

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources, Fish, and Wildlife to which was  
3 referred House Bill No. 292 entitled “An act relating to town banners over  
4 highway rights-of-way” respectfully reports that it has considered the same and  
5 recommends that the Senate propose to the House that the bill be amended by  
6 striking out all after the enacting clause and inserting in lieu thereof the  
7 following:

8 Sec. 1. 10 V.S.A. § 494 is amended to read:

9 § 494. EXEMPT SIGNS

10 The following signs are exempt from the requirements of this chapter  
11 except as indicated in section 495 of this title:

12 \* \* \*

13 (18)(A) A sign that is a banner erected over a highway right-of-way for  
14 not more than 21 days if the bottom of the banner is not less than 16 feet 6  
15 inches above the surface of the highway and is securely fastened with  
16 breakaway fasteners.

17 (B) As used in this subdivision (18), “banner” means a sign that is  
18 constructed of soft cloth or fabric or flexible material such as vinyl or plastic  
19 cardboard.

1 Sec. 2. 10 V.S.A. § 495 is amended to read:

2 § 495. OTHER REGULATIONS APPLYING TO PERMITTED SIGNS

3 \* \* \*

4 (d) Notwithstanding any other provisions of this title, a person, firm, or  
5 corporation shall not erect or maintain any outdoor advertising structure,  
6 device, or display within the limits of the highway right-of-way; however,  
7 this limitation shall not apply to the signs and devices referred to in  
8 subdivisions 494(1), (2), (3), (6), (7), (10), (14), and (17) of this title.

9 \* \* \*

10 (f) Except on limited access facilities, the limitation established by  
11 subsection (d) of this section shall not apply to the signs referred to in  
12 subdivision 494(18) of this title.

13 Sec. 3. 1 V.S.A. § 377 is amended to read:

14 § 377. GREEN UP DAY; RIVER ~~GREEN UP~~ CLEANUP MONTH

15 (a) The first Saturday in the month of May is designated as Green Up Day.

16 (b) September of each year is designated as River ~~Green Up~~ Cleanup  
17 Month.

18 Sec. 4. 10 V.S.A. § 1446 is amended to read:

19 § 1446. REGISTERED PROJECTS; EXEMPTIONS FROM PERMITTING

20 \* \* \*

1 (b) Exemptions. The following activities in a protected shoreland area do  
2 not require a permit under section 1444 or 1445 of this title:

3 \* \* \*

4 (18) Removal of constructed feature. Temporary cutting or removal of  
5 vegetation to remove an existing constructed feature, provided that the area of  
6 removal is revegetated according to the requirements for the management of  
7 vegetative cover under section 1447 of this title and all cutting and removal of  
8 vegetation complies with the Agency’s low-risk site handbook for erosion  
9 prevention and sediment control.

10 \* \* \*

11 Sec. 5. 10 V.S.A. § 4254 is amended to read:

12 § 4254. FISHING AND HUNTING LICENSES; ELIGIBILITY, DESIGN,  
13 DISTRIBUTION, SALE, AND ISSUE

14 \* \* \*

15 (i)(1) If the Board establishes a moose hunting season, ~~up to five moose~~  
16 ~~permits shall be set aside to be auctioned~~ not more than 10 percent of the total  
17 number of annual moose permits authorized by the Board shall be set aside to  
18 be auctioned. The total number of annual moose permits set aside to be  
19 auctioned shall never exceed six. The moose permits, if any, set aside for  
20 auction shall be ~~in addition to the~~ included in the total number of annual moose  
21 permits authorized by the Board. The Board shall adopt rules necessary for the

1 Department to establish, implement, and run the auction process. The  
2 Commissioner annually may establish a minimum dollar amount of not less  
3 than \$1,500.00 for any winning bid for a moose permit auctioned under this  
4 subdivision. Proceeds from the auction shall be deposited in the Fish and  
5 Wildlife Fund and used for conservation education programs run by the  
6 Department. Successful bidders must have a Vermont hunting or combination  
7 license in order to purchase a moose permit.

8 (2) If the Board establishes a moose hunting season, ~~there shall be~~  
9 ~~established a program to~~ the Commissioner shall set aside five moose permits  
10 not more than 10 percent of the total number of annual moose permits  
11 authorized by the Board for Vermont residents who have served on active duty  
12 in any branch of the U.S. Armed Forces provided that he or she has not  
13 received a dishonorable discharge. The total number of annual moose permits  
14 set aside for Vermont veterans shall never exceed six. Veterans awarded a  
15 moose permit under this subsection shall possess a valid Vermont hunting  
16 license or combination license in order to purchase a moose permit. The  
17 Department of Fish and Wildlife shall coordinate with the Office of Veterans  
18 Affairs to provide notice to eligible veterans of the moose permits set aside  
19 under this subsection.

20 (3) The Department of Fish and Wildlife shall adopt a procedure to  
21 implement the set-aside program for auction and for veterans, including a

1 method to award applicants ~~preference~~ bonus points and a method by which  
2 auction participants and veterans who applied for but failed to receive a permit  
3 in one hunting season are awarded priority in the subsequent moose hunting  
4 season. The procedure adopted under this subdivision ~~shall be consistent with~~  
5 ~~the preference system for the permit auction authorized under subdivision (1)~~  
6 ~~of this subsection. Veterans awarded a moose permit under this subsection~~  
7 ~~must possess a valid Vermont hunting or combination license in order to~~  
8 ~~purchase a moose permit. The Department of Fish and Wildlife shall~~  
9 ~~coordinate with the Office of Veterans Affairs to provide notice to eligible~~  
10 ~~veterans of the moose permits set aside under this subsection~~ may include a  
11 provision for freezing bonus points in the event that the Board does not  
12 approve a moose hunting season or approves a small number of permits for the  
13 moose hunting season.

14 Sec. 6. 10 App. V.S.A. § 33 is amended to read:

15 § 33. MOOSE MANAGEMENT RULE

16 \* \* \*

17 3.6 ~~“Bonus point” means: 1) a point accrued for successfully applying~~  
18 ~~for a permit, but not being drawn, or 2) a point accrued by indicating on the~~  
19 ~~application that the person should not be entered into that year’s drawing, but~~  
20 ~~wishes to accrue a point. [Repealed.]~~

21 \* \* \*



1 Sec. 7. 10 V.S.A. § 4255 is amended to read:

2 § 4255. LICENSE FEES

3 \* \* \*

4 (j) If the Board determines that a moose season will be held in accordance  
5 with the rules adopted under sections 4082 and 4084 of this title, the  
6 Commissioner annually may issue three no-cost moose licenses to a person  
7 who has a life-threatening disease or illness and who is sponsored by a  
8 qualified charitable organization, provided that at least one of the no-cost  
9 annual moose licenses awarded each year shall be awarded to a child or young  
10 adult 21 years of age or under who has a life-threatening illness. The child or  
11 adult shall comply with all other requirements of this chapter and the rules of  
12 the Board. Under this subsection, a person may receive only one no-cost  
13 moose license in his or her lifetime. ~~The Commissioner shall adopt rules in~~  
14 ~~accordance with 3 V.S.A. chapter 25 to implement this subsection. The rules~~  
15 ~~shall define the child or adult qualified to receive the no-cost license, shall~~  
16 ~~define a qualified sponsoring charitable organization, and shall provide the~~  
17 ~~application process and criteria for issuing the no-cost moose license.~~

18 \* \* \*

1       Sec. 8. REPEAL; SPECIAL OPPORTUNITY YOUTH MOOSE LICENSE  
2               RULE

3               The Vermont Department of Fish and Wildlife Commissioner Rule entitled  
4       Special Opportunity Youth Moose License Rule, 12-010-072 Vt. Code R. § 1,  
5       effective September 13, 2005, and amended May 18, 2010, is hereby repealed.

6       Sec. 9. AMENDMENTS TO AIR POLLUTION CONTROL

7               RULES REGARDING WOOD HEATERS; COMMENCEMENT;  
8               ADOPTION; INSTITUTIONAL, COMMERCIAL, AND  
9               INDUSTRIAL WOOD HEATING APPLIANCES

10       (a) The Secretary of Natural Resources, in consultation with interested  
11       parties and parties having expertise in wood heating and wood heating  
12       appliances, shall adopt amendments to the provisions of the Vermont Air  
13       Pollution Control Regulations governing the manufacture, sale, purchase,  
14       installation, and operation of wood heating appliances for use in institutional,  
15       commercial, or industrial applications in Vermont. These rules shall allow for  
16       alternative methods of demonstrating compliance with applicable air quality  
17       and efficiency standards as determined by the Air Pollution Control Officer.

18       (1) On or before July 1, 2019, the Secretary of Natural Resources shall  
19       submit to the Senate Committee on Natural Resources and Energy and the  
20       House Committees on Energy and Technology and on Natural Resources, Fish,

1 and Wildlife a copy of the draft rule amendments to Vermont Air Pollution  
2 Control Regulations required in subsection (a) of this section.

3 (2) The Secretary of Natural Resources shall commence the rulemaking  
4 required under this subsection on or before October 1, 2019 and shall adopt the  
5 rules on or before May 1, 2020.

6 (b) Until the rule amendment required under subsection (a) of this section  
7 is adopted, and notwithstanding 10 V.S.A. § 555(a) and § 5-204 of the Code of  
8 Vermont Rules 12-031-001, wood heating appliances for use in institutional,  
9 commercial, or industrial applications shall be classified as an air contaminant  
10 source for the purposes of being subject to the permitting requirements of 10  
11 V.S.A. § 556, unless such appliance has been certified by the U.S.  
12 Environmental Protection Agency as meeting the requirements of 40 C.F.R.  
13 Part 60, Subparts AAA and QQQQ as published in the Federal Register on  
14 March 16, 2015.

15 Sec. 10. EFFECTIVE DATES

16 (a) This section, Sec. 4 (lake shoreland; removal of constructed features),  
17 and Sec. 9 (air pollution rules; wood heating) shall take effect on passage.

18 (b) All other sections shall take effect on July 1, 2019.

19 and that after passage the title of the bill be amended to read: “An act relating  
20 to town banners over highways, river cleanup, lake shoreland protection,  
21 moose management, and wood heating rules”

1

2

3 (Committee vote: \_\_\_\_\_)

4

\_\_\_\_\_

5

Senator \_\_\_\_\_

6

FOR THE COMMITTEE