

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Environment to which was referred House Bill No. 231
3 entitled “An act relating to technical corrections to fish and wildlife statutes”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 10 V.S.A. § 4001 is amended to read:

8 § 4001. DEFINITIONS

9 Words and phrases used in this part, unless otherwise provided, shall be
10 construed to mean as follows:

11 * * *

12 (6) ~~Pickereel: the great northern pike, chain pickerel, or muskellunge.~~

13 [Repealed.]

14 (7) ~~Pike perch: walleyed or yellow pike.~~ [Repealed.]

15 * * *

16 Sec. 2. 10 V.S.A. § 4905 is amended to read:

17 § 4905. BIRDS’ NESTS AND EGGS; DESTROYING OR ROBBING

18 A person shall not take or ~~wilfully~~ willfully destroy the nests or eggs of
19 wild birds, other than rock pigeons, the English sparrow, starling, or purple
20 grackle house sparrows, or European starlings, except when necessary to
21 protect buildings and the nests to be removed contain no eggs or chicks and are

1 no longer being used by birds for feeding, or when taken as provided in section
2 4152 of this title.

3 Sec. 3. 10 V.S.A. § 4502 is amended to read:

4 § 4502. UNIFORM POINT SYSTEM; REVOCATION OF LICENSE

5 (a) A uniform point system that assigns points to those convicted of a
6 violation of a provision of this part is established. The conviction report from
7 the court shall be prima facie evidence of the points assessed. In addition to
8 other penalties assessed for violation of fish and wildlife statutes, the
9 Commissioner shall suspend licenses issued under this part that are held by a
10 person who has accumulated 10 or more points in accordance with the
11 provisions of subsection (c) of this section.

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

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

19 (2) Ten points shall be assessed for:

20 * * *

21 (I) ~~§ 4706. Snaring animals~~ [Repealed.]

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(Y) ~~Appendix § 2; Appendix § 33, section 14.3.~~ Reporting of big game

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(II) ~~Appendix § 37, as it applies to annual deer limits~~ section 10.
Novice season

(JJ) § 4742a. Youth deer hunting weekend. The points shall be assessed solely against the adult who is accompanying the youth hunter.

(KK) § 4908. Youth turkey hunting weekend. The points assessed against the adult accompanying the youth hunter.

(LL) § 4256. Mentored hunting license. The points shall be assessed against the licensed adult who is accompanying the individual holding the mentored hunting license.

(MM) § 4827a. Feeding a black bear

(NN) § 4826. Taking deer doing damage

(OO) § 22a. Taking turkey doing damage

(PP) § 35. Taking moose doing damage

(QQ) ~~Appendix § 22, section 6.7; Appendix § 33, section 13.1(g); Appendix § 37, section 7.7. Possession or transport of a cocked crossbow in or on a motor vehicle, motorboat, airplane, snowmobile, or other motor-propelled vehicle~~ [Repealed.]

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

3 * * *

4 (3) Twenty points shall be assessed for:

5 (A) ~~§ 4192. General powers and duties; failure to obey warden~~
6 ~~[Repealed.]~~

7 * * *

8 (I) § 4745. Taking ~~deer~~ big game out of season prohibited

9 * * *

10 (O) Appendix § 7, sections 4.2, ~~5.1, 5.2,~~ 5.3, 6.1, 6.2, 6.3(b), 6.3(d),
11 6.3(e), ~~6.4, 6.5(c), 6.5(d),~~ 7.1, and 7.2, 7.3, and 7.4. Bear, unauthorized taking

12 (P) Appendix § 22. Turkey season, excluding: requirements for
13 youth turkey hunting season; ~~section 6.2,~~ and size of shot used or possessed;
14 ~~and section 6.7, transport of cocked crossbow~~

15 * * *

16 (U) Appendix § 37. Deer management rule, excluding requirements
17 for youth deer hunting weekend; requirements for novice season; limitations
18 on feeding of deer; ~~section 7.7, transport of cocked crossbow;~~ reporting big
19 game; and section 11.0, ban of urine and other natural lures

20 * * *

21 (W) § 4711. ~~Crossbow hunting~~ [Repealed.]

1 (X) ~~Appendix § 4. Hunting with a crossbow without a permit or~~
2 ~~license~~ [Repealed.]

3 * * *

4 (Z) ~~Appendix § 44, section 4.6.~~ Use of tooth jawed traps

5 (AA) ~~Appendix § 44, section 4.11.~~ Taking furbearers with poison

6 (BB) ~~Appendix § 44, section 4.12.~~ Taking furbearers from a den

7 (CC) § 4716. Holding or conducting a coyote-hunting competition

8 (DD) § 4706. Snaring animals

9 * * *

10 Sec. 4. 10 V.S.A. § 4705 is amended to read:

11 § 4705. SHOOTING FROM MOTOR VEHICLES OR AIRCRAFT;

12 SHOOTING FROM OR ACROSS HIGHWAY; PERMIT

13 (a) A person shall not take or attempt to take a wild animal by shooting

14 from a motor vehicle, motorboat, airplane, snowmobile, or other motor-

15 propelled craft or any vehicle drawn by a motor-propelled vehicle except as

16 permitted under subsection (e) of this section.

17 (b) A person shall not carry or possess while in or on a vehicle propelled by

18 mechanical power or drawn by a vehicle propelled by mechanical power

19 within the right-of-way of a public highway any of the following:

1 (1) a rifle ~~or~~, airgun, shotgun, or other projectile implement containing a

2 loaded cartridge or shell in the chamber, mechanism, or in a magazine, or clip

3 within a rifle or shotgun~~, or~~;

4 (2) a muzzle-loading rifle or muzzle-loading shotgun that has been

5 charged with powder and projectile and the ignition system of which has been

6 enabled by having an affixed or attached percussion cap, primer, battery, or

7 priming powder, except as permitted under subsections (d) and (e) of this

8 section;

9 (3) unless it is uncocked, a person shall not possess or transport a

10 crossbow in or on a motor vehicle, motorboat, airplane, snowmobile, or other

11 motor-propelled craft or any vehicle drawn by a motor-propelled vehicle

12 except as permitted under subsection 47059e); and

13 (4) a person who possesses a rifle, crossbow, or shotgun, including a

14 muzzle-loading rifle or muzzle-loading shotgun, in or on a vehicle propelled

15 by mechanical power, or drawn by a vehicle propelled by mechanical power

16 within a right-of-way of a public highway shall upon demand of an

17 enforcement officer exhibit the firearm for examination to determine

18 compliance with this section.

19 (c) A person while on or within 25 feet of the traveled portion of a public

20 highway, except a public highway designated Class 4 on a town highway map,

21 shall not take or attempt to take any wild animal by shooting a firearm, a

1 muzzle loader, a bow and arrow, or a crossbow. A person while on or within
2 the traveled portion of a public highway designated Class 4 on a town highway
3 map shall not take or attempt to take any wild animal by shooting a firearm, a
4 muzzle loader, a bow and arrow, or a crossbow. A person shall not shoot a
5 firearm, a muzzle loader, a bow and arrow, or a crossbow over or across the
6 traveled portion of a public highway, except for a person shooting over or
7 across the traveled portion of a public highway from a sport shooting range, as
8 that term is defined in section 5227 of this title, provided that:

9 (1) the sport shooting range was established before January 1, 2014; and

10 (2) the operators of the sport shooting range post signage warning users
11 of the public highway of the potential danger from the sport shooting range.

12 (d) This section shall not restrict the possession or use of a loaded firearm
13 by an enforcement officer in performance of ~~his or her~~ the officer's duty.

14 (e) Subsections (a) and (c) of this section shall not apply to a licensed
15 hunter with paraplegia or who is certified by a physician to be unable to pursue
16 game because of permanent severe physical disability, if ~~he or she~~ the licensed
17 hunter obtains a permit as provided in this subsection. The Commissioner on
18 receipt of satisfactory proof of the disability of an applicant may issue a permit
19 under this subsection. This permit shall be attached to the license and shall
20 remain in effect until the death of the holder, unless the Commissioner has
21 reason to believe the permit is misused. The holder of the permit shall carry it

1 at all times while hunting and shall produce it on demand for inspection by any
2 game warden or other law enforcement officer authorized to make arrests. The
3 holder of the permit may take game from a vehicle or boat but only if it is
4 stationary and is not within 10 feet of the traveled portion of a public highway.
5 In no event shall the holder of a permit shoot across the traveled portion of a
6 public highway.

7 (f) The phrase “public highway,” as used in this section, means roads,
8 including Class 4 roads, shown on the highway maps of the respective towns,
9 made by the Agency of Transportation, but does not include foot trails or
10 private roads.

11 Sec. 5. 23 V.S.A. § 3317(b) is amended to read:

12 (b) Penalty or fine; \$300.00 or \$1,000.00 maximum. A person who
13 violates a requirement under 10 V.S.A. § 1454 shall be subject to enforcement
14 under 10 V.S.A. § 8007 or 8008 or a fine under this chapter, provided that the
15 person shall be assessed a penalty or fine of not more than \$1,000.00 for each
16 violation. A person who violates a rule adopted under 10 V.S.A. § 1424 shall
17 be subject to enforcement under 10 V.S.A. chapter 201 or a fine under this
18 chapter, provided that the person shall be assessed a penalty of not more than
19 \$300.00 for each violation. A person who violates any of the following
20 sections of this title shall be subject to a penalty of not more than \$300.00 for
21 each violation:

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Sec. 6. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

(a) The Judicial Bureau is created within the Judicial Branch under the supervision of the Supreme Court.

(b) The Judicial Bureau shall have jurisdiction of the following matters:

* * *

(19) Violations of rules adopted under 10 V.S.A. § 1424, relating to the use of public waters.

Sec. 7. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

(Committee vote: _____)

Representative _____

FOR THE COMMITTEE