

1 H.410

2 Introduced by Representative McCullough of Williston

3 Referred to Committee on

4 Date:

5 Subject: Fish and wildlife; hunting; bear hounding; nuisance trapping

6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 times when a person can train a hunting dog to pursue black bear. The bill
8 would also provide that if a person registers dogs on a permit to pursue black
9 bear with the aid of dogs for taking, the dogs shall not be registered on any
10 other permit issued to pursue black bear with the aid of dogs for taking. In
11 addition, the bill would require a person to have a nuisance wildlife trapping
12 license in order to trap rabbits and fur-bearing animals in defense of property.

13 An act relating to hunting and trapping

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

15 Sec. 1. 10 V.S.A. § 5001 is amended to read:

16 § 5001. HUNTING DOGS; FIELD TRAINING

17 (a) While accompanying the dog, a person may train a hunting dog to hunt
18 and pursue:

19 (1) bear during the period from ~~June 1~~ August 1 to September 15 or
20 during any open season for bear and then only from sunrise to sunset;

1 (2) rabbits and game birds during the period from June 1 to the last
2 Saturday in September and then only from sunrise to sunset;

3 (3) raccoon during the period from June 1 through any time of day or
4 night on the day before the opening day of raccoon hunting season; and

5 (4) bobcat and fox during the period June 1 to March 15, except during
6 regular deer season as prescribed in section 4741 of this title.

7 (b) ~~The Commissioner may permit a person to train and condition a hunting~~
8 ~~dog between the second Monday in March and June 1.~~ The Board may adopt
9 rules as it considers necessary to control the training and conditioning of
10 hunting dogs.

11 (c) A person training a hunting dog under this section may possess a
12 handgun while training the hunting dog, provided that the person shall not take
13 game by any method while training the hunting dog. As used in this section,
14 “handgun” means a pistol or revolver which will expel a projectile by the
15 action of an explosive.

16 (d) A person training a hunting dog to hunt and pursue bear during an open
17 season for bear shall not possess a muzzleloader, rifle, shotgun, crossbow, or
18 bow and arrow during training.

1 Sec. 2. 10 V.S.A. § 5007 is amended to read:

2 § 5007. HUNTING BLACK BEAR WITH DOGS

3 (a) No person shall pursue black bear with the aid of dogs, either for
4 training or taking purposes, without a permit issued by the Commissioner. The
5 number of permits issued to nonresidents in any given year shall not exceed 10
6 percent of the number of permits issued to residents in the preceding year. The
7 Commissioner shall establish a process for determining which nonresidents are
8 to receive a permit if there are more nonresident applicants than nonresident
9 permits. A nonresident may train dogs to hunt bear only while training season
10 is in effect in the nonresident's home state and subject to the laws and
11 regulations of this State.

12 (b) Permits will be issued to residents for a fee of \$50.00.

13 (c) Application fees for nonresidents shall be \$10.00 with a permit fee of
14 \$200.00 for successful applicants.

15 (d) If a person registers dogs on a permit issued under this section to pursue
16 black bear with the aid of dogs for taking, the dogs shall not be registered on
17 any other permit issued under this section to pursue black bear with the aid of
18 dogs for taking.

19 Sec. 3. 10 V.S.A. § 4252 is amended to read:

20 § 4252. ACTIVITIES PERMITTED UNDER LICENSES

21 (a) Subject to provisions of this part and rules of the Board:

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(19) A nuisance trapping license, eligible for Vermont residents 18 years of age or older on the date of the license purchase, shall entitle the holder to trap rabbits and fur-bearing animals in defense of property under section 4828 of this title.

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Sec. 4. 10 V.S.A. § 4255(a) is amended to read:

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

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(17) Nuisance trapping license \$23.00

Sec. 5. REPEAL; NUISANCE TRAPPING REQUIREMENTS

2018 Acts and Resolves No. 170, § 11 is repealed on July 1, 2019.

Sec. 6. 10 V.S.A. § 4828 is amended to read:

§ 4828. TAKING OF RABBIT OR FUR-BEARING ANIMALS BY

LANDOWNER; SELECTBOARD; CERTIFICATE; PENALTY

(a)(1) The provisions of law or ~~regulations~~ rules of the Board relating to the taking of rabbits or fur-bearing animals shall not apply to:

(A) an owner, the owner's employee, tenant, or caretaker of property protecting the property from damage by rabbits or fur-bearing animals; or

1 (B) ~~to~~ a member of the selectboard of a town protecting public
2 highways or bridges from such damage or submersion with the permission of
3 the owner of lands affected.

4 (2) A person who for compensation sets a trap for rabbits or fur-bearing
5 animals on the property of another in defense of that property shall possess a
6 valid trapping license and a valid nuisance trapping license.

7 (3) ~~However, if~~ If required by rule of the ~~board~~ Board, an owner; ~~the~~
8 owner's employee, tenant, or caretaker, ~~or the members;~~ a member of the
9 selectboard; ~~or a person who sets a trap for compensation who desire~~ desires
10 to possess during the closed season the skins of any fur-bearing animals taken
11 in defense of property, highways, or bridges shall notify the Commissioner or
12 the Commissioner's representative within 84 hours after taking ~~such~~ the
13 animal, and shall hold ~~such~~ the pelts for inspection by such authorized
14 representatives.

15 (b) Before disposing of ~~such~~ pelts taken under this section, if required by
16 rule of the Board, the property owner; ~~the~~ the owner's employee, tenant, or
17 caretaker, ~~or;~~ a member of the selectboard; or a person who sets a trap for
18 compensation shall secure from the Commissioner or a designee a certificate
19 describing the pelts, and showing that the pelts were legally taken during a
20 closed season and in defense of property, highways, or bridges. In the event of

1 storage, sale, or transfer, ~~such~~ the certificates shall accompany the pelts
2 ~~described therein.~~

3 Sec. 7. EFFECTIVE DATE

4 This act shall take effect on July 1, 2019.