

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Environment to which was referred House Bill No. 723
3 entitled “An act relating to posting of land” respectfully reports that it has
4 considered the same and recommends that the bill be amended by striking out
5 all after the enacting clause and inserting in lieu thereof the following:

6 Sec. 1. 10 V.S.A. § 5201 is amended to read:

7 § 5201. NOTICES; POSTING

8 (a)(1) An owner, or a person having the exclusive right to take game upon
9 land or the waters thereon, who desires to protect ~~his or her~~ the owner’s land or
10 private pond or propagation farm over which ~~he or she~~ the owner has exclusive
11 control may maintain notices stating that:

12 (A) the ~~shooting~~ hunting, trapping, or taking of game or wild animals
13 is prohibited or is by permission only;

14 (B) fishing or the taking of fish is prohibited or is by permission
15 only; or

16 (C) fishing, hunting, trapping, or taking of game or wild animals is
17 prohibited or is by permission only.

18 (2) “Permission only signs” authorized under this section shall contain
19 the owner’s name and a method by which to contact the property owner or a
20 person authorized to provide permission to hunt, fish, or trap on the property.

1 (b) ~~Notices prohibiting the taking of game~~ Notice signs shall be erected
2 upon or near the boundaries of lands to be affected with notices at each corner
3 and not over 400 feet apart along the boundaries thereof. ~~Legible~~ Notice signs
4 ~~must shall~~ be maintained at all times ~~and shall be dated each year~~. ~~These~~
5 Notice signs shall be of a standard size and design as the Commissioner shall
6 specify.

7 (c) The owner or person posting the lands shall record this posting annually
8 in the town clerk's office of the town in which the land is located. The posting
9 shall be valid and enforceable for 365 days after the date the posting is
10 recorded. The recording form shall be furnished by the Commissioner and
11 shall be filled out in triplicate, one copy to be retained by the town clerk, one
12 copy to the Commissioner, and one copy to be retained by the person having
13 the right to post the lands. The forms shall contain the information as to the
14 approximate number of acres posted, location in town, date of posting, and
15 signature of person so posting the lands. The town clerk shall file the record,
16 and it shall be open to public inspection. The town clerk shall retain a fee of
17 \$5.00 for this recording.

18 (d) Land posted and recorded as provided in ~~subsection (b)~~ of this section
19 shall be enclosed land for the purposes herein. A technical defect in
20 placement, spacing, color, wording, or dimensions of the notice signs shall not
21 invalidate notice under this section if the notice signs clearly communicate to a

1 reasonable person that entry for hunting, fishing, trapping, or taking of game or
2 wild animals is prohibited or allowed only by permission. Property owners
3 with actual notice that their notice signs deviate from the requirements of this
4 section shall take reasonable steps to ensure their notice signs comply with this
5 section.

6 Sec. 2. EFFECTIVE DATE

7 This act shall take effect on passage.

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10 (Committee vote: _____)

11

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Representative _____

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FOR THE COMMITTEE