

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Natural Resources, Fish, and Wildlife to which was
3 referred House Bill No. 357 entitled “An act relating to prohibiting the wanton
4 waste of wildlife” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. FINDINGS

8 The General Assembly finds that:

9 (1) it is the law and policy of Vermont that:

10 (A) the fish and wildlife of Vermont are held in trust by the State for
11 the benefit of the citizens of Vermont;

12 (B) the State, through the Commissioner of Fish and Wildlife, shall
13 safeguard the fish, wildlife, and fur-bearing animals of the State for the people
14 of the State; and

15 (C) the State shall fulfill this duty with a constant and continual
16 vigilance;

17 (2) the North American Model of Wildlife Conservation is a set of
18 principles that has formed the basis of the laws, rules, and other requirements
19 for all wildlife management in the United States, including hunting, fishing,
20 and trapping;

1 (3) one of the seven core components of the North American Model of
2 Wildlife Conservation is the principle that wildlife may only be killed for a
3 legitimate purpose, and that in order to prevent the wanton waste of wildlife in
4 North America, wildlife may only be killed for nonfrivolous reasons, such as
5 for food, fur, in self-defense, and to protect private property;

6 ~~(4) Vermont prohibits wanton waste of migratory waterfowl, as required~~
7 ~~by federal law;~~

8 (5) Vermont has a proud history of and constitutional right to hunt and
9 fish, Vermont prohibits wanton waste but Vermont law is not fully compliant
10 with the North American Model of Wildlife Conservation, as the State does not
11 prohibit the wanton waste of all wildlife; and

12 (5) to fulfill the State's duty to manage fish, wildlife, and fur-bearing
13 animals of the State for the people of Vermont and to bring Vermont law into
14 full compliance with the North American Model of Wildlife Conservation's
15 ~~core principal of preventing wanton waste,~~ the State should enact a law
16 prohibiting the wanton waste of all wildlife.

17 Sec. 2. 10 V.S.A. § 4717 is added to read:

18 § 4717. WANTON WASTE

19 A person while hunting, fishing, or trapping shall not intentionally kill a
20 wild animal and intentionally, knowingly, or recklessly fail to salvage or
21 retrieve for human use the edible meat or the fur of the wild animal, except

1 when the failure to salvage or retrieve the edible meat or fur is beyond the
2 control of the person due to:

3 (1) theft of the wild animal by another person;

4 (2) unanticipated weather conditions or other act of God that prevents
5 salvage or retrieval;

6 (3) unavoidable loss in the field to another wild animal; or

7 (4) defense of person or property.

8 Sec. 3. 10 V.S.A. § 4502(b) is amended to read:

9 (b) A person violating provisions of this part shall receive points for
10 convictions in accordance with the following schedule (all sections are in this
11 title of the Vermont Statutes Annotated):

12 (1) Except for biological collection violations determined to be nonpoint
13 violations under the rules of the Board, five points shall be assessed for any
14 violation of statutes or rules adopted under this part except those listed in
15 subdivisions (2) and (3) of this subsection.

16 (2) Ten points shall be assessed for:

17 * * *

18 (UU) § 4717. Wanton waste.

19 Sec. 4. EFFECTIVE DATE

20 This act shall take effect on passage.

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE