



# Virginia Hunting Dog Alliance

## Powhatan, Virginia

### April 30, 2020

## Register to Vote

Now you have seen what happens when people who think the way we do, don't vote. There is no reason for you to be surprised unless you just woke up from a forty-year sleep. Only forty percent of licensed hunters in Virginia are registered to vote! Far fewer voted last fall. We are calling on hunt clubs to require their members to register to vote and show their voter registration card to be a hunt club member. Then vote, get your spouse, children, cousins, grandchildren, your friends and neighbors to VOTE!

Election Day 2020 is November 3<sup>rd</sup>. You have no excuse for not being registered and voting. It is the obligation of all citizens.

## General Assembly Report

The Veto session held on April 22<sup>nd</sup> marked the end 2020 legislative session, with the possible fall session to review State revenues. It has been a long, at times difficult and generally successful session for those who hunt with dogs. The following is a brief summary of some of the bills that were more important to us. Those that passed and signed become law July 1, 2020.

### **HB388 Delegate Edmunds and SB262 Senator Chafin – Passed and Signed**

**Special license to hunt elk.** Authorizes the Board of Game and Inland Fisheries (the Board) to create a special license for hunting elk in the elk management zone that is required in addition to a general hunting license. The bill authorizes the Board to establish (i) quotas and procedures for selection to purchase a special elk license, (ii) a nonrefundable application fee of \$15 for residents and \$20 for nonresidents and a special elk license fee at no more than \$40 for residents and \$400 for nonresidents, and (iii) guidelines permitting the transfer of special elk licenses to individuals, cooperators who assist in meeting agency hunting objectives, or wildlife conservation organizations whose mission is to ensure the conservation of Virginia's wildlife resources. The bill clarifies that a separate special license to hunt elk is not required to hunt elk outside of the designated elk management zone. *VaHDA supported.*

### **HB449 Delegate Fowler - Passed and Signed**

**Unlawful hunting, fishing, or trapping; prohibition upon conviction.** Provides that any person convicted of violating a hunting, fishing, or trapping law may also be prohibited by the court from hunting, fishing, or trapping for a period of one to five years. *VaHDA supported.*

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**HB1074 Delegate Adams - Passed and Signed**

**Harassing animals; certain species. Changes from “molest” to “harass” the term used in describing certain unlawful acts against animals of certain species.**

*This troubling venture into the world of political wildlife was amended thanks to the alert, persistent help of Delegate Gilbert.*

**HB1272 Delegate Robinson - Passed and Signed**

**Hunting license; senior resident lifetime license for hunting bear, deer, and turkey.** Directs the Board of Game and Inland Fisheries to provide a basic senior resident lifetime hunting license that includes both a basic hunting license and a special bear, deer, and turkey license. The license shall be available only to a resident of the Commonwealth who is 80 years of age or older and shall cost \$200.

**SB616 Senator Deeds - Passed and Signed**

**Department of Game and Inland Fisheries; name change.** Renames the Department of Game and Inland Fisheries as the Department of Wildlife Resources and the Board of Game and Inland Fisheries as the Board of Wildlife Resources. *VaHDA supported.*

**SB774 Senator Chafin - Passed and Signed**

**Big game hunting; guaranteed kills prohibited; penalty.** Prohibits offering for sale, selling, offering to purchase, or purchasing a hunt guaranteeing the killing of a deer, bear, or wild turkey. The bill does not prevent a landowner from leasing land for hunting. A violation is punishable as a Class 1 misdemeanor; when the aggregate of such sales or purchases, or any combination thereof, by any person totals \$500 or more during any 90-day period, such violation is punishable as a Class 6 felony.

*The Bill is intended to send a message to the commercial hunt community that Virginians will not tolerate the commercial exploitation of their wildlife resources. Even DGIF was surprised at the number of people that said they were commercial guides in Virginia. This bill was requested by the VaHDA. We thank Senator Chafin for sponsoring this bill.*

**SB882 Senator Locke - Passed and Signed**

**Conservation police officers; external appointment.** Removes a provision prohibiting the Director of the Department of Game and Inland Fisheries from making an external appointment for any sworn law-enforcement position above the rank of conservation police officer. Current law requires that all promotions within the Department’s sworn ranks be made from among existing sworn conservation police officers. *VaHDA supported.*

**SB886 Senator Marsden - DEFEATED**

**Hunting with dogs; retrieval and trespass; discharge of firearm on road; civil and criminal penalties.** Prohibits a dog owner from allowing his dog to run at large on the property of another after the landowner has given notice to the dog owner to keep dogs off the property. The bill provides for a civil penalty of \$100 per dog enforced by animal control, conservation police, and other law-enforcement officers and a civil penalty of \$250 per occurrence for a second or subsequent occurrence. The bill contains an exception to the penalty if the dog’s owner or custodian releases the dog on property measuring 500 acres or more that is owned or leased by him or on which he has written permission to hunt.

The bill provides that the release of a hunting dog on a public road or on either side of such road within 100 feet of the centerline is a Class 4 misdemeanor. The bill also requires a hunter of game other than fox or raccoon, when going on

prohibited lands to retrieve his dog, to obtain the permission of the owner or occupant of the property before entering such prohibited lands. A violation of such is a Class 4 misdemeanor.

Finally, the bill makes it a Class 4 misdemeanor to discharge a firearm or bow within 75 feet of either side of the centerline of a road. Current law prohibits such discharge in or across any road, within the right-of-way thereof, or in a street of any city or town. The bill includes technical changes.

*Senator Marsden did not appear at the first scheduled hearing. When the hearing was finally held, he used a photo collection of “shot dogs” provided by Jim Hackett to support his contention that dog hunters were terrorizing rural Virginia. Mr. Hackett reported on Facebook that he had proposed a “compromise” to Senator Marsden. His proposed “plan” had a striking resemblance to the “Georgia Plan” of licensing of hunt clubs, dogs and owners and losing your right to hunt if your dogs got off your land three times. In the midst of the hearing, Delegate Farris appeared to suggest to Senator Marsden that he amend the bill to pertain only to “deer dogs.” The people who appeared in support of the bill were the same group of individuals who have been trying to outlaw hunting with dogs for 12 years. Once a hearing was finally held, this bill was overwhelmingly defeated by a bi-partisan vote. You can thank the Leaders of the VaHDA at both the State and County Chapter level for the efforts in defeating this bill. A special shout out goes to the many days put in the fight by Chairman John Morse and Vice Chairman Robin Hutt. VaHDA Opposed.*

**HB 963 Delegate Webert - Defeated**

**Bear damaging crops; kill permit.** Requires the Director of the Department of Game and Inland Fisheries to authorize the killing of bear when they are found to be responsible for damaging crops, including during a harvest. The bill prohibits the Director from authorizing nonlethal control measures unless they are specifically requested by the owner or lessee of the land where the crop damage occurred. *VaHDA Opposed*

**HB 1188 Delegate Wampler - Withdrawn by the Sponsor**

**Bear hunting license; inclusion in license to hunt deer and turkey.** Directs the Board of Game and Inland Fisheries to include the ability to hunt bear in the existing license to hunt deer and turkey. Current law provides that the standard big game license shall include only deer and turkey if the Board has exercised its discretion to create a separate license for hunting bear alone. The bill contains technical amendments. *VaHDA Opposed*

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*Numerous “Dog” bills were introduced this session. Alice Harrington of the Virginia Federation of Dog Clubs and Breeders, the AKC affiliate in Virginia and an ally, did yeoman work on the bills. We could not have kept up with them if she had not put in the long hours in Richmond. There are simply too many to report here.*

**SB272 and HB Senator Bell and Delegate Levine - Passed and Signed**

**Tethering animals; adequate shelter and space.** Provides that the outdoor tethering of an animal does not meet the requirement of adequate shelter during a hurricane warning or tropical storm warning or if the animal is not safe from predators or well suited or equipped to tolerate its environment. The bill provides that unless an animal control officer has inspected an animal’s individual circumstances and determined it to be safe from predators and well suited and equipped to tolerate its environment, no such outdoor tethering during a heat advisory, a severe weather warning, or a period when the temperature is 85 degrees Fahrenheit or higher or 32 degrees Fahrenheit or lower shall constitute the provision of adequate shelter. The measure increases the minimum tether length required to constitute adequate space to 15 feet in length or four times the length of the animal, whichever is greater. Current law requires the tether to be at least

10 feet in length or three times the length of the animal, whichever is greater. The bill provides an exception for a case in which an animal control officer, having inspected an animal's individual circumstances, determines that a shorter tether of at least 10 feet or three times the length of the animal makes the animal safer, more suited, and better equipped to tolerate its environment than a longer tether would. This bill is identical to [HB 1552](#).

*This bill died in Senate the Agriculture Committee by one vote; Senator Stanley voted against it. Later in the evening, after all but one of our team had left, he moved to have the bill reconsidered, abstained on the vote, and the bill passed by one vote. Thankfully, Alice Harrington stayed through the entire hearing to see Senator Stanley in action on behalf of the Animal Rights groups.*

*Senator Ryan McDougle worked hard on our behalf throughout the entire session. His efforts ultimately led to keeping the "local option" part of the bill from passing. Because of amendments, this will prove very difficult to enforce. There are many legislators who deserve recognition we will remember their efforts at election time.*

**VaHDA opposed**

**SB 891 Senator Marsden – Passed with amendments, Governor Amendments (1 defeated; 2,3,4 passed)**

**Animal welfare regulations; keeping of dogs, cats, and rabbits; Animal Welfare Inspector.** Directs the Board of Agriculture and Consumer Services to adopt comprehensive regulations governing (i) the keeping of dogs, cats, and rabbits by any commercial dog breeder, dealer, pet shop, or private or public animal shelter and (ii) the keeping of companion animals by zoos. The regulations are to require an annual \$25 registration by every regulated person or facility and may establish standards that apply only to a particular category of regulated entity. The bill creates the position of State Animal Welfare Inspector as an employee of the Commissioner of Agriculture and Consumer Services and directs the Inspector or a representative to conduct two annual inspections of each regulated facility. Finally, the bill directs the State Veterinarian to convene a technical advisory committee that includes representatives of potentially affected breeders, dealers, pet shops, shelters, agencies, zoos, veterinarians, and others, as well as representatives of the Office of the Attorney General, to assist in the development of regulations and guidance required by the bill.

*Amendments made by the General Assembly made the bill apply only to Pet stores. Governor's Amendment number 1, requested by PETA, would have made it apply more broadly. VaHDA opposed Governor's Amendment #1 and took no position on the remainder of the bill.*

**HB1416 Delegate Ronnie Campbell - Defeated in sub-committee**

**Animal care; zoos and petting zoos; seizure of animals.** Raises from reasonable cause to probable cause the standard for a belief that animal cruelty laws are being violated for purposes of an application for a search warrant. The bill adds animals located at a zoo or petting zoo, defined in the bill, to agricultural animals as exceptions to the standards for seizure or impoundment of companion animals. The bill also requires that before a seizure can take place at a zoo or petting zoo, a direct and immediate threat to an animal must exist that cannot be corrected in a reasonable time or that the owner is unable or unwilling to correct. The bill requires humane investigators to be residents of the Commonwealth. The bill contains technical amendments.

*This bill was extremely important to restore Constitutional civil rights to animal search and seizure law. The sponsor promises to bring this bill back. It merits support by every animal owner. VaHDA supported.*

## **Banquet – 2020**

The decision has been made to reschedule the Banquet for **May 1<sup>st</sup>, 2021**. All other details related to the event, including times, prizes, price, etc. remain the same. If you have purchased tickets or a table sponsor, you may keep them and they will be honored next year or you can get a refund from the person that sold you the ticket. For questions call Banquet Chairman Cliff Preddy at (434) 247-6491, be sure to leave a message. He will return your call.

## **Fund Raising and Covid-19**

Hunting continues with Turkey season and fox hunting but for all practical purposes fund raising has come to a halt. All events that were scheduled have been canceled as the Governor has issued “stay-at-home” orders. It has become difficult for hunt clubs to pay their land leases; many may have to reduce the amount of land they rent. To compound the problem, when we are free to resume “normal activity” there will be a shorter time and so fewer dates when the stews, BBQs and other events can be held.

The VaHDA is in the same fix. Field trials and other events had to be postponed or cancelled. If you can afford a donation, it would be very helpful. The fight against the commercial hunting and animal rights groups continues and becomes more intense every year. Just because we have won the fight year after year, hound hunters take for granted that the fight continues and so does the need to support our efforts.

You can donate to the Virginia Hunting Dog Alliance online at <https://vahda.org/donate/>. You can also text the word “hound” to 225-25 and it will take you to the VAHDA donation portal. You can text the word “foundation” to 225-25 and it will go to the VAHDAF portal.

We often have hunters tell us their club is a member but have never received a penny of support. Please help now if you can.

## **Listing of Hunt Clubs**

The Virginia Hunting Dog Alliance website, [www.vahda.org](http://www.vahda.org), has been updated to reflect the donations of Hunt Club and Associations through March 31, 2020. The list includes the all of the Hunt Clubs that have individuals who are members of the VaHDA, so you can see who is helping with the fight to defend the Heritage of hunt with dogs and who is riding the backs of others.

Once social distancing is behind us, the County Chapters will begin contacting each club to talk about the issues that favor Virginia Hound hunters and seek the support of the entire club. Knowing that funds are likely to be scarce for many clubs, we urge you to have your club ask its individual members to go online and join at [www.VaHDA.org/join.cfm](http://www.VaHDA.org/join.cfm). The number of members make us strong, even when funds are limited.

## **New Chapter in Madison and Greene**

A new VaHDA Chapter was scheduled to form on April the 5<sup>th</sup> in a meeting to be held at Rapidan Hunt Club. Like every other gathering it was necessary to cancel until the Chinese Virus threat has lessened. More than 100 people had signed up to attend according to the organizers. We look forward to getting the Chapter started and working together. For more information contact Sam Jarrell (540) 649-6290.

## **Microchip Program**

The tragedy of lost and stolen hunting dogs is repeated so often that it becomes hard to deal with. Facebook has a post on some site every couple of days about an escaped or missing dog. Especially disheartening are the reports of owners searching for dogs for months, usually without success.

For far too long dogs, have gone missing, shelters are filled with good looking hunting dogs, and hunters get a black eye for not taking care of their dogs or worse yet are accused of abandoning their dogs at the end of hunting season. With the new majority in the General Assembly, heavily weighted by Northern Virginia legislators who are not familiar with hunting with dogs and our customs, the micro-chipping program will say a great deal about who we are and our love of our dogs. Anything that we can do to dispel the myths about hunting dog owners will help.

The Virginia Hunting Dog Alliance Foundation is working with the American Kennel Club Reunite program to bring low cost micro-chipping of pets to Virginia. The cost for an individual dog or cat (yes, cat) is \$15.00. The current average price in Central Virginia is over \$50.00. I personally have chipped all of my dogs at the fifty-dollar price. I want to have every chance possible of retrieving my dog if it is missing or stolen. I know that many hunters won't pay \$50.00 to chip each of their dogs, so I began a search for the least expensive and trustworthy way of providing that service to everyone. You cannot beat the \$15.00 price for a chip and registration with a reliable organization.

We are encouraging our Chapters to work with their county animal control to include the micro-chipping with the next rabies clinic. If you want a clinic in your area, contact your local VaHDA Chapter or your local animal control. Further information is available at [info@vahda.org](mailto:info@vahda.org).

## **CPO's ticketing vehicles stopped on Right of Ways**

In January, during a field trial held by a hunt club in Charlotte County two Game Wardens issued a number of summons for illegal parking in a highway right of way. The Wardens stated that there had been a complaint that they were illegally parked. Several individuals who were members of the Hunt Club were pulled off the pavement at least eight feet with emergency flashers on, attempting to catch dogs. The land bordering the highway right of way belonged the Hunt Club holding the Field Trial, and both men charged were members of the club!

The Game Wardens cited an obscure Highway Department regulation **24VAC30-21-30 General Provisions Concerning Use of Right Way**, which reads in part:

- A. No person, firm or corporation shall use or occupy the right of way of any highway for any purpose except travel, except as may be authorized by VDOT, either pursuant to regulation or as provided by law.



The hunters went to trial and the case was dismissed. The Judge admitted he had never heard of such a regulation; the defendants received a stern warning that he would enforce that regulation in the future. Since the defendants did not hire an attorney, several sections of the Code of Virginia were not considered and did not enter into the ruling.

**§ 33.2-105. Evidence as to existence of a public highway.**

...In all such cases, the center of the general line of passage, conforming to the ancient landmarks where such exist, shall be presumed to be the center of the way and in the absence of proof to the contrary, the width shall be presumed to be 30 feet.

**§ 46.2-889. Location of parked vehicles.**

No vehicle shall be stopped except close to and parallel to the right edge of the curb or roadway, except that a vehicle may be stopped close to and parallel to the left curb or edge of the roadway ...

**§ 46.2-893. Stopping on highways to discharge cargo or passengers; school buses.**

No truck or bus, except a school bus, shall be stopped wholly or partially on the traveled portion of any highway outside of cities and towns for the purpose of taking on or discharging cargo or passengers unless the operator cannot leave the traveled portion of the highway with safety.

We believe that the Wardens acted out of a known bias against hound hunting and used an ambiguous and obscure section of Highway regulations to harass these otherwise lawful hunters.

A word to the wise, make sure you park well off the highway on the right side of the road, particularly in the Brunswick, Charlotte, Halifax and Mecklenburg areas. There is no standard width for a right of way in Virginia. Some roads do not have a right of way but simply an easement. It is your responsibility for you to know... which is virtually impossible. We are looking at options to provide added legal protections against future charges.

**All permitted field trials have been canceled**

DGIF has cancelled all field trials in response to the Governor's Executive orders. We will send out an alert when that changes.

## **Presentation to DGIF Wildlife Committee**

Those of you who follow politics know that Virginia is a different place today than it was one year ago. Once a moderately conservative state with a Republican Legislature mainly suburban and rural, Virginia today is ruled by a Governor and General Assembly that are dominated by very liberal Democrats from urban Northern Virginia. The challenge for the Virginia Hunting Dog Alliance has been to recognize how to work with the new majorities rather than simply complain and be confrontational. By the Grace of GOD, we have been fortunate to have been largely successful when others have stumbled. The presentation of factual arguments in respectful one to one presentation to legislators and their staff enabled us to continue to be part of the discussion and mostly win for our point of view.

Once the General Assembly adjourned, The Virginia Hunting Dog Alliance was asked to make a presentation about our organization and issues of importance to the hunting dog community in Virginia at the April meeting of the Wildlife Committee of the Board of DGIF. The meeting was a casualty of the Corvid-19 Virus along with so many other things.

Virginia Board members are appointed by the Governor for four-year staggered terms. As new members begin to serve, we need to help to introduce those who are not familiar with the hunting dog community and to our way of hunting and how important it is to conservation of Virginia's wildlife resources. Many do not have any practical knowledge of hunting at all.

We know that if they only hear negative stories about hunting with dogs, they will not support us. The positive statistics about wildlife violations get their attention, but only when they understand that we are the original wildlife conservationists and support many of the same issues that they also believe are important will they begin to understand our point of view.

We look forward to meeting and working with the current Board and making our presentation when Board meetings begin again as this terrible pandemic wains.

### **Submit an article**

If you would like to submit an article for possible publishing in our newsletter, email us at [info@vahda.org](mailto:info@vahda.org) or mail it to P.O. Box 657 Powhatan, Virginia 23139.

VHDA Board members are real hunters who own dogs. The VHDA has no paid staff. We pay our own expenses because "We HAVE a dog in this fight!" If we sometimes sound angry, it is because we are! We would prefer to be hunting, teaching our children about the wonders that God has given us, and training our dogs. We know that we must have a strong voice or we will lose to people who not only disagree with you but hate and revile you because you hunt.

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