

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Environment to which was referred House Bill No. 230
3 entitled “An act relating to the management of fish and wildlife” respectfully
4 reports that it has considered the same and recommends that the bill be
5 amended by striking out all after the enacting clause and inserting in lieu
6 thereof the following:

7 Sec. 1. 10 V.S.A. § 4251 is amended to read:

8 § 4251. TAKING WILD ANIMALS AND FISH; LICENSE

9 (a) Except as provided in sections 4253 and 4254b of this title, a person
10 shall not take wild animals or fish without first having procured a license
11 therefor; provided, however, that a person under 15 years of age may take fish
12 in accordance with this part and regulations of the Board, without first having
13 procured a license therefor.

14 (b) The Commissioner of Fish and Wildlife may designate two days each
15 calendar year as “free fishing days” for which no license shall be required.
16 One day shall occur in the open water fishing season and one day shall occur
17 during the ice fishing season.

18 (c) The Commissioner of Fish and Wildlife may designate Labor Day
19 weekend each year as “free mentored fishing weekend,” during which one
20 unlicensed angler can fish with one licensed angler throughout this three-day
21 period.

1 Sec. 2. 10 V.S.A. § 4613 is amended to read:

2 § 4613. FISHING TOURNAMENTS

3 (a) No person or organization shall hold a fishing tournament on the waters
4 of the State without first obtaining a permit from the Department of Fish and
5 Wildlife. Tournaments held on the Connecticut River, excluding Moore and
6 Comerford Reservoirs, that do not utilize an access area in Vermont are not
7 required to obtain a permit from the Department of Fish and Wildlife.

8 (b) A fishing tournament means a contest in which anglers pay a fee to
9 enter and in which the entrants compete for a prize based on the quality or size
10 of the fish they catch. A contest may run multiple days, but the days must be
11 consecutive for that contest to be considered a single event. A tournament that
12 limits the entrants to people below 15 years of age or a tournament held as part
13 of a Special Olympics program shall be exempt from paying the fee required
14 under subsection (d) of this section.

15 (c) The Commissioner shall adopt rules that establish the procedure for
16 implementation of this section. The rules shall include a provision that an
17 angler may not enter a fish that was caught and confined to an enclosed area
18 prior to the beginning of the tournament.

19 (d) The Commissioner shall charge a fee ~~of \$50.00~~ based on the number of
20 participants for each permit issued under this section and shall deposit the fee
21 collected into the Fish and Wildlife Fund. Tournaments with up to 25

1 participants shall pay a fee of \$10.00; tournaments with 26 to 50 participants
2 shall pay a fee of \$30.00; and tournaments with more than 50 participants shall
3 pay a fee of \$100.00.

4 Sec. 3. 10 V.S.A. § 4518 is amended to read:

5 § 4518. BIG GAME VIOLATIONS; THREATENED AND ENDANGERED
6 SPECIES; SUSPENSION; VIOLATIONS

7 (a) Whoever violates a provision of this part or orders or rules of the Board
8 ~~relating to taking, possessing, transporting, buying, or selling of big game;~~
9 ~~relating to threatened or endangered species; or relating to the trade in covered~~
10 ~~animal parts or products~~ that constitutes a big game violation shall be fined not
11 more than ~~\$1,000.00~~ \$2,000.00 nor less than ~~\$400.00~~ \$500.00 or imprisoned
12 for not more than 60 days, or both. Upon a second and all subsequent
13 convictions or any conviction while under license suspension related to the
14 requirements of part 4 of this title, the violator shall be fined not more than
15 ~~\$4,000.00~~ \$5,000.00 nor less than \$2,000.00 or imprisoned for not more than
16 ~~60~~ 180 days, or both.

17 (b) As used in this section, “big game violation” means:

18 (1) violations relating to taking, possessing, transporting, buying, or
19 selling of big game;

20 (2) violations of chapter 123 of this title and the rules related to
21 threatened and endangered species;

1 (3) violation of section 4280 of this title relating to criminal
2 suspensions;

3 (4) violations of chapter 124 of this title relating to the trade in covered
4 animal parts or products;

5 (5) interference with hunting, fishing, or trapping in violation of section
6 4708 of this title; or

7 (6) illegal commercial importation or possession of wild animals in
8 violation of section 4709 of this title.

9 Sec. 4. 10 V.S.A. § 4552 is amended to read:

10 § 4552. JURISDICTION; VENUE

11 The Vermont Criminal Division of the Superior Court shall have exclusive
12 jurisdiction over fish and wildlife violations with the exception of violations
13 related to section 4572 and chapters 123 and 124 of this title. Venue for
14 adjudicating fish and wildlife violations shall be the unit of the Criminal
15 Division of the Superior Court having jurisdiction over the geographical area
16 where the offense is stated to have occurred.

17 Sec. 5. 10 V.S.A. § 4572 is amended to read:

18 § 4572. DEFINITIONS

19 (a) As used in this subchapter, a minor fish and wildlife violation means:

20 (1) a violation of 10 V.S.A. § 4145 (violation of access and landing area
21 rules);

1 (2) a violation of 10 V.S.A. § 4251 (taking wild animals and fish
2 without a license);

3 (3) a violation of 10 V.S.A. § 4266 (failure to carry a license on person
4 or failure to exhibit license);

5 (4) a violation of 10 V.S.A. § 4267 (false statements in license
6 application; altering license; transferring license to another person; using
7 another person's license; or guiding an unlicensed person);

8 (5) a violation of 10 V.S.A. § 4713 (tree or ground stands or blinds); ~~or~~

9 (6) [Repealed.]

10 (7) a violation of a biological collection rule adopted by the Board under
11 part 4 of this title; or

12 (8) except for big game offenses and under revocation offenses, any fish
13 and wildlife violation as defined by 10 V.S.A § 4551 and not otherwise listed
14 in this section shall be charged as a minor violation, provided that:

15 (A) the offender has no prior history of fish and wildlife violations;

16 (B) no evidence was seized in relation to the violation;

17 (C) a criminal warrant was not used in relation to the
18 violation; and

19 (D) there is no possibility of forfeiture.

20 (b) "Bureau" means the Judicial Bureau as created in 4 V.S.A. § 1102.

1 Sec. 6. 10 V.S.A. § 4085 is added to read:

2 § 4085. REPTILES AND AMPHIBIANS; TAKING; POSSESSION

3 (a)(1) No person shall take by hunting a wild reptile or amphibian in the
4 State unless authorized under the rules adopted by the Commissioner of Fish
5 and Wildlife under subsection (b) of this section.

6 (2) No person shall import a reptile or amphibian into the State unless
7 authorized under the rules adopted by the Commissioner of Fish and Wildlife
8 under subsection (c) of this section.

9 (3) No person shall remove a wild reptile or amphibian in the State from
10 the wild for the purpose of possession, commercial harvest, export, or sale
11 unless authorized by the Commissioner of Fish and Wildlife by rule under
12 subsection (d) of this section.

13 (b)(1) The Commissioner of Fish and Wildlife may authorize the taking of
14 the following wild reptiles or amphibians by hunting by a person with a valid
15 hunting license:

16 (A) bull frogs;

17 (B) green frogs;

18 (C) snapping turtles;

19 (D) non-native invasive species identified by the Commissioner in
20 rule that pose a threat to native species or ecosystems in Vermont; and

1 (E) native species of reptiles or amphibians identified by the
2 Commissioner in rule that due to population, risk to other native species, or
3 risk to ecosystems have been identified as requiring a reduction in population.

4 (2) When the Commissioner of Fish and Wildlife authorizes the taking
5 of reptiles or amphibians by hunting under subdivision (1) of this subsection,
6 the Commissioner may:

7 (A) establish the season or seasons when taking of a reptile or
8 amphibian by hunting is authorized;

9 (B) establish limits on the number of a reptile or amphibian that may
10 be taken by hunting on a daily basis or by season;

11 (C) establish the territorial limits where the taking of a reptile or
12 amphibian by hunting may occur;

13 (D) establish restrictions on the taking of a reptile or amphibian by
14 hunting based upon sex, maturity, or other physical distinction of the species or
15 variety pursued;

16 (E) prescribe the manner and means of taking any species or variety
17 of a reptile or amphibian by hunting, including reporting and tagging of a
18 reptile or amphibian; and

19 (E) designate Wildlife Management Units for the taking of various
20 species or varieties or reptiles or amphibians by hunting.

1 (c) The Commissioner of Fish and Wildlife may by rule prohibit the
2 possession and importation of a species of reptile or amphibian that may pose a
3 threat to native species and ecosystems in Vermont. The rules:

4 (1) shall establish a list of prohibited or restricted species; and

5 (2) shall allow for waivers for possession of prohibited species legally
6 acquired as a pet prior to the effective date of any statute or rule prohibiting the
7 possession of a reptile or amphibian.

8 (d) The Commissioner of Fish and Wildlife may by rule allow a person to
9 remove a reptile or amphibian from the wild and possess the animal for:

10 (1) scientific purposes;

11 (2) to enhance the propagation or survival of the species;

12 (3) zoological exhibition;

13 (4) educational purposes; or

14 (5) noncommercial cultural or ceremonial purposes.

15 (e) Rules adopted by the Commissioner of Fish and Wildlife under this
16 section shall be designed to maintain the best health, population, and utilization
17 levels of the regulated reptile or amphibian.

18 **Sec. 7. IMPLEMENTATION; PROHIBITION ON IMPORT AND**

19 **POSSESSION OF POND SLIDER**

1 (a) A person shall not import or possess in the State a pond slider turtle
2 (*Trachemys scripta*), unless the turtle was legally acquired as a pet prior to July
3 1, 2025.

4 (b) Subsection (a) of this section shall be repealed on the effective date of a
5 rule adopted by the Commissioner of Fish and Wildlife under 10 V.S.A.
6 § 4085 prohibiting the import or possession of the pond slider turtle
7 (*Trachemys scripta*).

8 (c) When a hunting license issued under 10 V.S.A. part 4 authorizes the
9 taking of reptiles and amphibians under the license, the license shall include an
10 endorsement indicating the authorized taking of reptiles and amphibians.

11 Sec. 8. 10 V.S.A. § 4709 is amended to read:

12 § 4709. TRANSPORT, IMPORTATION, POSSESSION, AND STOCKING
13 OF WILD ANIMALS; POSSESSION OF WILD BOAR OR FERAL
14 SWINE

15 (a) A person shall not bring into, transport into, transport within, transport
16 through, or possess in the State any live wild bird or animal of any kind,
17 including reptiles, amphibians, or any manner of feral swine, without
18 authorization from the Commissioner or ~~his or her~~ the Commissioner's
19 designee. The importation permit may be granted under ~~such regulations~~
20 ~~therefor as~~ rules, requirements, or conditions that the Commissioner shall
21 prescribe and only after the Commissioner has made such investigation and

1 inspection of the birds or animals as ~~she or he~~ the Commissioner may deem
2 necessary. The Department may dispose of unlawfully possessed or imported
3 wildlife as it may judge best, and the State may collect treble damages from the
4 violator of this subsection for all expenses incurred.

5 (b) No person shall bring into the State from another country, state, or
6 province wildlife illegally taken, transported, or possessed contrary to the laws
7 governing the country, state, or province from which the wildlife originated.

8 (c) No person shall place a Vermont-issued tag on wildlife taken outside
9 the State. No person shall report big game in Vermont when the wildlife is
10 taken outside the State.

11 (d) Nothing in this section shall prohibit the Commissioner or duly
12 authorized agents of the Department of Fish and Wildlife from bringing into
13 the State for the purpose of planting, introducing, or stocking or from planting,
14 introducing, or stocking in the State any wild bird or animal.

15 (e) A person shall not take, collect, possess, sell, import, or export any wild
16 bird or animal, or parts thereof, dead or alive, for commercial purposes unless
17 authorized by the rules of the Board, rules of the Commissioner, or a permit
18 from the Commissioner.

19 (f) A person shall not take, collect, or possess any reptile or amphibian, or
20 parts thereof, dead or alive, for personal use unless authorized by the rules of
21 the Commissioner or a permit from the Commissioner.

(i) Applicants shall pay a permit fee of \$100.00.

* * *

(a) Except as authorized under this chapter, a person shall not:

1 (1) take, possess, or transport wildlife or wild plants that are members of
2 a threatened or endangered species; ~~or~~

3 (2) destroy or adversely impact critical habitat;

4 (3) sell or offer for sale in intrastate commerce a threatened or
5 endangered species;

6 (4) deliver, receive, carry, transport, or ship a threatened or endangered
7 species in intrastate commerce; or

8 (5) import a threatened or endangered species into or export a threatened
9 or endangered species from Vermont.

10 Sec. 10. 10 V.S.A. § 5408 is amended to read:

11 § 5408. AUTHORIZED TAKINGS; INCIDENTAL TAKINGS;

12 DESTRUCTION OF CRITICAL HABITAT

13 (a) Authorized taking. Notwithstanding any provision of this chapter, after
14 obtaining the advice of the Endangered Species Committee, the Secretary may
15 permit, under such terms and conditions as the Secretary may require as
16 necessary to carry out the purposes of this chapter, the taking of a threatened or
17 endangered species, the destruction of or adverse impact on critical habitat, or
18 any act otherwise prohibited by this chapter if done for any of the following
19 purposes:

20 (1) scientific purposes;

1 to issuing a permit for an incidental taking and prior to the initial issuance or
2 amendment of a general permit under this section, the Secretary shall provide
3 for public notice of ~~no~~ not fewer than 30 days; opportunity for written
4 comment; and opportunity to request a public informational hearing. ~~The~~
5 Except for threatened and endangered species listed by the Secretary in
6 accordance with subsection 5410(b) of this title, the Secretary shall post permit
7 applications, permit decisions, and the initial or amended general permits on
8 the website of the Agency of Natural Resources. ~~The~~ Except for threatened and
9 endangered species listed by the Secretary in accordance with subsection
10 5410(b) of this title, the Secretary also shall provide notice to interested
11 persons who request notice of permit applications, permit decisions, and
12 proposed general permits or proposed amendments to general permits.

13 (l) General permits.

14 (1) The Secretary may issue general permits for activities that will not
15 affect the continued survival or recovery of a threatened or endangered species.

16 * * *

17 (6) ~~Prior~~ Except for threatened and endangered species listed by the
18 Secretary in accordance with subsection 5410(b) of this title, prior to issuing an
19 initial or amended general permit under this subsection, the Secretary shall:

20 (A) post a draft of the general permit on the Agency website;

21 (B) provide public notice of at least 30 days; and

1 (C) provide for written comments or a public hearing, or both.

2 (7) For applications for coverage under the terms of an issued general
3 permit, the applicant shall provide notice on a form provided by the Secretary.
4 ~~The~~ Except for threatened and endangered species listed by the Secretary in
5 accordance with subsection 5410(b) of this title, the Secretary shall post notice
6 of the application on the Agency website and shall provide an opportunity for
7 written comment, regarding whether the application complies with the terms
8 and conditions of the general permit, for ~~ten~~ 10 days following receipt of the
9 application.

10 * * *

11 Sec. 11. 10 V.S.A. § 5410 is amended to read:

12 § 5410. LOCATION CONFIDENTIAL

13 (a) The Secretary shall not disclose information regarding the specific
14 location of threatened or endangered species sites or habitats except ~~that the~~
15 ~~Secretary shall disclose information regarding the location of the threatened or~~
16 ~~endangered species to:~~

17 (1) to the owner of land upon which the species is located;

18 (2) to a potential buyer of land upon which the species is located who
19 has a bona fide contract to buy the land and applies to the Secretary for
20 disclosure of threatened or endangered species information; ~~or~~

1 (3) to qualified individuals or organizations, public agencies, and
2 nonprofit organizations for scientific research or for preservation and planning
3 purposes when the Secretary determines that the preservation of the species is
4 not further endangered by the disclosure; or

5 (4) during regulatory processes with the exception of threatened or
6 endangered species listed under subsection (b) of this section.

7 (b) The Secretary shall maintain a subset list of threatened and endangered
8 species whose specific names shall not be included in regulatory planning.

9 The subset list shall include threatened or endangered species for which the
10 species names and locations shall not be disclosed because of the risk that the
11 species will be significantly harmed by unauthorized take, such as illegal
12 collection, commercial trade, human-caused mortality, or destruction of
13 habitat. The list shall be based on the rarity of the species, known collection
14 and commercial trade activities in Vermont and other states or countries,
15 incidents of human-caused mortality or destruction of habitat, and other factors
16 that present a threat to the continued existence of the species.

17 (c) When the Secretary issues a permit under this chapter to take a
18 threatened or endangered species or destroy or adversely impact critical habitat
19 and when the Secretary designates critical habitat by rule under section 5402a
20 of this title, the Secretary shall disclose only the municipality and general
21 location where the threatened or endangered species or designated critical

1 habitat is located. When the Secretary designates critical habitat under section
2 5402a of this title, the Secretary shall notify the municipality in which the
3 critical habitat is located and shall disclose the general location of the
4 designated critical habitat.

5 Sec. 12. 10 V.S.A. § 4829 is amended to read:

6 § 4829. ~~PERSON SUFFERING DAMAGE BY DEER OR BLACK BEAR~~

7 ~~(a) A person engaged in the business of farming who suffers damage by~~
8 ~~deer to the person's crops, fruit trees, or crop bearing plants on land not posted~~
9 ~~against the hunting of deer, or a person engaged in the business of farming who~~
10 ~~suffers damage by black bear to the person's cattle, sheep, swine, poultry, or~~
11 ~~bees or bee hives on land not posted against hunting or trapping of black bear~~
12 ~~is entitled to reimbursement for the damage up to an amount not to exceed~~
13 ~~\$5,000.00 per year, and may apply to the Department of Fish and Wildlife~~
14 ~~within 72 hours of the occurrence of the damage for reimbursement for the~~
15 ~~damage. As used in this section, "post" means any signage that would lead a~~
16 ~~reasonable person to believe that hunting is prohibited on the land.~~

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

21 Sec. 13. EFFECTIVE DATE

1 This act shall take effect on July 1, 2025.

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9 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE