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Alternative Proposal

VT LEG #359869 v.1

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Natural Resources, Fish, and Wildlife to which was
3 referred House Bill No. 411 entitled “An act relating to the retrieval and
4 disposal of wild animals” respectfully reports that it has considered the same
5 and 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. 10 V.S.A. chapter 113, subchapter 7 is added to read:

8 Subchapter 7. Retrieval and Use of Covered Wild Animals

9 § 4921. DEFINITION

10 As used in this subchapter:

11 (1) “Covered wild animal” means an animal that is a big game animal,
12 game quadruped, game bird, fur-bearing animal, ~~or crow.~~

13 (2) “Process” or “processed” means the act of slaughtering or butchering
14 a covered wild animal for its edible meat or usable parts.

15 (3) “Unfit for consumption or use” means a part of the covered wild

16 animal or the covered wild animal itself is damaged, destroyed, decayed, rotting, diseased,
or

17 infected.

18 § 4922. RETRIEVAL OF COVERED WILD ANIMALS

19 A person shall not intentionally, knowingly, or recklessly kill a covered
20 wild animal and intentionally or knowingly fail to make a reasonable effort to

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1 retrieve the covered wild animal and use the covered wild animal as provided
2 under this subchapter.

3 § 4923. USE OF COVERED WILD ANIMAL

4 (a) A person who retrieves a lawfully taken covered wild animal, or a
5 person to whom the lawfully taken covered wild animal is transferred, shall
6 retain the animal in the person's possession until it is processed as food;
7 processed for its fur, hide, bones, or feathers; or used for taxidermy. The inedible or
8 unusable parts or portions of a covered wild animal produced from processing
9 of the covered wild animal shall be disposed of pursuant to the requirements of
10 this subchapter.

11 (b) The requirements of subsection (a) of this section shall not apply:

12 (1) when a covered wild animal is unfit for consumption or use; or

13 (2) to coyote taken by a lawful means other than trapping provided that

14 the coyote is retrieved and disposed of pursuant to the requirements of this
15 subchapter.

16 § 4924. EXCEPTIONS

17 The requirements of sections 4922 and 4923 of this title shall not apply:

18 (1) when the failure to retrieve, the failure to salvage, or the failure to

19 retain the covered wild animal is beyond the control of the person due to:

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

21 (B) unavoidable loss in the field to a wild animal;

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1 (C) lack of legal access to property where a wounded or dead covered

2 wild animal is located, including when signage on the property would lead a

3 reasonable person to believe that hunting or trespass is prohibited on the land; or

4 (D) other circumstances that prevent salvage, retrieval, or retention;

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 or diseased;

8 (4) to a State, federal, or municipal law enforcement officer or employee or their agent

9 when the law enforcement officer or employee is acting within the course of

10 the officer's or employee's employment; or

11 (5) when following generally accepted hunting, trapping, or fishing

12 practices for retrieval of a covered wild animal, including requirements or

13 practices under this part or rules adopted under this part. ~~when a practice is:~~

~~13 (A) set forth under this part or rules adopted under this part; or~~

~~14 (B) approved as a best practice by the Commissioner of Fish and~~

~~15 Wildlife as part of the annual publication of the Vermont Hunting and~~

~~16 Trapping Guide or the Vermont Guide to Fishing Laws.~~

14 § 4925. DISPOSAL

15 A person shall not place, leave, dump, or abandon the carcass or parts of a

16 covered wild animal:

19 (1) along or upon a public right-of-way or highway;

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1 (2) upon a private property posted in accordance with section 4710 or
2 5201 of this title without permission of the owner or the owner’s agent; or
3 (3) where prohibited by State or municipal law.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.

6 and that after passage the title of the bill be amended to read: “An act
7 relating to the retrieval and use of covered wild animals”

8

9

10

11

12 (Committee vote: _____)

13 _____

14 Representative _____

15 FOR THE COMMITTEE