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H.411

Introduced by Representative Sheldon of Middlebury

Referred to Committee on

Date:

Subject: Fish and wildlife; hunting; retrieval and disposal of wildlife

Statement of purpose of bill as introduced: This bill proposes to establish standards for the retrieval and disposal of certain wild animals that are intentionally killed.

An act relating to the retrieval and disposal of wild animals

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

Sec. 1. 10 V.S.A. chapter 113, subchapter 7 is added to read:

Subchapter 7. Retrieval and Disposal of Covered Wild Animals

§ 4921. RETRIEVAL AND DISPOSAL OF COVERED WILD ANIMALS

(a) As used in this section, “covered wild animal” means an animal that is a big game animal, game quadruped, game bird, fur-bearing animal, or crow.

(b)(1) A person shall not intentionally kill a covered wild animal and intentionally, knowingly, or recklessly fail to retrieve and dispose of the covered wild animal. Any covered wild animal taken must be immediately made part of the daily or seasonal bag limit, if applicable.

1           (2) It shall not be considered lawful disposal for any person to place,  
2           leave, dump, or abandon a covered wild animal or parts of the carcass of a  
3           covered wild animal along or upon:

4                   (A) a public right-of-way or highway;

5                   (B) private property, without permission of the owner or the owner's  
6           agent; or

7                   (C) public property where hunting is prohibited.

8           (c) In addition to the requirements above, a person shall not intentionally  
9           take a covered wild animal during regulated open season and intentionally,  
10           knowingly, or recklessly fail to salvage for human use the edible portions of  
11           the carcass of the covered wild animal or usable portions of the fur or hide of  
12           the covered wild animal.

13           (d) Subsections (b) and (c) of this section shall not apply:

14                   (1) when the failure to retrieve and dispose or failure to salvage the  
15           edible portion of the carcass of the covered wild animal or usable portion of  
16           the fur of the covered wild animal is beyond the control of the person due to:

17                   (A) theft of the covered wild animal by another person;

18                   (B) unanticipated weather conditions or other act of God that  
19           prevents salvage or retrieval of the covered wild animal;

1           (C) unavoidable loss of the covered wild animal or its carcass or fur  
2           in the field to a wild animal; or

3           (D) lack of legal access to property where a wounded or dead  
4           covered wild animal is located;

5           (2) in order to defend a person or property, including defense of  
6           property authorized under this part or rules adopted under this part;

7           (3) when the covered wild animal is sick, diseased, or injured;

8           (4) to a law enforcement officer or State employee acting within the  
9           course of his or her employment; or

10          (5) when following generally accepted hunting, trapping, or fishing  
11          practices for retrieval of a covered wild animal, including requirements or  
12          practices under this part or rules adopted under this part.

13          Sec. 2. EFFECTIVE DATE

14          This act shall take effect on July 1, 2021.