

H. 589
John Burditt

Katie Pickens

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Subject: CORRECT VERSION: John Burditt's H.589 Testimony

John Burditt
H.589 Testimony
3/27/14

Members of the committee there are two points I will be touching on today in my presentation.

- 1) The repeal of section 4741; REGULAR DEER SEASON
- 2) Captive hunt facilities.

As H.589 has passed the house of Representatives they have aimed to repeal section 4741 which covers Regular deer season. As it is currently written into law section 4741 states that:

For 16 consecutive calendar days commencing 12 days prior to Thanksgiving day, a person may take by lawful means one wild deer as prescribed by the Vermont fish and wildlife department.

There are three parts main parts to this section that I am concerned with.

- 1) That there will be **16 days** in the regular hunting season.
- 2) That these 16 days will be held **consecutively**.
- 3) And that in the regular deer season a person will be able to take **one wild deer** as prescribed by the Vermont fish and wild life board.

The house has amended to repeal section 4741 but has added into section 4084: GAME subsection (a) (1) the words *of no less than 16 days*, they have however forgotten to add the fact that these **16 days** will be held **consecutively** and that, in that season a person will be able to take *by lawful mean one wild deer*.

I have talked to Justin Lynholm who is a current member on the Fish and Wildlife board. Justin has tried to explain to me that they are trying to get this section repealed because the Deer rut has been falling earlier in the recent years and that the board would like to move the deer season back one week to coincide with rut. For those of you that may not be familiar with "rut" this is when the doe or female deer are in heat and are ready to be bread. The rut can be anywhere between October to November and the peak usually lasts around 2 weeks. If this is the objective of the board then why must all of section 4741 be repealed instead of the part that reads, *"commencing 12 days prior to Thanksgiving*. The only reason that the board cannot change the dates of regular hunting season is because it is written into law that it will be **16 consecutive days held 12 days prior to Thanksgiving**.

As of now and this is from the 2014 Vermont state law book the deer hunting season are scheduled as follows.

Bow and Arrow: October 4-26 for a total of 23 calendar days.

Youth deer hunting weekend: November 8-9.

Regular deer season: November 15-30 for a total of 16 calendar days.

Muzzleloader season: December 6-14

So between Archery and Youth weekend there is 12 calendar days where no hunting is allowed. Between Youth weekend and Regular deer season there is 5 days where no hunting is allowed and between Regular deer season and Muzzleloader there is 5 days where no hunting is allowed. I explained all of this to Justin telling him that even if the rut has been falling earlier that it still falls in one of the 3 seasons 4 if you include youth hunting weekend.

As of now the VT F&W board has control over *all* laws and regulations, seasons (including lengths and when they will be held) and bag limits of the following:

- 1) All fishing
- 2) Bow and arrow deer season
- 3) Youth deer hunting weekend
- 4) Muzzleloader deer season
- 5) Bear season
- 6) Moose season
- 7) Turkey seasons (Spring and Fall)
- 8) Game Bird season (which include all water fowl, crow (spring and fall), pheasant, ruffed grouse, woodcock and common snipe.)
- 9) Small Game, and
- 10) Furbearer hunting and Trapping

The only thing that the Board of F&W does not have control over is Section 4741 which covers Regular deer season and this is because it is written into law. If section 4741 gets repealed then the hunters of the state of Vermont would be at the mercy of the Board. Section 4741 ensures all residents of Vermont, at the very least they will be able to take 1 deer by lawful means each year, in a minimum 16 consecutive day season. The scary part about this is that members of the board of F&W are appointed by the governor of Vermont. After they are appointed they hold the position for 6 years and can only sit on the board 1 time. Where as now we have a governor that is supposedly a pro hunter there is nothing to say that 20 years down the road we will have a governor that is **not** a pro-hunter and will appoint someone that will aim to abolish the right that every Vermonter in the state has to be able to hunt deer.

Another thing is the fact of people not only in this state but in our sister states plan there vacations to coincide with deer hunting season. Right now they know when and how long the season will be held. In the year of 2012 there were 25,639 resident licenses sold in the state of Vermont, 31,401 combination hunting and fishing licenses sold in the state of Vermont for a total of 64,589. In that same year 6,085 non-resident licenses were sold at \$100 a piece for a total net gross of \$608,600 in revenue for the state. There were also 1,304 combination hunting and fishing licenses sold at \$135 a piece for a total net gross of \$176,040 in revenue for the state. That's a total of \$784,640 that the state made just in non-resident licenses alone. Ultimately this could have a major impact on the tourism of hunters coming to this state. This state cannot afford to lose any of this revenue.

The other thing that is very concerning to me about H.589 is the attempt to define a *Captive Hunt Facility*. Section 4001; Definitions defines a *Captive Hunt Facility* as:

Any enclosure created by the use of fences, man-made structures, or natural barriers where animals are confined for the purpose of taking or attempting to take an animal by hunting. Captive hunt facility shall not mean activities covered by the Commissioner of Fish and Wildlife's rules for the training of dogs or for the

regulation of regulated shooting grounds.

As a ***Captive hunt facility*** has been defined any cow farmer with X amount of acres fenced off with a barbed wire fence or maybe a horse farmer with a picket fence to keep his horses in the fields to graze, would be defined as a ***Captive Hunt Facility***.

As it has passed the House of Reps. a farmer would be required to obtain a permit from the board of F&W just to be able to hunt on his or her land. This is because of how they have proposed for this to become law.

Section 4253; Landowner; Family; Exception subsection (d) (1) and (2) state:

Nothing in this section shall be construed to:

(1) ***exempt*** a captive hunt facility from the permitting requirements adopted under the rules of the Fish and Wildlife Board: or

(2) ***without a permit*** from the commissioner of Fish and Wildlife, allow any person, including a hunt club, hunting association, or multiple landowners, to transport, possess, or fence any animal for the purpose of taking or attempting to take the animal by hunting.

This could in turn make it so places like Hubbard Farms in Rutland Vermont would not be able to stock fowl deer for the purpose of feeding their families and selling the horns of their deer for the use of making lamps and coat hanger which are sold in cabelas catalogs and similar places. This would also make it so places like Peaceable Hill Farms in Shoreham Vermont would no longer be allowed to ***possess*** pheasants for people to come and hunt at their leisure ultimately driving them out of business.

Members of the Board I appreciate the time you have given me to present my concerns regarding H.589. Thank you.