

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H.5 Name of Bill: An act relating to hunting, fishing, and trapping
Agency/Dept.: Fish and Wildlife Department Author of Bill Review: Catherine Gjessing
Date of Bill Review: March 26, 2015 Status of Bill (check one):

☐ Upon Introduction ☒ As passed by 1st body ☐ As passed by both bodies ☐ Fiscal

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

The repeal of Agency of Agriculture, Food, and Markets (AAFM) authority to license the production of fur or breeding stocks of fur-bearing animals will require such facilities to be permitted by the Department. This change would allow the Department to prohibit facilities to prevent disease and genetic contamination.

Bow and Arrow Definition: The existing regulations do not define a crossbow as a bow and arrow. In addition, crossbow use is only allowed by persons with disabilities. This amendment will give the Fish and Wildlife Board more flexibility to increase hunting opportunities.

Fees for license agents are deleted. The Department has never charged these fees.

The bill proposes changes to modernize the wording regarding licenses for persons with disabilities that will better conform to language within the American with Disabilities Act.

The bill would require renewals for permanent and lifetime license holders prior to hunting trapping or fishing, without charge, allowing the Department to collect more comprehensive data for management. The bill expands the Migratory Bird advisory committee to include a broader pool of individuals to facilitate better and more diverse participation.

Expands the eligibility for the special moose lottery to all veterans.

Deletion of signature requirements for mentored hunters allows the Department to move into the electronic age, and will give hunters the convenient option of showing their license on an electronic device.

Civil Enforcement for Threatened and Endangered Species. Currently, criminal prosecution is the primary tool for enforcement. Because the potential penalties are lower than the cost for compliance, the present statute does not provide an incentive to get a permit and essentially rewards the noncompliant.

Aquatic Nuisance Enforcement: The proposed modifications to 23 V.S.A. Sections 3317(b) & 3318(c) refer to violations under 10 V.S.A. Section 1454 - the transport of aquatic plants and aquatic nuisance species.

2. Is there a need for this bill? *Please explain why or why not.* Yes. These changes allow for better and more efficient management of fish and wildlife, and will modernize and correct these sections of the statute.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?
Impact will be minimal. There may be a few more civil enforcement actions.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it? None. The Agency of Agriculture Food and

Markets is in favor of the repeal on fur farms or ranches. The DEC Compliance and Enforcement Division and the Attorney General's office have expressed support for the concept of civil enforcement of T&E violations. The proposed changes will also clarify enforcement of violations under 10 V.S.A. 1454 - aquatic nuisance species transport.

5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example: public, municipalities, organizations, business, regulated entities, etc.)*
AAFM is supportive of the fur farm repeal. Currently, there are no known fur bearer facilities in Vermont for propagating breeding stock and producing fur.

6. **Other Stakeholders:**

6.1 **Who else is likely to support the proposal and why?** Advocates for persons with disabilities will support the housekeeping language as it is more consistent with ADA. Veterans groups. Many hunters will support the crossbow definition changes as it will allow the Fish & Wildlife Board flexibility to consider expanding crossbow use and increase hunting opportunities.

6.2 **Who else is likely to oppose the proposal and why?** Bow and arrow traditionalists may oppose the crossbow definition.

7. **Rationale for recommendation:** *Justify recommendation stated above.* These changes allow for better and more efficient management of fish and wildlife and will modernize sections of the statutes.

8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

Commissioner has reviewed this document:  Date: 3/26/15

Secretary has reviewed this document:  Date: 3-26-15