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Introduced by Representatives Lewis of Derby, Brennan of Colchester,
McAllister of Highgate, McCullough of Williston, McNeil of
Rutland Town, Savage of Swanton and South of St. Johnsbury

Referred to Committee on

Date:

Subject: Fish and game; penalties; trophy big game animal

Statement of purpose: This bill proposes to increase the monetary penalties for
big game violations and increase the restitution values for illegally taken
wildlife.

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An act relating to the illegal taking of trophy big game animals

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

~~Sec. 1. 10 V.S.A. § 4514 is amended to read:~~

~~§ 4514. POSSESSION OF FLESH OF GAME~~

~~(a) When legally taken, the flesh of a fish or wild animal may be possessed
for food for a reasonable time thereafter and such flesh may be transported and
stored in a public cold storage plant. Nothing in this section shall authorize the
possession of game birds or carcasses or parts thereof contrary to regulations
made pursuant to the migratory bird treaty act.~~

1 ~~Any person convicted of illegally taking, destroying or possessing wild~~
2 ~~animals shall, in addition to other penalties provided under this chapter, pay~~
3 ~~into the fish and wildlife fund for each animal taken, destroyed or possessed,~~
4 ~~no more than the following amounts:~~

5 (1) Big game ~~\$1,000.00~~ \$2,000.00 each

6 (2) Endangered or threatened species as
7 defined in section 5401 of this title ~~1,000.00~~ \$2,000.00 each

8 (3) Small game ~~250.00~~ \$500.00 each

9 (4) Fish ~~25.00~~ \$25.00 each

10 Sec. 2. 10 V.S.A. § 4518 is amended to read:

11 § 4518. BIG GAME VIOLATIONS

12 Whoever violates a provision of this part or orders or rules of the board
13 relating to taking, possessing, transporting, buying, or selling of big game shall
14 be fined not more than ~~\$500.00~~ \$1,000.00 nor less than ~~\$200.00~~ \$400.00 or
15 imprisoned for not more than 60 days, or both. Upon a second and all
16 subsequent convictions, the violator shall be fined not more than ~~\$1,000.00~~
17 \$2,000.00 nor less than ~~\$500.00~~ \$1,000.00 or imprisoned for not more than ~~60~~
18 120 days, or both.

19 ec. 3. EFFECTIVE DATE

20 This act shall take effect on July 1, 2012.

Sec. 1. 10 V.S.A. § 4514 is amended to read:

§ 4514. POSSESSION OF FLESH OF GAME

(a) When legally taken, the flesh of a fish or wild animal may be possessed for food for a reasonable time thereafter and such flesh may be transported and stored in a public cold storage plant. Nothing in this section shall authorize the possession of game birds or carcasses or parts thereof contrary to regulations made pursuant to the migratory bird treaty act.

(b) Any person convicted of illegally taking, destroying or possessing wild animals shall, in addition to other penalties provided under this chapter, pay into the fish and wildlife fund for each animal taken, destroyed or possessed, no more than the following amounts:

<i>(1) Big game</i>	<i>\$1,000.00 <u>\$2,000.00</u> each</i>
<i>(2) Endangered or threatened species as defined in section 5401 of this title</i>	<i>1,000.00 <u>\$2,000.00</u> each</i>
<i>(3) Small game</i>	<i>250.00 <u>\$500.00</u> each</i>
<i>(4) Fish</i>	<i>25.00 <u>\$25.00</u> each</i>

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Sec. 3. 10 V.S.A. § 4258 is amended to read:

§ 4258. LICENSE; ARMED FORCES

A license to hunt or fish shall be issued, upon payment of the resident license fee, to any member of the armed forces of the United States of America who is on active duty and stationed at some military, air or naval post, station or base within the state. Said member of the armed forces, desiring a hunting or fishing license, ~~must present a certificate from the commander of said post, station or base, or his designated agent, that the person mentioned in the certification is stationed at or attached to said post, station or base~~ shall certify that he or she is eligible for such a license under this section. Holders of such licenses shall be subject to all the laws of the state and the rules and

regulations of the board regulating hunting and fishing; and for violations of said laws or rules and regulations, shall be subject to the penalties prescribed therefor, and such licenses shall be revoked in the same manner as provided in section 4502 of this title.

Sec. 4. 10 V.S.A. § 4259 is amended to read:

§ 4259. VERMONT RESIDENTS; ARMED FORCES

Any resident of the state of Vermont who is serving in the armed forces of the United States or is performing or under orders to perform any homeland defense or state-side contingency operation, or both, for a period of 120 consecutive days or more, ~~as certified by the Adjutant General for the Vermont National Guard is eligible~~ shall certify that he or she is eligible under this section to obtain at no cost a hunting or fishing license or a combination hunting and fishing license. This provision will apply only during the period he or she is serving in the armed forces of the United States, or as certified pursuant to this section. A person who obtains a license under this section may keep the license until it expires, whether or not the person continues to serve in the armed forces until the expiration date.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2012.

Sec. 5. EFFECTIVE DATES

(a) This section and Secs. 3 (hunting and fishing license; armed forces; nonresident) and 4 (hunting and fishing license; armed forces; resident) of this act shall take effect on July 1, 2011.

(b) Secs. 1 (restitution values for wildlife violation) and 2 (big game violation penalties) shall take effect on July 1, 2012.