(H) additional deer archery tag</i>	<i>\$23.00</i>
<i>(5) Trapping license</i>	<i>\$23.00</i>
<i>(6) Hunting license for persons 17 years of age or under</i>	<i>\$8.00</i>
<i>(7) Trapping license for persons 17 years of age or under</i>	<i>\$10.00</i>
<i>(8) Fishing license for persons 15 through 17 years of age</i>	<i>\$8.00</i>
<i>(9) Super sport license</i>	<i>\$150.00</i>

<i>(10) Three-day fishing license</i>	<i>\$11.00</i>
<i>(11) Combination hunting and fishing license for persons 17 years of age or under</i>	<i>\$12.00</i>
<i>(12) Mentored hunting license</i>	<i>\$10.00</i>

\* \* \*

*(o) If the Board determines that it is necessary to issue or require additional big game tags or big game permits that are not otherwise identified in this section, the Department may issue such tags and permits and may assess a provisional fee for such tags and permits at an amount equal or similar to the fee for the same big game. The Department shall seek legislative approval of the provisional fee pursuant to 32 V.S.A. § 603 within one year following the Department's assessment of the fee. The Department's failure to obtain legislative approval of the provisional fee shall void the provisional fee and the Department shall not assess a new provisional fee for the same big game tag or big game permit.*

1      Sec. 4. 1999 Acts and Resolves No. 1, Sec. 87a is amended to read:

2            Sec. 87a. GENERAL FUND APPROPRIATIONS

3            The following amounts are appropriated in fiscal year 1999 to the secretary  
4      of administration, for transfer and use by the referenced departments as  
5      indicated:

