| 1  | TO THE HOUSE OF REPRESENTATIVES:  |  |
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| 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 has a proud history of and constitutional right to hunt and          |  |
| 7  | fish, but Vermont law is not compliant with the North American Model of          |  |
| 8  | Wildlife Conservation, as the State does not prohibit the wanton waste of        |  |
| 9  | wildlife; and  |  |
| 10 | (5) to fulfill the State's duty to manage fish, wildlife, and fur-bearing        |  |
| 11 | animals of the State for the people of Vermont and to bring Vermont law into     |  |
| 12 | compliance with the North American Model of Wildlife Conservation, the           |  |
| 13 | State should enact a law prohibiting the wanton waste of wildlife.               |  |
| 14 | Sec. 2. 10 V.S.A. § 4717 is added to read:                                       |  |
| 15 | § 4717. WANTON WASTE   |  |
| 16 | A person while hunting, fishing, or trapping shall not intentionally kill a      |  |
| 17 | wild animal and intentionally, knowingly, or recklessly fail to salvage or       |  |
| 18 | retrieve for human use the edible meat or the fur of the wild animal, except     |  |
| 19 | when the failure to salvage or retrieve the edible meat or fur is beyond the     |  |
| 20 | control of the person due to:  |  |
| 21 | (1) theft of the wild animal by another person;                                  |  |

| 1  | (2) unanticipated weather conditions or other act of God that prevents          |  |
|----|---|--|
| 2  | salvage or retrieval;   |  |
| 3  | (3) unavoidable loss in the field to another wild animal; or                    |  |
| 4  | (4) defense of person or property.  |  |
| 5  | Sec. 3. 10 V.S.A. § 4502(b) is amended to read:                                 |  |
| 6  | (b) A person violating provisions of this part shall receive points for         |  |
| 7  | convictions in accordance with the following schedule (all sections are in this |  |
| 8  | title of the Vermont Statutes Annotated):                                       |  |
| 9  | (1) Except for biological collection violations determined to be nonpoint       |  |
| 10 | violations under the rules of the Board, five points shall be assessed for any  |  |
| 11 | violation of statutes or rules adopted under this part except those listed in   |  |
| 12 | subdivisions (2) and (3) of this subsection.                                    |  |
| 13 | (2) Ten points shall be assessed for:   |  |
| 14 | * * *   |  |
| 15 | (UU) § 4717. Wanton waste.  |  |
| 16 | Sec. 4. EFFECTIVE DATE  |  |
| 17 | This act shall take effect on passage.  |  |
| 18 |   |  |
| 19 |   |  |
| 20 |   |  |
| 21 |   |  |

| (Draft No. 1.1 – H.3 | 357)     |
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| 2 | (Committee vote:) |                   |
| 3 |                   |                   |
| 4 |                   | Representative    |
| 5 |                   | FOR THE COMMITTEE |