

1 H.387

2 Introduced by Representatives Savage of Swanton, Batchelor of Derby,
3 Gamache of Swanton, Graham of Williamstown, Martel of
4 Waterford, Mattos of Milton, McCoy of Poultney, McFaun of
5 Barre Town, Morgan of Milton, Myers of Essex, Page of
6 Newport City, Palasik of Milton, and Rosenquist of Georgia

7 Referred to Committee on

8 Date:

9 Subject: Fish and wildlife; posting of land; reasonable notice

10 Statement of purpose of bill as introduced: This bill proposes that failure of a
11 property owner to maintain one or more posted signs shall not prevent the
12 Commissioner of Fish and Wildlife from enforcing the requirement that
13 persons not hunt or fish on lands where the taking of game or fish is posted as
14 prohibited or by permission only.

15 An act relating to enforcement of the requirements for the posting of land

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

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

18 § 5201. NOTICES; POSTING

19 (a)(1) An owner, or a person having the exclusive right to take game upon
20 land or the waters thereon, who desires to protect his or her land or private

1 pond or propagation farm over which he or she has exclusive control, may
2 maintain notices stating that:

3 (A) the shooting, trapping, or taking of game or wild animals is
4 prohibited or is by permission only;

5 (B) fishing or the taking of fish is prohibited or is by permission
6 only;

7 (C) fishing, hunting, trapping, or taking of game is prohibited or is by
8 permission only.

9 (2) "Permission only signs" authorized under this section shall contain
10 the owner's name and a method by which to contact the property owner or a
11 person authorized to provide permission to hunt, fish, or trap on the property.

12 (b) Notices prohibiting the taking of game shall be erected upon or near the
13 boundaries of lands to be affected with notices at each corner and not over
14 400 feet apart along the boundaries thereof. Legible signs must be maintained
15 at all times and shall be dated each year. These signs shall be of a standard
16 size and design as the Commissioner shall specify. Failure to maintain one or
17 more signs under this section shall not prevent the Commissioner from
18 enforcing a violation of this section if all other requirements of this section are
19 satisfied and the signs that are maintained upon or near the boundaries of the
20 land provide reasonable notice that the taking of game or fish is prohibited or
21 by permission only.

1 (c) The owner or person posting the lands shall record this posting annually
2 in the town clerk's office of the town in which the land is located. The
3 recording form shall be furnished by the Commissioner and shall be filled out
4 in triplicate, one copy to be retained by the town clerk, one copy to the
5 Commissioner, and one copy to be retained by the person having the right to
6 post the lands. The forms shall contain the information as to the approximate
7 number of acres posted, location in town, date of posting, and signature of
8 person so posting the lands. The town clerk shall file the record and it shall be
9 open to public inspection. The town clerk shall retain a fee of \$5.00 for this
10 recording.

11 (d) Land posted as provided in subsection (b) of this section shall be
12 enclosed land for the purposes herein.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on passage.