

COMPONENTS OF MODEL STATUTORY LANGUAGE

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MODEL STATUTORY LANGUAGE

An ACT to Conserve [name of state] Wild Fauna by Extending Protections to Amphibians and Reptiles

Article 1. Statement of policy

Whereas, the State of [name of state] is enriched when its wild fauna is healthy, and their populations secure; and

Whereas, the State of [name of state] has successfully implemented many important wildlife conservation programs to benefit mammals, birds, and fish thereby enhancing the enjoyment of those natural resources by the People of [name of state]; and

Whereas, it is the policy of [name of state] to ensure that all wild species of fauna are conserved in perpetuity so that the People of [name of state] may continue to derive benefits from the enjoyment of those wild species of fauna; and

Whereas, those species of wild fauna known as amphibians and reptiles are important components of this state's ecosystems; and

Whereas, conservation measures in place for amphibians and reptiles have heretofore been less comprehensive than those measures established in law for mammals, birds, and fish; and

Whereas, it is the policy of [name of state] to extend comprehensive conservation measures to all species of wild fauna to ensure that the People of [name of state] may enjoy the numerous benefits associated with healthy and secure populations of those species; now

Therefore, be it resolved that an ACT to conserve [name of state] wild fauna by extending protections to amphibians and reptiles is hereby adopted.

Article 2. Definitions

"Wildlife" means all wild birds, mammals, fish, reptiles, amphibians and other wild aquatic forms, and all other animals which normally can be found in the wild state, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include any and every part of any individual species of wildlife,

whether or not bred, hatched, or born in captivity, and including any part, product, egg, or offspring thereof.¹

OR

“Wildlife” means all species of invertebrates, fish, amphibians, reptiles, birds and mammals which are wild by nature.²

OR

“Wildlife” means all wild birds, mammals, fish, reptiles, amphibians, and invertebrates which are found in the wild state, and shall extend to and include any and every part of any individual species of wildlife, including any part, product, egg, or offspring thereof.³

Article 3. Authority to regulate take, possession, scientific collection, commercial use

1. Prohibitions. (a) A person may not take and possess reptiles or amphibians from the wild for personal use, export, sale or commercial purposes except in a manner prescribed by the [Commission, Commissioner, Department, Board]. (b) The [Commission, Commissioner, Department, Board] may prohibit by duly promulgated regulation the importation of any reptile or amphibian when the importation of the reptile or amphibian would not be in the best interest of the state. (c) A person may not take and possess reptiles or amphibians by hunting, fishing, or trapping except as specifically authorized pursuant to rules or regulations established by the [Commission, Commissioner, Department, Board].
2. Legal harvest. The [Commission, Commissioner, Department, Board] may establish legal harvest seasons for amphibians and reptiles by rule or regulation including license requirements, season dates, bag limits, methods of take, areas of harvest, and reporting requirements.
3. Scientific study. The [Commission, Commissioner, Department, Board] may issue revokable licenses to any person for the purpose of scientific study of reptiles and amphibians. The [Commission, Commissioner, Department, Board] shall establish the criteria for the issuance of said revokable licenses, the application procedures, and provisions for revocation of said licenses.

¹ From Oklahoma.

² From Connecticut.

³ Blend of Oklahoma and Connecticut.