Bill as Introduced

SB 328- AS INTRODUCED

2000 SESSION

00-2631
10/09

SENATE BILL ***328***

AN ACT making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.

SPONSORS: Sen. Disnard, Dist 8; Rep. Abbott, Rock 19

COMMITTEE: Wildlife and Recreation

ANALYSIS

This bill corrects certain references to licensing provisions in the fish and game laws and adds a rulemaking provision on helper's licenses relative to lobster traps.

This bill is a request of the fish and game department.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2631
10/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Helper's License; Lobster Trap Limits; Rulemaking Added. Amend RSA 211:20 to read as follows:

211:20 Helper's License. Any person licensed under the provisions of RSA 211:18 may get a helper's license which entitles [~~him~~] ***the person*** to have the help of a person in the taking of lobsters or crabs. The helper's license may be transferred to any one helper employed by the licensee, but may not be transferred to a person who previously had a lobster license which is under suspension. A helper may assist, set, or haul pots or traps or any other device used in the taking of lobsters and crabs only in the presence of and aboard the boat of a person licensed under the provisions of RSA 211:18, and who holds a valid helper's license. The fee for a helper's license is $10. ***The executive director shall adopt rules pursuant to RSA 541-A relative to the terms and restrictions of a helper's license to comply with lobster trap limits established under the Atlantic States Marine Fisheries Commission management plan for American lobster relative to reduced fishing effort.***

2 Lobster Meat; References Changed. Amend RSA 211:38 to read as follows:

211:38 Lobster Meat. No person shall sell lobster meat which has not been processed and sealed within containers which do not require refrigeration without first procuring a license to do so. The executive director shall issue such license for a period of one calendar year pursuant to the provisions of RSA 211:39 [~~and RSA 211:39-a~~], ***RSA 211:49-aa, and RSA 211:49-c***. The license shall expire on December 31 of each year.

3 Wildlife Habitat Stamp; Reference Added. Amend RSA 214:1-f, I to read as follows:

I. No person shall at any time take wild animals or wild birds in this state without first procuring, in addition to any applicable licenses required by title XVIII, a wildlife habitat stamp or license under RSA 214:9, XV, for the same period. If a stamp is issued it shall be signed across the face in a permanent manner with the applicant's signature and shall be carried upon such person while engaged in taking wild animals or wild birds. A person under the age of 16 years may take wild animals or wild birds without such a stamp or license provided that, while so doing, the person is accompanied by an adult who has procured such stamp or license. This paragraph shall not apply to any person who takes wild animals or wild birds under a complimentary license, excluding any

administrative fee, issued pursuant to ***RSA 214:3,*** RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to RSA 214:9-c that was purchased in a prior calendar year.

4 Fisheries Habitat Fee; Reference Corrected. Amend RSA 214:1-g, I to read as follows:

I. A one dollar fisheries habitat fee shall be required to be paid by all persons 16 years of age or older, in addition to each applicable fishing or combination license required by Title XVIII, in order to take fish in the fresh waters of this state. This paragraph shall not apply to any person who takes fish under a complimentary license, excluding any administrative fee, issued pursuant to RSA 214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to [~~RSA 214:19-e~~] ***RSA 214:9-c*** that was purchased in a prior calendar year.

5 Effective Date. This act shall take effect 60 days after its passage.

SB 328 - FINAL VERSION

23march00.....3626h
17may00.....4237h

2000 SESSION

00-2631
10/09

SENATE BILL ***328***

AN ACT making corrections to statutory references in certain fish and game laws.

SPONSORS: Sen. Disnard, Dist 8; Rep. Abbott, Rock 19

COMMITTEE: Wildlife and Recreation

AMENDED ANALYSIS

This bill corrects certain references to licensing provisions in the fish and game laws.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 328 – FINAL VERSION

23march00.....3626h
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00-2631
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In the Year of Our Lord Two Thousand

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214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to RSA 214:9-c that was purchased in a prior calendar year.

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5 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Rep. Abbott, Rock. 19
March 2, 2000
2000-3626h
10/09

Amendment to SB 328

Amend the bill by replacing section 5 with the following:

5 Regulating Marine Species; Rules. Amend 211:62, I to read as follows:

I. Rules relating to the taking, inspection and processing of marine species may be made by the executive director of the fish and game department [~~with the approval of the fish and game commission, and~~] upon the advice and cooperation of the advisory committee on shore fisheries ***and the fish and game commission.***

6 Effective Date. This act shall take effect 60 days after its passage.

2000-3626h

AMENDED ANALYSIS

This bill corrects certain references to licensing provisions in the fish and game laws. The bill also changes the procedure for the adoption of rules relating to the regulation of marine species.

House Executive Departments and Administration
April 25, 2000
2000-4237h
10/09

Amendment to SB 328

Amend the title of the bill by replacing it with the following:

AN ACT making corrections to statutory references in certain fish and game laws.

Amend the bill by deleting section 5 and renumbering the original section 6 to read as 5.

2000-4237h

AMENDED ANALYSIS

This bill corrects certain references to licensing provisions in the fish and game laws.

Committee Minutes

STATE OF NEW HAMPSHIRE

HOUSE OF REPRESENTATIVES

Office of the Speaker

March 7, 2000

The Honorable Keith Herman
387 Osgood Road
Milford, NH 03055-3435

Dear Keith:

This is to confirm your temporary appointment as an alternate on the Wildlife and Marine Resources Committee for today.

I appreciate your willingness to serve in this capacity.

Sincerely,

Donna Sytek
Speaker

DS/dds
cc: House Clerk
Rep. Ron Nowe

State House • Concord, New Hampshire 03301-4988 • Telephone: (603) 271-3661 • FAX: (603) 271-3309
TDD Access: Relay NH 1-800-735-2964

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # SB 328 Date February 22, 2000

Committee Wildlife + Marine Resources

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
William F. Carney	526 Clinton St Bow	226-2467	Self	✓	
Sandra Fallon	Fish + Game		Fish + Game	✓	—

Hearing Minutes

HOUSE COMMITTEE ON WILDLIFE AND MARINE RESOURCES

PUBLIC HEARING ON SB 328

BILL TITLE: making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.

DATE: February 22, 2000

LOB ROOM: 307 **Time Public Hearing Called to Order:** 10:00 A.M.

Time Adjourned: 10:20 A.M.

(please circle if present)

Committee Members: Reps. R. Nowe, MacNeil, L'Heureux, Lessard, Carlson, McKinney, Chandler, Phinney, Rose, Brewster, Brothers, Fletcher, Woodward, Abbott, Rogers, Martin, Blaisdell, Chase, P. Gagnon, Gorman, N. Johnson and Tate.

Bill Sponsors: Sen. Disnard, Dist 8; Rep. Abbott, Rock 19

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sen. George F. Disnard - Sponsor. Supports the bill. Filed bill at request of Fish and Game Department.

* Sandra Falicon, NH Fish & Game Department - Supports the bill. Most of bill corrects statutory references. Section 1 of bill gives Director ability to create rules dealing with lobster fishing.

Lt. Edmond Cannoyer, Seacoast Marine Fisheries Officer - To answer questions. Two men could hold. This is a loophole in the law.

William F. Carney, New Hampshire Wildlife Federation - Supports the bill.

Respectfully submitted,

Betsy McKinney

Rep. Betsy McKinney
Clerk

HOUSE COMMITTEE ON WILDLIFE AND MARINE RESOURCES

PUBLIC HEARING ON SB 328

BILL TITLE: making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.

DATE: February 22, 2000

LOB ROOM: 307 **Time Public Hearing Called to Order:** 10:00 A.M.

Time Adjourned: 10:40 a.m.

(please circle if present)

Committee Members: Reps. R. Nowe, MacNeil, L'Heureux, Lessard, Carlson, McKinney, Chandler, Phinney, Rose, Brewster, Brothers, Fletcher, Woodward, Abbott, Rogers, Martin, Blaisdell, Chase, P. Gagnon, Gorman, N. Johnson and Tate.

Bill Sponsors: Sen. Disnard, Dist 8; Rep. Abbott, Rock 19

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sen Disnard, sponsor, filed bill at request of F+G Dept.

Sandra Falcon, N.H F+G Dept., supporting - most of bill corrects statutory references. Section 1 of bill gives Director ability to create rules dealing with lobster fishing

Lt. Edmond Cannoyer - Seacoast Marine Fisheries officer to answer questions - 2 men could hold this as a loophole in the law.

closed 10:20

Testimony

New Hampshire
Fish and Game Department

2 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Web site: http://www.wildlife.state.nh.us

TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-1438
E-mail: info@wildlife.state.nh.us

Wayne E. Vetter
Executive Director

Fish and Game Testimony on SB 328
relative to making corrections to statutory references
in certain fish and game laws and adding a rulemaking provision

Good morning, Mr. Chairman, members of the Committee. For the record my name is Sandra Falicon, Legislative and Rules Coordinator for the Fish and Game Department. I am here today in support of Senate Bill 328. These amendments were at the request of the Department. Most of the changes are corrections to statutory references with the exception of section 1 which would grant rulemaking authority to the executive director relative to lobster helper' licenses under RSA 211:20.

Lobster is managed through the Atlantic States Marine Fisheries Commission (ASMFC) under the fishery management plan for lobster. Under the Atlantic Coastal Fisheries Cooperative Management Act, each state is required to be in compliance with these plans. Last year, legislation was passed legislation to institute a 2-tiered commercial license system. Full time commercial lobstermen can fish 1200 traps while limited commercial lobstermen can fish 600 traps. ASMFC has approved this combination as a conservation equivalency for the mandated 800 trap limit. Section 1 is an effort to ensure compliance with these restrictions by giving the executive director the flexibility of rulemaking to establish rules relative to lobster helper's licenses. It is critical for our full time commercial fisherman to maintain the 1200 trap limit. Rules would allow us to close an existing loophole that presently allows 2 license holders on one vessel to fish 1200-1800 traps. This will maintain our conservation equivalency while keeping NH in compliance with the lobster fishery management plan.

Sections 2 and 3 make corrections to statutory references in several of the Fish and Game laws. RSA 211:38 relative to lobster meat updates the statutory references and RSA 214:1-f and –g to reference the same statutes so that both habitat stamps are exempted for the same licenses.

Thank you for the opportunity to speak on SB 328.

DENNIS ABBOTT

Testimony relative to passage of SB 328

First of all let me apologize for not attending the full hearing on this bill which I agreed to sponsor for the department and which Sen Disnard agreed to be prime sponsor as our deadline had passed before we all got on the same page. There was no discussion or problems noted during the Senate hearing but that's probably indicative of our attention to detail. Again I apologize and will try to provide the committee with enough information to pass SB328 as it is necessary that we address the issue of helpers vs lobster traps.

Amendment 3 to the Management plan for American Lobster was adopted in 1997 with the purpose of decreasing mortality and increasing egg production which has fallen well below a figure which can sustain a healthy stock of Lobsters. While the catch remains at record levels the effort expended to increase this catch is diminishing the amount of lobsters available to maintain a healthy stock. One of the principal components of Amendment 3 was a mandated reduction in the number of traps to be used by fishermen while engaged in Lobstering throughout the range. Mass and Maine are, and have been, at a 800 trap limit per fisherman. How they implement this is similar to where we find ourselves in this morning. It's our job to ensure that fishermen are complying with the law and are not able to skirt its' intent. It has come to the attention of the department that there may be loopholes in the previously passed laws and that helpers aboard boats may be the vehicle for that.

At this point allow me to digress a few years to action taken by this legislature to address Amendment 3. Let me go a little further back and explain how the Atlantic States Marine Fisheries Commission functions relative to management programs. ASMFC manages all the coastal species of fish and shellfish which are interjurisdictional. Meaning they migrate and are found in more than one state from Maine to Florida. Cooperatively and through a process which, at times, seems unwieldy a plan is formulated, subjected to public scrutiny, hearings and finally approved by all the states and jurisdictions involved. I say jurisdictions because in addition to the states federal agencies are involved (USFWS and NMFS) as they have requirements to comply with under the Magnuson Act. To say that this is an easy process is surely untrue and that we here today is an extension of that process. An extension because though an Amendment is binding upon the states it is the states responsibility to provide enabling legislation to carry out the intent of the amendment. In this case Amendment 3 to the Lobster Management plan. Failure to do so can result in the being found out of compliance by the Secretary of Commerce and failure to correct the out of compliance condition could result in a closure of the fishery until such time that compliance is achieved. Needless to say the Lobster fishery is both highly visible and extremely important to the local economy of our state and that of our neighbors.

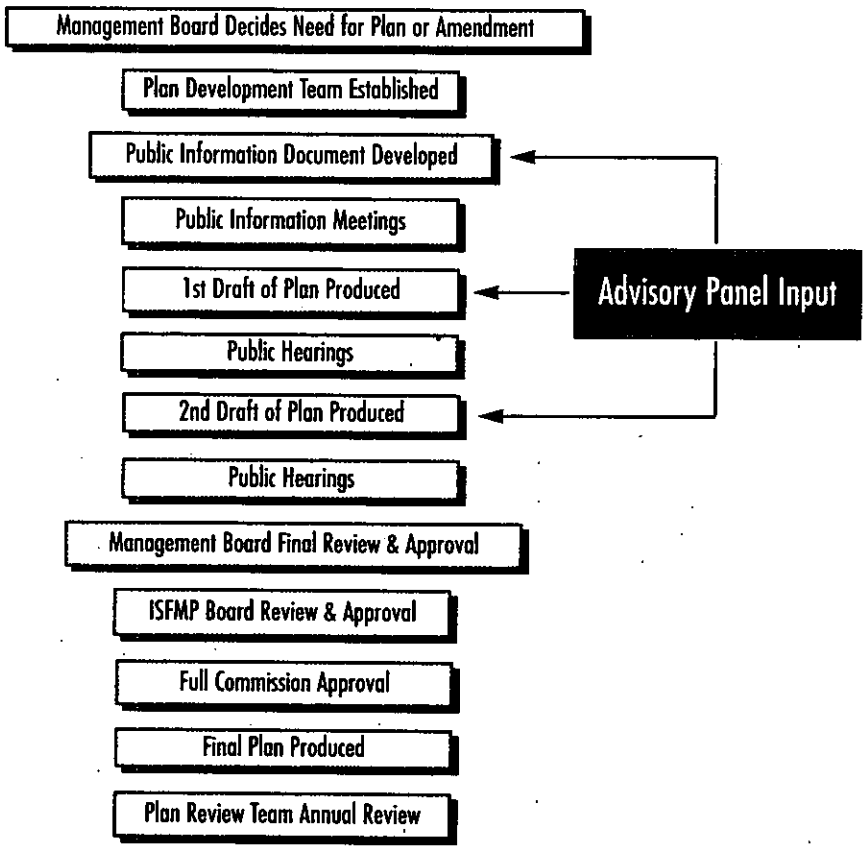
For those of you who were part of this committee during the last session you will remember that we passed a bill HB XXXX which was unique and carefully addressed the concerns of the affected lobstermen. That bill was formulated with input from the department, fisherman and a study committee of this legislature headed by then Representative Ken Malcolm of Hampton if I remember correctly. The concern was that if they had to lower the number of traps fished they didn't want to see competitors increasing the number of traps they were fishing which would have two results. One being that they would be financially affected and Two that the net result would probably be an increased number of traps fishing. The committee, in its' wisdom, chose to listen to both the department and the fishermen and pass a bill which allows New Hampshire fishermen to have a two tiered commercial lobster license. 1200 traps are allowed for a full commercial license and 600 for a limited commercial fishermen. A good piece of legislation in my mind but not in the eyes of the lobster managers beyond our immediate borders. But we achieved real reductions. There was an anticipation that there would be about 70 full commercial licenses but I believe the number is actually in the 30's so we probably gained further reductions as a result. This two tiered system was approved by the ASMFC under the concept of adaptive management and achieved what is called conservation equivalency.

All of this brings me to why we're here this morning discussing a change in the law. As you may or may not know I am not in generally favor of granting the department additional rulemaking authority. Rep Bill Boucher harped on this during my first term and it took me awhile to fully realize what he meant and what granting rulemaking did to the legislative process. It does one thing. And that is that it takes away what you have held dear as a legislator and passes it over to the F & G department. They would tell you that you can always take back what you've given but when is the last time any of us has seen that happen? The laws are now full of "rulemaking authority for whatever is granted under RSA 541". Further to make it more odorous is that what we give away is now assumed in part by the Commission when the words "With the permission and consent of" are inserted in some instances to the RSA. Is this something we want?

The bill before us asks that we grant rulemaking to the department and, again in this instance, I'm willing to grant this request to the Marine Division but not to the commission. I have no problem adding the words "with the advice" but not the consent part as I firmly believe that marine issues are best left with the marine division of the department and not influenced by Commissioners who have no connections with seacoast activities. Management plans are often changing and even as we sit here today scientists are examining lobster issues and will be providing us (ASMFC) with a report which will contain stock assessment information which will, in turn, be used for the development of new amendment. If Commissioner approval is required then I'd rather see the legislature retain lawmaking authority. In plain English I'd have to say that I'm not willing to give away what's mine to someone who I view as less capable in this area. The department yes the commission no. If you'd like I'll describe to you last year what occurred with rulemaking regarding Striped Bass rules and what effect that had on our state and what effect it may still have in the future. It's a classic example of the politics involved and what can happen. I have prepared an amendment to remove the "consent" of the commission and will offer it at the proper time here this morning.

Again though I ask that we do grant rulemaking as amended because the management of lobsters is both dynamic, changing and requires us to solicit the input of the lobstermen when we promulgate rules. In the ASMFC process we involve the public through the use of an advisory board, which is comprised of industry members, and further we now have added area management teams because the lobster fishery is now separated into seven geographic areas each with their own regulations which are suited to that area based on many factors. The department will be soliciting the advice of the lobstermen and it was because of their concern that the need to adopt rules regarding helpers aboard lobster boats and the possibility that they could be getting around the existing laws and effectively be fishing more traps than they are allowed. The ASMFC will be aware of this situation if it develops as they are still having difficulty with our adaptive management method in dealing with trap limits. It was the Lobstermen who raised this issue and it is our responsibility to ensure that our method of dealing with trap limits is preserved for we will be monitored by our neighbors and also the lobstermen who ply the waters of seacoast catching lobsters. We should remember what I heard a lobsterman say at a meeting last year "It's your job to make the laws and it's my job to figure out how to catch as many lobsters as I can." So I urge the committee to adopt the amendment I offer and pass the bill as amended.

Figure 1. Fisheries Management Planning Process

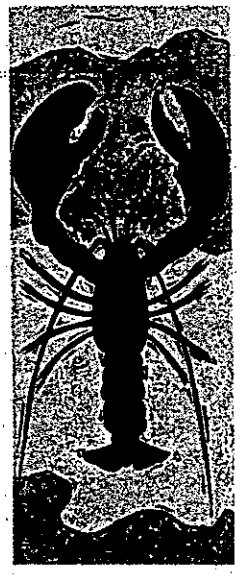


American Lobster

Life History

The American lobster (*Homarus americanus*) is a bottom-dwelling crustacean which is widely distributed over the continental shelf of North America. Inshore, it is most abundant from Maine through New Jersey with abundance declining from northern to southern areas. Offshore, it occurs from Maine through North Carolina.

Lobsters are solitary and territorial, living in a variety of habitats as long as there is a burrow or crevice in which lobsters can take cover. Females hatch their eggs from mid-May to mid-June when water temperatures rise to about 60° F. Lobsters reach market size in about five to seven years, depending on water temperature.



American Lobster
Homarus americanus

Family: Homaridae
Largest Recorded:
40 pounds

Commercial & Recreational Fisheries

Lobster provides a valuable commercial fishery with the catch ranging from 33 to 63 million pounds annually. Of this catch, approximately 80 percent are caught from zero to three miles from shore. A number of gear are used to commercially catch lobster. Most are caught with lobster pots, with trawls and fish pots taking significant amounts as well. Lobster is also taken recreationally with pots and by hand while SCUBA diving

Atlantic Coastal Management

Concern about lobster harvest levels in the early 1970s prompted the Atlantic States Marine Fisheries Commission to prepare a *Fishery Management Plan for American Lobster* in 1978. This early Plan called for effort limits, an increase to a 3 1/2-inch minimum carapace size, a prohibition on possession of egg-bearing (berried) lobsters, and a prohibition on landing lobster parts. The New England Fishery Management Council's Lobster Fishery Management Plan was implemented in 1983. Since that time, effort in the fishery and concern for the lobster resource have both grown, with a number of plan amendments being done for both state and federal plans. The current major provisions of the Commission's Lobster Plan are:

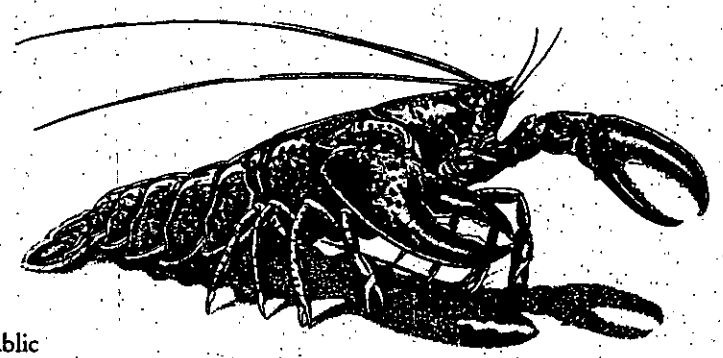
- 3 1/4-inch minimum carapace length;
- prohibition on the possession of berried or scrubbed lobsters (females with eggs removed);
- prohibition on possession of lobster meat;
- prohibition on possession of lobster parts;
- mandatory escape panels and vents on pots to allow lobsters to escape from old, lost pots; and
- prohibition on spearing lobsters.

Recent management options have concentrated on controlling effort rather than controlling catch (through the minimum size). Scientific assessment of lobster populations suggests that the lobster resource is being overharvested. Fisheries managers in both state and federal waters are currently wrestling with ways to control effort in the lobster fishery to ensure the continued health of this valuable resource which has the highest value of any east coast fishery. Lobster fishermen are also interested in discussing effort limits for two reasons: (1) they want to ensure the survival and health of the lobster resource and (2) increased effort has meant that lobstermen have to work harder for less return.

Current federal management efforts are relying on Effort Management Teams -- composed of the affected lobstermen from five areas along the Atlantic coast -- to assist with viable means of reducing efforts that will be meaningful and supported by the fishing industry.

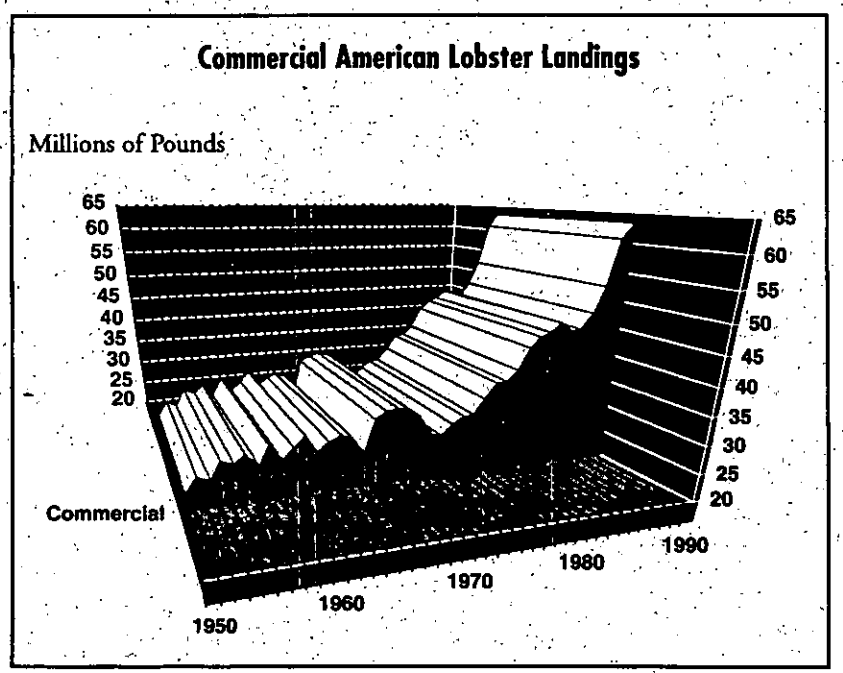


The Commission has committed to preparing an amendment to its *American Lobster Fishery Management Plan* to ensure effective and complementary conservation and management measures both in state and federal waters. This cooperation is essential to managing lobster throughout its range.



Public Participation

As with it's other fishery management plans, the Commission will be seeking public input to the *American Lobster Fishery Management Plan* amendment. This will be done with an Advisory Panel comprised of people knowledgeable about the lobster fishery. Additionally, interested members of the public will be able to comment on proposed management measures at a series of public meetings or hearings held along the coast as the fishery management plan amendment process continues.



1444 Eye Street, N.W. • Sixth Floor • Washington, D.C. • 20005
Phone (202) 289-6400 • Fax (202) 289-6051

Voting Sheets

HOUSE COMMITTEE ON WILDLIFE AND MARINE RESOURCES

EXECUTIVE SESSION on SB 328

BILL TITLE: **making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.**

DATE: 3/7/00

LOB ROOM: 307

Amendments:

Sponsor: Rep. Dennis Abbott	OLS Document #:	2000	3626h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Chandler

Seconded by Rep. Gorman

Vote: 11-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Abbott

Seconded by Rep. Carlson

Vote: 11-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 11-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Betsy McKinney, Clerk

HOUSE COMMITTEE ON WILDLIFE AND MARINE RESOURCES

EXECUTIVE SESSION on SB 328

BILL TITLE: **making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.**

DATE: 3-7-00

LOB ROOM: 307

Amendments:

Sponsor: Rep. Dennis Abbott, Rock 19 OLS Document #: 2000-3626h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: (OTP) OTP/A ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Chandler

Seconded by Rep. Goreman

Vote: 11 (Please attach record of roll call vote.) VOICE VOTE

Motions: OTP, (OTP/A) ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Abbott

Seconded by Rep. Carlson

Vote: 11-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 11-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rose Marie Rogers

Rep. ~~Betsy McKinney, Clerk~~

OFFICE OF THE HOUSE CLERK 2000 SESSION

WILDLIFE AND MARINE RESOURCES

Bill #: SB328 **Title:** Correction to ref. + F&G laws

PH Date: 2/22/00 **Exec Session Date:** 3/7/00

Motion: OTP/A **Amendment #:** 2000-3626h

MEMBER	YEAS	NAYS
Nowe, Ronald J, Chairman	✓	
MacNeil, Allen K, V Chairman ab		
L'Heureux, Robert J		
Lessard, Rudy		
Carlson, Donald	✓	
McKinney, Betsy, Clerk		
Chandler, Gene G	✓	
Phinney, William R		
Rose, William B	✓	
Brewster, Richard P	✓	
Brothers, Richard S		
Fletcher, Richard E		
Woodward, David S		
Tate, Joan C	✓	
Abbott, Dennis F (Alternate)	✓	
Rogers, Rose Marie	✓	
Martin, Mary Ellen		
Blaisdell, Michael J		
Chase, George W	✓	
Gagnon, Paul E		
Gorman, Mary J	✓	
Johnson, Nancy K		
Herman, Keith	✓	
TOTAL VOTE:	11	0

Printed: 2/8/2000

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 328

BILL TITLE: **making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.**

DATE: May 3, 2000

LOB ROOM: 202

Amendments:

Sponsor: Rep. ED&A — OLS Document #: 4237h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Mercer

Seconded by Rep. Stickney

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Ray F. Langer, Clerk

OFFICE OF THE HOUSE CLERK

2000 SESSION

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: SB 328 Title: _____

PH Date: ___/___/___ Exec Session Date: 5/3/00

Motion: OTP/A Amendment #: 4237h

MEMBER	YEAS	NAYS
Mercer, Robert S, Chairman	1	
Goulet, Maurice E, V Chairman		
Dyer, Merton S	2	
Langer, Ray F, Clerk	3	
Holley, Sylvia A	4	
Moore, Benjamin E	5	
Dickinson, Howard C		
Stickney, Nancy C	6	
Sapareto, Frank V		
Hamel, Albert W	7	
Millham, Alida I	8	
O'Neil, Michael	9	
Poulin, Dave G	10	
Zolla, William R	11	
Murphy, Robert E	12	
Reidy, Frank J	13	
Virtue, Carolyn A	14	
Batchelder, Robert C	15	
Burkush, James A		
Courchesne, Judy A		
Landers, Dana L		
Lent, Donald R		
	15	0

TOTAL VOTE:

Printed: 12/30/1999

Committee Report

COMMITTEE REPORT

COMMITTEE: **Wildlife and Marine Resources**

BILL NUMBER: **SB 328**

TITLE: making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.

DATE: March 8, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This bill as amended makes technical changes regarding holders of lifetime and servicemen's licenses. Additionally, it grants rulemaking authority to the Executive Director relative to Lobster Helper Licenses under RSA 211:20.

Vote 11-0.

Rep. Dennis F. Abbott
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Wildlife and Marine Resources

SB 328, making corrections to statutory references in certain fish and game laws and adding a rulemaking provision. OUGHT TO PASS WITH AMENDMENT

Rep. Dennis F. Abbott for Wildlife and Marine Resources: This bill as amended makes technical changes regarding holders of lifetime and servicemen's licenses. Additionally, it grants rulemaking authority to the Executive Director relative to Lobster Helper Licenses under RSA 211:20. Vote 11-0.

CONSENT CALENDER

SB 328 REP DENNIS F. ABBOTT FOR THE WILDLIFE & MARINE RESOURCES COMMITTEE. THIS BILL ~~AS~~ AMENDED MAKES TECHNICAL CHANGES REGARDING HOLDERS OF LIFETIME AND SERVICEMEN'S LICENSES. ADDITIONALLY IT GRANTS RULE MAKING AUTHORITY TO THE EXECUTIVE DIRECTOR RELATIVE TO LOBSTER HELPER LICENSES UNDER RSA 211:20. VOTE 11-0

D-7

3/7/00

COMMITTEE REPORT

COMMITTEE: **Executive Departments and Administration**

BILL NUMBER: **SB 328**

TITLE: making corrections to statutory references in certain fish and game laws and adding a rulemaking provision.

DATE: May 4, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This bill was referred to the Executive Departments and Administration Committee to review the rulemaking provisions. The committee amended the bill to change the procedure for adopting rules relating to the regulation of marine species. The amendment allows the executive director of the Fish and Game Department to promulgate rules with the approval of the Fish and Game Commission and upon the advice and cooperation of the advisory committee on shore fisheries. This continues the present practice and maintains the sportsmen's voice on these matters.

Vote 15-0.

Rep. Robert S. Mercer
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Executive Departments and Administration

SB 328, making corrections to statutory references in certain fish and game laws and adding a rulemaking provision. OUGHT TO PASS WITH AMENDMENT

Rep. Robert S. Mercer for Executive Departments and Administration: This bill was referred to the Executive Departments and Administration Committee to review the rulemaking provisions. The committee amended the bill to change the procedure for adopting rules relating to the regulation of marine species. The amendment allows the executive director of the Fish and Game Department to promulgate rules with the approval of the Fish and Game Commission and upon the advice and cooperation of the advisory committee on shore fisheries. This continues the present practice and maintains the sportsmen's voice on these matters. Vote 15-0.

SB 328

THIS BILL WAS REFERRED TO THE EXECUTIVE DEPARTMENTS AND ADMINISTRATION COMMITTEE TO REVIEW THE RULE MAKING PROVISIONS. THE COMMITTEE AMENDED THE BILL TO CHANGE THE PROCEDURE FOR ADOPTING RULES RELATING TO THE REGULATION OF MARINE SPECIES. THE AMENDMENT ALLOWS THE EXECUTIVE DIRECTOR OF THE FISH AND GAME ~~FISH AND GAME~~ DEPARTMENT TO PROMULGATE RULES WITH THE APPROVAL OF THE FISH AND GAME COMMISSION AND UPON THE ADVICE AND COOPERATION OF THE ADVISORY COMMITTEE ON SHORE FISHERIES. THIS CONTINUES THE PRESENT PRACTISE, AND MAINTAINS THE SPORTMEN'S VOICE ON THESE MATTERS.

OK RLH

15-0

OKWWS

R MERCER