

1 H.582

2 Introduced by Representative McCullough of Williston

3 Referred to Committee on

4 Date:

5 Subject: Fish and wildlife

6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 State policy under which the Commissioner of Fish and Wildlife and the Fish
8 and Wildlife Board (Board) manage fish, wildlife, and fur-bearing species in
9 the State. The bill would provide that fish, wildlife, and fur-bearing species
10 shall not be managed to serve a special interest sector. The bill provides that
11 the primary mission of the Department of Fish and Wildlife and the Board is
12 the conservation and protection of fish, wildlife, plants, and their habitats. The
13 bill further provides that the governance of wildlife in the State shall be carried
14 out in accordance with the North American Model of Wildlife Conservation.

15 An act relating to the management of fish and wildlife

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

17 Sec. 1. FINDINGS

18 The General Assembly finds that:

19 (1) It is the policy of the State that:

1 (A) The fish and wildlife of Vermont are held in trust by the State for
2 the benefit of the citizens of Vermont and shall not be reduced to private
3 ownership.

4 (B) The protection, propagation control, management, and
5 conservation of fish, wildlife, and fur-bearing animals in this State are in the
6 interest of the public welfare.

7 (C) The Commissioner of Fish and Wildlife is required to safeguard
8 the fish, wildlife, and fur-bearing animals of the State for all of the people of
9 the State.

10 (D) Existing State policy set forth in 10 V.S.A. § 4081 fails to
11 provide principles or standards for the governance of wildlife.

12 (2) How the people of Vermont interact with, recreate with, and
13 appreciate wildlife in Vermont has shifted significantly and quantifiably over
14 recent decades. Under current, modern cultural standards, the intrinsic value
15 of wildlife has superseded the physical uses of wildlife for meat or fur. The
16 shifts in interaction with wildlife and cultural standards for their use are
17 evidenced by the following:

18 (A) The number of Vermonters participating in hunting, fishing, and
19 trapping is steadily declining as evidenced by the reduction in resident license
20 sales.

1 (B) Since 1985, resident hunting license sales have decreased by
2 56 percent, resident trapping license sales have decreased by 51 percent, and
3 resident fishing license sales have decreased by 25 percent.

4 (C) Since 2006, U.S. Fish and Wildlife Service data indicate that the
5 number of Vermonters identifying as wildlife watchers has increased to
6 86 percent of the population, in contrast to 11.5 percent of the population who
7 identify as hunters.

8 (3) As a result of the changes in how citizens of the State interact with
9 and experience wildlife, the expectations for the services and manner of
10 service provided by the Department of Fish and Wildlife have also changed.
11 The Association of Fish and Wildlife Agencies in its 2016 Blue Ribbon Panel
12 report states that “[t]o remain relevant, state fish and wildlife agencies will
13 need to transfer their structures, operations, and cultures to meet the
14 challenging expectations of their customers.” If State fish and wildlife
15 agencies fail to adapt, their ability to manage fish and wildlife will be hindered,
16 and public and political support of the agencies will be compromised.

17 (4) The Department of Fish and Wildlife has recognized that, according
18 to demographic projections, Vermont’s population will continue to age, and as
19 a result, Department revenues from the sale of licenses and permits will
20 continue to decline. Declining revenues threaten the sustainability and

1 sufficiency of efforts to conserve and manage wildlife for current and future
2 generations of Vermonters.

3 (5) The ever-increasing complexity of decision-making in the context of
4 shifting demographics, funding reduction, climate change, habitat loss,
5 pollution, and invasive species impacts presents realities that demand a
6 fundamental reexamination of how Vermont administers wildlife governance
7 in the 21st century.

8 Sec. 2. 10 V.S.A. § 4081 is amended to read:

9 § 4081. POLICY

10 (a)(1) As provided by Chapter II, § 67 of the Constitution of the State of
11 Vermont, the fish and wildlife of Vermont are held in trust by the State for the
12 benefit of the citizens of Vermont ~~and~~, shall not be reduced to private
13 ownership, and shall not be managed to serve a special interest sector. The
14 State of Vermont, in its sovereign capacity as a trustee for the citizens of the
15 State, shall have ~~ownership, jurisdiction, and control~~ of all of the fish and
16 wildlife of Vermont.

17 (2) ~~The Commissioner of Fish and Wildlife shall manage and regulate~~
18 ~~the fish and wildlife of Vermont in accordance with the requirements of this~~
19 ~~part and the rules of the Fish and Wildlife Board. The protection, propagation~~
20 ~~control, management, and conservation of fish, wildlife, and fur-bearing~~
21 ~~animals in this State are in the interest of the public welfare. The State,~~

1 ~~through the Commissioner of Fish and Wildlife, shall safeguard the fish,~~
2 ~~wildlife, and fur-bearing animals of the State for the people of the State, and~~
3 ~~the State shall fulfill this duty with a constant and continual vigilance~~ The
4 mission of both the Department and the Board is the conservation and
5 protection of fish, wildlife, plants, and the habitats of fish, wildlife, and plants
6 for the people of Vermont through management of the complete ecology that
7 encompasses the fish, wildlife, plants, and respective habitats of Vermont. The
8 governance of the wildlife of Vermont is specifically carried out in accordance
9 with the principles of the North American Model of Wildlife Conservation as
10 currently written and the contemporary social-ecological conditions requiring
11 that wildlife governance encompasses all species and the environmental
12 conditions they require, including:

13 (A) The Commissioner and the Board shall in all actions, policies,
14 and decisions be guided by ecological values and science with respect to
15 wildlife conservation being of paramount importance in serving the citizenry.

16 (B) The Commissioner and the Board are vested with the task of
17 safeguarding and conserving wildlife for current and future generations of
18 Vermonters and for ensuring, through effective management and collaboration,
19 the quantity, quality, and sustainability of resources needed for that purpose.

20 (C) The Commissioner and the Board shall regularly encourage, seek
21 out, and incorporate multiple and diverse perspectives based on social science

1 and citizen input, and transparently utilize diverse perspectives and input,
2 along with ecological science, in decision-making.

3 (D) The Commissioner and the Board shall provide citizen-supported
4 sustainable, ecological, aesthetic, economic, and recreational benefits and shall
5 allocate benefits to avoid systematically privileging some beneficiaries over
6 others except as specifically authorized by the General Assembly.

7 (E) The Commissioner and the Board are publicly accountable for
8 meeting the policy and requirements of this section.

9 (b) Notwithstanding the provisions of 3 V.S.A. § 2803, the Fish and
10 Wildlife Board shall be the State agency charged with carrying out the
11 purposes of this subchapter.

12 * * *

13 Sec. 3. REPORT

14 On or before January 15, 2022, the Commissioner of Fish and Wildlife shall
15 submit to the House Committee on Natural Resources, Fish, and Wildlife and
16 the Senate Committee on Natural Resources and Energy a report regarding the
17 the status and success of the Commissioner and the Fish and Wildlife Board in
18 implementing and complying with the the revised policy for the management
19 of fish and wildlife in the State as set forth in 10 V.S.A. § 4081(a).

20 Sec. 4. EFFECTIVE DATE

21 This act shall take effect on July 1, 2020.