Bill as Introduced

SB 144 – AS INTRODUCED

1999 SESSION

99-0910
10/09

SENATE BILL ***144***

AN ACT relative to qualifications for members of the fish and game commission.

SPONSORS: Sen. Wheeler, Dist 21; Sen. Cohen, Dist 24; Sen. Roberge, Dist 9

COMMITTEE: Wildlife and Recreation

ANALYSIS

This bill authorizes the appointment of no more than 3 fish and game commission members who have not held a resident fishing, hunting, or trapping license.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

99-0910
10/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT relative to qualifications for members of the fish and game commission.

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

1 Appointment of Fish an Game Commissioners; Qualifications. Amend RSA 206:2-a, II(d) to read as follows:

(d) An active outdoorsman ***or outdoorswomen*** holding a resident fishing, hunting, or trapping license in at least 5 of the 10 years preceding the appointment; ***provided, however, that no more than 3 members may be appointed who have not held a fishing, hunting, or trapping license;***

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

Committee Minutes

Date: March 8 1999
Time: 10:25 a.m.
Room: LOB 101

The Senate Committee on Wildlife Recreation held a hearing on the following:

SB 144 relative to qualifications for members of the fish and game commission.

Members of Committee present: Senator Disnard
Senator Kruegers
Senator Roberge
Senator Wheeler

The Chair, Senator George F. Disnard, opened the hearing.

Senator George F. Disnard, D. 8: We will now open the hearing on SB 144, relative to qualifications for members of the fish and game commission. I call on the prime sponsor, Senator Wheeler.

Senator Katherine W. Wheeler, D. 21: Thank you Mr. Chairman and members of the committee. I am Senator Katie Wheeler from district 21, prime sponsor of SB 144.

I know there are very hot button issues but I think they are important to raise, especially in light of the bill that was passed last year which in statute solidifies the responsibility of the Fish & Game department over all wildlife. I don't think its appropriate that the commission is just people who are committed to hunting and fishing. I think that wildlife is more than just game animals and we need to make sure that the interest of all wildlife of the state is taken up on the Fish & Game commission.

I know they will say that they are very concerned about wildlife habitat and I have no doubt that's true. But I still think, that membership on the commission should reflect the diversity of its responsibility. That is why I proposed this piece of legislation. Thank you.

Senator George F. Disnard, D. 8: Senator, you know my bias. (Laughter in the Room) and I assume you have heard me mention many times the state does not contribute to the operation of Fish & Game department. The hunters and the fishermen and the trappers do, would you therefore be willing to appropriate a large amount of state money to support Fish & Game if you wish to have other people also involved in the policy making?

Senator Katherine W. Wheeler, D. 21: Mr. Chairman, I certainly not unaware of your opinions, it is my understanding that 63% of the department is funded by hunting, fishing license fees. I actually don't think this is the right way of going about things. I would indeed be willing to have an appropriation from the general fund to support this department. I think it's a unique situation where you have a department that's supported through private donations and I would much prefer to have the state take more responsibility for this and have a broader responsibility for all wildlife.

Senator George F. Disnard, D. 8: Thank you. I can't disagree that if the state contributes there would be a broader ...
Are there any representatives here? Now I would like to call on Suzanne Fournier.

Suzanne Fournier: Hello everyone, I am Suzanne Fournier.
(See Attachment A)

Senator Sheila Roberge, D. 9: Do the members of the commission get paid?

Suzanne Fournier: Unpaid, and everyone else in the department gets paid so the 11 member commission that oversees and directs the policies of the Fish & Game department are volunteers.

Senator Sheila Roberge, D. 9: Would you be agreeable to adding three more members to what they already have, instead—so making a total of 14.

Suzanne Fournier: Sure, just to have a voice in there.

Senator Sheila Roberge, D. 9: Or maybe, I guess you want to keep it under ... whatever.

Suzanne Fournier: What's important is that the voice would be heard. This representation would be there, somebody would be speaking up.

Ellis Hatch Good morning Mr. Chairman, committee members. My name for the record is Ellis Hatch, I am Fish & Game Commissioner from Strafford County. **(See Attachment B-2 pages)**

Senator Sheila Roberge, D. 9: How are the commissioners chosen?

Ellis Hatch Nominated by the governor and confirmed by the council. I have been nominated by 4 different governors and approved by council ...

Senator Sheila Roberge, D. 9: Did you submit your name somewhere?

Ellis Hatch I just sent my letter to the governor, indicating my interest in serving and it was judged on that basis.

Tiffany Worley: **(See Tiffany Worley's Testimony Attachment C – 3 pages)**

Senator George F. Disnard, D. 8: You have that testimony from Representative Blaisdell? He supports SB144? **(See Attachment D letter dated January 17 1996)**

Tiffany Worley: He asked me specifically not to say that this was his testimony. When I called him I said, " you wrote this letter in 1996, I think it is applicable today, I'm going to submit it." It clearly says, January 17, 1996. He said, "don't submit it as my testimony," which I am not, he still supports ...

Senator George F. Disnard, D. 8: For the record we will mention the Representative was not here. Does he support adding three?

Tiffany Worley: He did not have any objection to my submitting a letter as part of my presentation which supported an identical bill in 1996. One would imply that he supports it today because he has not changed his position. If he objected to my submitting this letter, he might deduce that he has changed his position but he has not. But I'm not going to comment on ...

Peter Stanley: **(See Attachment E 2 page Document on NH Wildlife Federation Letterhead)**

Senator Patricia Krueger, D. 16: In your mind, ... You have felt that this board as it sits right now has done a good job of managing?

Peter Stanley: Absolutely and to try to put this in some perspective if I may, as I read (I have here Title 18 on Chapter 206:2a which are the

qualifications for the commissioners) the only reference to anything about hunting in their qualifications, is this item 2d which requires a hunting and fishing license, otherwise they are very generalized specifications for their qualifications and indeed rightly so.

I do a lot of wildlife management work, personally for the state and a couple of wildlife management areas near where I live. One happens to be managed specifically for woodcock seeding ground, that is my objective, my personal objective. However, in doing that, I have also introduced opportunities for a much wider variety of non-game species, particularly songbirds that utilize open pastures. What it amounts to is 3 or 4 acres of pasture that grew in that my Fish & Game club and myself go with my tractor and mow every year and actually do things that benefit a wide variety of wildlife. That is something that is endorsed by the Fish & Game department through their habitat coordinator, John Lenear.

What they are actually accomplishing goes far beyond hunting, fishing and trapping. However, to have a mind that is completely closed to hunting be introduced as a 3 votes out of 11 are going to vote No on any proposal to regulate a species through hunting, is an absolute mistake. There are circumstances where we must take certain animals or manage their populations. The beaver for instance would be flooding roads all over New Hampshire if we didn't manage the beaver population. Deer are eating produce all over the southern part of the state and people want millions of compensation for that. If we don't kill those animals, there is no other way, you can say euthenize or whatever the hell you want to. There are people that are even poisoning them, which I think is ridiculous. It would be much better to utilize that resource through hunting.

To come to the table at the commissions meetings knowing that there is a No vote for anything involving hunting, is ridiculous. A person who has knowledge on both sides of the fence and makes decisions on both sides of the fence more adequately than someone who is arbitrarily opposed to hunting completely under all circumstances.

Senator Patricia Krueger, D. 16: So, therefore, what you are saying is that motives might differ from the animal rights people, basically the end result has been the .... Wildlife and game in this state.

Peter Stanley: Yes.

Senator Sheila Roberge, D. 9: Could you provide us with a list of the criteria for being a commissioner?

Peter Stanley: Its right in the lawbook. It is RSA 206:2a. I'll be happy to give you my copy if you like.

Senator Sheila Roberge, D. 9: Thank you.

Juilian Zelazney: Thank you Mr. Chairman, members of the committee, my name is Julian Zelazney. I am environmental policy director for New Hampshire Audubon Society and I am here to speak in favor of SB 144. The plain reading of the bill provides that there would be no more than three members to be appointed to the commission that haven't held the hunting, fishing or trapping licenses that we have been discussing. The terms no more, are important because I believe that there is no requirement for these three seats to be filled by a person without a license.

The benefit of this rule would be to allow in a situation where we have an individual who has significant expertise either as a wildlife biologist, a zoologist or some other relevant academic perhaps, who has expertise in this area to participate in the Fish & Game commission without having actually held a license. I can think of a number of people that I know who do have wildlife biology backgrounds who are not license holders who would do a good job working with the Fish & Game commission.

If I may speak to Mr. Stanley's concerns ....would have a mind completely closed to legal management techniques. I don't believe that that is necessarily the case nor do I believe that that individual would have an automatic No vote before the commission, when issues of wildlife management, either hunting or fishing were to come up. So I realize that there is something of a hornets nest that I've walked into, that I have not been part of but I am trying to walk a fine line here and I think I have managed to give our feeling on this issue.

Senator George F. Disnard, D. 8: Representative Henry Mark wished to speak but he had to attend another hearing. He is against the bill.

William Carney: **(See Attachment F-2 pages on Sunset Mountain Fish & Game club letterhead)**

Senator Sheila Roberge, D. 9: Are you a member of the commission?

William Carney: No I am not.

Senator Sheila Roberge, D. 9: When they take the vote is it by majority?

William Carney: When the Commission takes a vote? Yes, it is. I attend most of the commission meetings. I am also a reporter—I've attended for the last four years.

Senator Sheila Roberge, D. 9: Oh good. So when you take a vote, it's by majority—majority rules?

William Carney: That is correct.

Senator Sheila Roberge, D. 9: So how could 3 out of 11 ever be a majority?

William Carney: I don't know how that would happen, 3 out of 11 but some people may not be there ....

Senator Sheila Roberge, D. 9: That is a real big disparity and I' m having difficulty finding out why you are having so much trouble..

William Carney: ... Camels nose in the tent philosophy. I mean that is what happens.

Senator Sheila Roberge, D. 9: Yes we hear that an awful lot and it doesn't really pertain to anything that we don't know about.

Senator George F. Disnard, D. 8: Please stick to the issues please.

Senator Katherine W. Wheeler, D. 21: As prime sponsor I don't feel it appropriate for me to engage in debate with people testifying but I have some questions that I will ask privately.

Senator Sheila Roberge, D. 9: There are only 4 of us here I don't see why she can't ask a question frankly. We are such a small body ..

Senator George F. Disnard, D. 8: First of all the Chair did not rule she could not, if she wishes to take the stand and comment that is entirely correct. I won't change the rules because of the number of people.

Senator Katherine W. Wheeler, D. 21: Thank you, I would prefer not to engage in a debate.

Senator George F. Disnard, D. 8: Does anyone else wish to speak?

Wayne Vetter: Thank you Mr. Chairman, members of the committee. For the record my name is Wayne Vetter I am the executive director of the New Hampshire Fish & Game and I come before you to ask that you oppose

SB 144. I deal on a daily basis and interact on a daily basis with members of the New Hampshire Fish & Game commission. I believe that it is very important that they have a good background in hunting and fishing and I also believe that the only way they are going to get that background is to be a participant in one of those areas. I know that Senator Wheeler mentioned that only 63% of the department is funded by sportsmen, hunters and fishermen, well that figure is correct as far as the licensing fee. The remaining is federal funds and some snow machine money.

The federal funds are generated by sportsmen through Pitman Robinson & .... Johnson Fund. And that is behind fishing related equipment and we get some $3 million dollars per year from those particular area that are put directly into the Fish & Game account and we run the agency off that. The agency along with direction from the commission, we follow a pretty steady and common course as far as habitat and non-game issues and I just believe that the agency would, I would have to sit down with a new commissioner.

Commissioners come and go constantly—and we hardly miss a beat when we get a new commissioner because the commissioner has the background of hunting and fishing and I don't have to sit there and try to instruct the new commissioner on how the department does business because he or she already knows it. It would set us back if we had commissioners on the board that were not versed in that area.

Now there is one other area that I open my ears to quite a bit when senator Disnard mentioned the fact that if there was funding available for persons that does not participate in these areas. I would think that would be something you could look at. If you want to have the general public, the non-hunting or fishing public and if the state wanted to pay for the non-hunting or fishing public to be a participant in the Fish & Game department then perhaps that would be an area that our constituents, the sportsmen, the hunters and fishermen that pay for what we do could accept. I go to many sportsmen's groups and clubs and I am asked questions constantly as far as how the department is run and what we are doing with there money.

I can imagine a commissioner with no experience going to a sportsmen's club and being asked a question on hunting or fishing and totally not have the answer. I think it would be wrong and as I say I ask you to oppose that. Thank you for the time. I am sorry I didn't sign up Mr. Chairman.

Senator Katherine W. Wheeler, D. 21: Director Vetter, would you object to this topic being considered in the bill that we will be hearing later that I believe Senator Disnard is sponsoring to discuss the organization of the Fish & Game department.

Wayne Vetter: No, that perhaps may be the place for it. There is a study bill that Senator Disnard has sponsored and perhaps that could be a topic that could be brought up during that period. I don't know whether this one should be killed and then the other one, have it discussed during that period. I don't know how you people would refer that but it would be up for discussion.

Senator Katherine W. Wheeler, D. 21: So for the record, you would see no problem with having this topic be one of the topics discussed in the study committee.

Wayne Vetter: I think that perhaps it would be regardless if this bill were there or not. If you were going to discuss the commissioners responsibilities, I would think you would start from point A and go to point B and part of that would be the ...

Senator George F. Disnard, D. 8: Has everyone spoken who signed up to speak? Anyone who did not sign up wishes to speak? Anyone wish to speak for a second time?

Richard Moquin: Chairman of the Fish & Game commission. The commission has discussed this at great length and we do support taking this up at Senator Disnards committee. I think that would be a great idea and it would lead to a lot of open frank discussion. We would ask that this bill be killed subject to being taken up in that committee.

Senator George F. Disnard, D. 8: Further discussion? We will now close the hearing on SB 144.

Hearing closed at 11:05 a.m.

Attachment 'A'

COMMITTEE CHAIR

Testimony to Senate Wildlife & Recreation Committee
in SUPPORT OF SB144
March 8, 1999

I'm Suzanne Fournier from Milford. This is my testimony.

How important is the Fish & Game commission to the way our wildlife agency is run?
Extremely important because, "The Commission sets the policies and programs of the department." (Fis102.01(b)
Also, it is the Commission's responsibility to provide direction for the New Hampshire Fish and Game Department." (Commissioner's Handbook, p.4)

It follows that the kinds of people allowed to serve on the 11-member commission are all important.
Right now all of the commissioners are people who have had a license to kill wild animals.
That fact makes them unrepresentative of huge segments of the public, namely, the nonhunting and nonfishing public.

Meanwhile the Department's handbook for commissioners states that the commissioners must recognize and interpret the expectations of the general public.
We must ask ourselves, how well can commissioners who hunt and/or fish recognize and interpret the expectations regarding wildlife of those who do not hunt or fish.

Allowing nonconsumpive citizens to serve as commissioners would help guarantee that the expectations of the nonconsumptive public regarding wildlife are understood.
Nonconsumptive commissioners would also help guarantee that the primary purpose of our wildlife agency "to protect and to manage New Hampshire's fish and wildlife resources" (Commissioner's handbook, P.3) would receive primary attention.

The nonconsumptive commissioners can help shed the image of the Fish & Game Department as a Fishing & Hunting Club working narrowly to benefit its paying members.

Should this be a requirement for commissioners (holding up a Fish & Game Department license)?
Or, should this be requirement enough (holding up a citizen of NH certificate)?

The Commission would be enriched by having people on it who want to protect all wildlife and serve the general public, not just the fishing and hunting club members.
Thank you.

Attachment 'A'

SECRETARY

Testimony to Senate Wildlife & Recreation Committee
in SUPPORT OF SB144
March 8, 1999

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Or, should this be requirement enough (holding up a citizen of NH certificate)?

The Commission would be enriched by having people on it who want to protect all wildlife and serve the general public, not just the fishing and hunting club members.
Thank you.

March 8,1999

Attachment B

Senate Committee - Wildlife & Recreation Room 101 LOB

The Honorable Senator George F. Disnard Chairman

Testimony SB 144

Ellis R. Hatch,Jr. .. Fish & Game Commissioner - Strafford County

The New Hampshire Fish & Game Commission is unanimously opposed to SB 144.

In Strafford County we have four hunting and fishing clubs..Major Waldrons Sportsmen Assn., Farmington Fish & Game Club, Profile Bowman, and the Hackle & Tackle Club with a total membership of over 1000 .. all opposed to SB 144.

During our monthly Rockingham and Strafford County liaison meetings held at Fish & Game Region 3 Office in Durham , sports-people have expressed their unanimous opposition to this legislation.

The " Qualifications for Commissioners" set forth in RSA 206.2a are very broad and not restrictive. Any one can qualify. Just buy a hunting or fishing license.

In N.H. our Fish & Game Commissioners are knowledgeable sports-men who hold hunting and fishing licenses. Fish & Game Commissioners attend on average up to 100 meetings each year and we believe a person who doesn't hunt, fish, or trap can NOT ably represent our constituents.

The idea of deleting the requirement a commission member be an active outdoors person holding a resident hunting or fishing license is not new. Here in New Hampshire we have been subjected to many bills in the past few years that would reform, reorganize, change the qualifications, and even elect the commissioners.

Sports-people who support the Fish & Game Department with their license fees do not want that requirment changed. When has experience not been a desired quality? We need to be careful about changes to a 120 year old system that has been so effective.

SB 144 is just another part of the reorganization syndrome which inferrs the promise " This is just what is needed and all will be well". Will the passage of SB 144 better serve the Fish, Game, Wildlife Resources and the sportspeople of New Hampshie? Will this bill provide improved efficiences, better comunication, coordination, and enhanced resource management? No - but it will certainly open the door to the anti's , more turmoil and politics.

The N.H. Fish & Game Commission respectfully request you vote against SB 144. Thank you for the opportunity to speak.

Sincerely

Ellis R Hatch Jr

Ellis R. Hatch,Jr.

Vice Chairman -N.H. Fish & Game Commission

page 2

Attachment C

Testimony on SB144

An ACT relative to qualifications for members of the fish and game commission.

N.H. Senate Wildlife and Recreation Committee

Tiffany Worley
March 8 1999

Good morning members of the committee. My name is Tiffany Worley. I am a private citizen from Nashua and I am asking for favorable consideration of SB144. It is a straightforward bill that will allow a Fish and Game commission of 11 members to consist of up to 3 members who have not previously held hunting or fishing licenses. The purpose of the bill is to include on the commission a perspective on wildlife issues that complements the largely game oriented view of wildlife.

Section 206:2-a of Title 18 (attached) is the section that delineates the ten qualifications for commission members. If you remove qualification (d), requirement for holding a hunting or other such license, the remaining qualifications more than adequately assure that a commissioner will be capable with respect to wildlife interests. The inclusion of this requirement, precludes a candidate who may have particular knowledge with respect to non-game, endangered species, or habitat, simply because the candidate may have no interest in hunting sports. Certainly such expertise could have been constructive in cautioning the Department in past years when it sanctioned spreading of sludge on Wildlife Management Areas. Evidently commission members were not up on known dangers of sludge to wildlife. Recently Fish and Game gave a pass through to spraying of herbicides on northern Forests, relying on the endorsement of herbicide safety from industry. When commissioners are in lock step with each other; a different viewpoint might give them reason to ask more questions, look further, do their own research, and thus possibly prevent a future disaster for wildlife. Broader expertise can help the commission as a whole be more knowledgeable outside a specific area of expertise.

According to the latest US Fish and Wildlife Service survey less 10% of New Hampshire citizens are hunters. Forty percent of the population has some objection to hunting. The non-game program, at 1% of the Fish and Game budget, is hardly more than an addendum to Fish and Game's focus on game animals. Perhaps the 90% who do not hunt might be interested in wildlife pursuits that do not involve sport killing. We will never know if we allow the statute to remain biased toward encouraging game pursuits. This bill simply asks that the majority, which currently has ***no statutory representation*** on the commission, be given ***less than one-third minority representation.***

If Fish and Game *were* in fact the agency that represented only game animals and the activities associated with such, then the current statute would be appropriate. The charter

of Fish and Game, however, states it is charged - not with game - but with *wildlife*, in partnership with the public to ... provide the public with opportunities to use and appreciate these resources. When Fish and Game represents its mission in this way, it is in fact misrepresenting its operative focus.

In 1997, House Bill 671-FN, proposed a study to improve the administration of Fish and Game. Among the outcomes of the $10,000 study committee was a recommendation to add a trapping license as qualification for Fish and Game Commission membership. SB144 implements the same spirit of inclusion. If it was fair then, it is fair now to extend membership not just to a single group, but to all New Hampshire citizens.

A very similar bill to SB144 was introduced in the Senate in 1996, at that time the bill was heard in the ED&A committee. When I spoke to then Fish and Game Chairman Carroll Pineo at that hearing, I was surprised that his objection to the bill was one of fear that animal rights activists and environmental extremists would take over Fish and Game. A similar sentiment was voiced in a phone conversation I had with another commissioner. In fact fear was the prevailing single objection to a bill simply seeking 3 non-hunting commissioners. Hopefully fear will not enter into deliberations on this legislation.

If you regard this bill outside of the context of fear, it is a positive measure. If you regard it within a context of insecurity over possibly being challenged on a position, and worse than that, possibly losing, you can see the basis of fear. It is may be possible to win a battle of ideas by shutting someone out. But, in relying on a tactic which suppresses ideas, the war is already lost.

It is ridiculous to think that animal rights will take over the New Hampshire Department of Fish and Game. The animal rights agenda is not interested in participation on state agency commissions. Neither will environmental groups have time for Fish and Game. Environmental groups are having a field day with DRED and DES, and I expect that will continue forever. Further, it will take maybe a decade before the non-hunting public even pays attention to Fish and Game after passage of this bill opens the commission up to their participation.

When this bill was heard in 1996, former Senator Rodeschin who was Chairman of ED&A argued that if people want to be on the Fish and Game Commission then they can simply get and hold a hunting or a fishing license for the required five years. If someone comes forward who has particular expertise that could save habitat, at the rate habitat is being abused, five years could too late. Secondly, in this country we simply do not make people jump through hoops to attain representation. Five years of holding and paying for a license you don't need or want is an obtrusively long hoop.

Mr. Chairman and members of the committee, I ask that you realize the benefit of knowledge diversity on the New Hampshire Fish and Game commission, and to vote in favor of the economic potential that will come with passage of SB144. I am also submitting to the hearing docket a letter from former commissioner Representative Mike Blaisdell written in 1996 in support of this measure. Thank you.

Addendum: Excerpt from Title 18 of NH Revised Statutes.

CHAPTER 206

Fish And Game Commission

SECTION 206:2-a

II. Each member shall also be qualified in the following manner:

(a) Well informed on the subject of fish and wildlife conservation and restoration;

(b) Dedicated to the conservation and protection of the state's fish and wildlife resources and of an environment conducive to the welfare of the same;

(c) Committed to a fish and game program providing reasonable balance between research, habitat management and law enforcement;

(d) An active outdoorsman holding a resident fishing, hunting, or trapping license in at least 5 of the 10 years preceding the appointment;

(e) A personal record free of convictions of violation of fish and game laws and regulationsof this state or any other jurisdiction within 5 years preceding his appointment; and

(f) At least 5 years' experience in one or a combination of the following fields:

(1) Forestry

(2) Agriculture

(3) Management of wild lands

(4) Soils conservation

(5) Conservation of water resources

(6) Fish and game management or propagation

(7) Conservation engineering

(8) Conservation law

(9) Wildlife education

(10) Active membership in a conservation or sportsmen's organization in this state.

(g) In the case of the coastal commission member, a general knowledge of all crustaceans and bivalves in coastal waters and salt water fishing in general.

Attachment 'D'

Michael J. Blaisdell
124 Old Walpole Road
Keene, New Hampshire 03431

January 17, 1996

The Honorable Beverly T. Rodeschin, Chairman
Senate Executive Departments and Administration Committee
Room 104, Legislative Office Building
Concord, New Hampshire 03301

RE: Senate Bill 589

Dear Chairman Rodeschin and Members of the Committee:

I am writing in support of Senate Bill 589, and would urge your Committee to recommend ought to pass for this very important legislation. We must realize that times have changed and it is imperative that New Hampshire take advantage of new funding initiatives that may become available through Federal sources. In the future, the emphasis will move to non-game species and will emphasize a broader management approach which the Fish and Game Department will adopt. Requiring that three individuals be named to the New Hampshire Fish and Game Commission who do not hold hunting and fishing licenses does not, in any way, diminish the sportsmen and women's tremendous contribution to this State. As a former member of the New Hampshire Fish and Game Commission for eight years, I had the opportunity to observe many individuals who presented a variety of good ideas to the Commission. The question was never whether they held a hunting and fishing license, but rather, if their concept bore merit for purposes of wildlife management and conservation. I would submit that there are numerous individuals in this state who are capable of serving as Commissioners and who, in fact, will bring new perspective to the New Hampshire Fish and Game Department and Commission policies.

I urge you to consider the merit of this bill and I look forward to working with you in the future.

Sincerely yours,

Michael J. Blaisdell

Attachment 'E'

New Hampshire Wildlife Federation

Affiliate of the National Wildlife Federation

Post Office Box 239, Concord, N.H. 03302

(603) 224-5953

Fax: (603) 228-0423

March 8, 1999

Mr. Chairman, Members of the Wildlife and Recreation Committee,

My name is Peter Stanley. I am here today to speak on behalf of the New Hampshire Wildlife Federation, which is a conservation organization based here in Concord, representing approximately 6,900 members, with 50 affiliated clubs and outdoor organizations. Our membership is comprised of hunters, hikers, trappers, boaters, anglers, and many others sharing a keen interest in the outdoors.

We are primarily an advocacy and educational organization, representing our membership before the State Legislature and other State Agencies. We sponsor a variety of educational initiatives, and publish a bimonthly newspaper, in order to keep our membership informed.

I live in New London, NH, and I am an unpaid member of the board of directors of the New Hampshire Wildlife Federation.

We are ***OPPOSED*** to Senate Bill 144, as it is written.

Although the Fish and Game Commission is charged with the responsibility of overseeing all of the State's fish and wildlife resources, the majority of that effort is spent dealing with issues surrounding the management of game species. This is accomplished through the licensing and regulation of hunters, trappers and anglers, and by monitoring and adjusting game populations through seasons and limits. In order to accomplish this task effectively, members of the Commission must have practical knowledge and experience in the management practices that are at the disposal of wildlife professionals.

Whether having a history of such experience is guaranteed by holding a New Hampshire hunting license for some period of time, may be debatable. Indeed, I am told that there are representatives of animal rights organizations that have been buying licenses for the last few years, just to be able to meet the statutory requirements of the position. Perhaps the statute should be revised to require actual wildlife management experience, including hunting, trapping, fishing and any other lethal or non-lethal techniques available for the manipulation of wildlife populations.

New Hampshire Wildlife Federation

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Fax: (603) 228-0423

If the underlying motivation for SB144, however, is to introduce a limited, exclusively non-lethal, non-hunting perspective to the Commissions' discussion of wildlife management, then by definition, any such member comes to the table with limited resources, and a specific agenda. Thusly limited, they will be unable to make the difficult, practical, cost effective decisions that may be necessary, in order to deal with the conflicts that mans' interaction with nature inevitably produces.

A case in point are the game damage bills being introduced this afternoon at a hearing of the House Wildlife and Marine Resources Committee. Any discussion of the subject simply must include lethal means for control of deer populations in the southern part of the State. Planned parenthood is simply not an option. Actions must be taken on the basis of what constitutes the best decision for the long term biological needs of the species, balanced against the human circumstances of the situation. There is simply no room for a limited perspective.

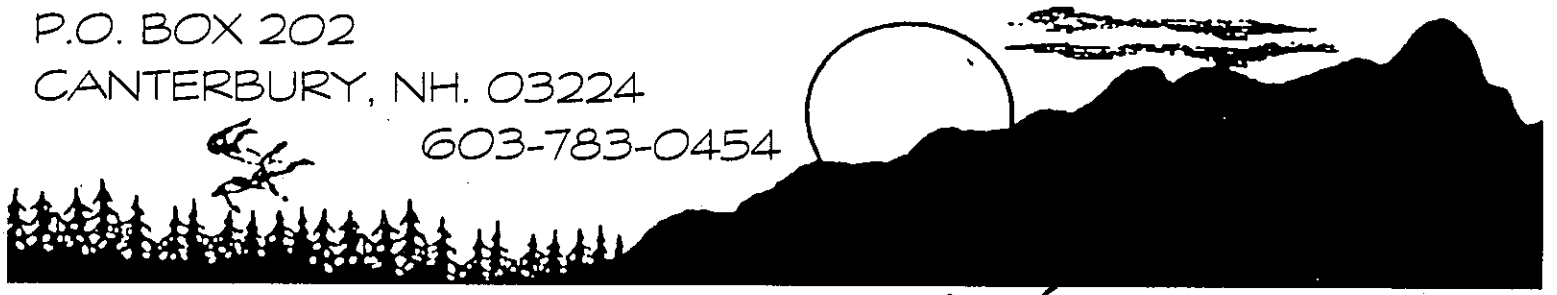
Any attempt by animal rights activists to end, or drastically curtail hunting, trapping and fishing, on philosophical grounds, must be held in a larger, more public forum. The New Hampshire Fish and Game Commission is simply not the place.

Thank you for this opportunity to address the Committee, and we sincerely hope that you will find SB144 ***INEXPEDIENT TO LEGISLATE*** .

Peter S. Stanley

SUNSET MOUNTAIN FISH & GAME CLUB

P.O. BOX 202
CANTERBURY, NH. 03224
603-783-0454



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E-mail: gmac@worldpath.net

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attachment 'F'

SENATE BILL #144

Member's of the Committee, my name is William F. Carney and I reside in the town of Bow. I am here today representing Sunset Mountain Fish and Game Club. Sunset Mountain Fish and Game Club is a 325 plus member sportsman's organization with clubhouse facilities and club grounds in the Town of Canterbury.

The membership of Sunset Mountain Fish & Game Club is opposed to Senate Bill #144 and believe it to be a piece of unnecessary legislation We seriously question if the national agenda of some out of state animal rights organizations are not the driving force behind the filing of this bill here in New Hampshire. We firmly believe that this bill may not be a bill that is entirely driven with constituents support from within the Granite State.

It is now a well established and documented fact that the national agenda of many of the nations anti-hunting animal rights and anti-fishing organizations is the complete take over of all sportsmen financed and supported state fish and game departments.

Last week when I briefly discuss this bill with one of the bills sponsors Senator Cohen I told him of my concerns with the bill and the reasons for them. He said I was maybe a bit paranoid about the bill and my logic for objecting to this legislation was what he refereed to as "slippery slope" reasoning

I recall what recently happened in Massachusetts and I do not consider what happened there a slippery slope . After several years of unsuccessful attempts in the legislative to change the law for the placement of people on the Fish & Game Board with out benefit of holding a hunting or fishing license as required by current law. The states anti-hunting organizations with over $1,000,000 of out of state contributions, then had the licensing requirement question placed on the state election ballot by initiative partition. Even though the legislature had previously added two additional seats on the then 5 member Fish & Game Board. One for a non-game person and the other one for a farmer representative the non-

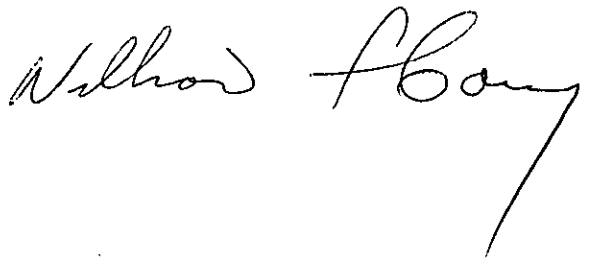
game person on the board was not required to have a hunting, fishing or trapping license. The legislature had previously established a 7 person non-game wildlife advisory board to provide non-game and wildlife input to the regular Fish and Wildlife Board.

This past January after the new Massachusetts Governor's first two appointments to the Fish and Wildlife Board who were not the candidates suggested by the animal rights people this grope immediately had a bill filed by friends in the state Senate to establish a financial oversight committee for all spending by the Fish and Wildlife Dept.. This bill will also have all fund appropriated to the Fish and Wildlife Dept no matter from what source deposited in the general fund including all endangered species funding.

Do we have concerns about Senate Bill # 144. You bet we do

In Kentucky that states legislature has also refused to rescind the states requirement of a hunting, fishing or boating license requirement to serve on that states Fish and Game Commission. This requirement is now being challenged in the federal court by the New York based Funds for Animals and several other individual animal rights activists. They have filed a lawsuit in the U.S. District Court in Louisville, Kentucky stating this requirement violates the equal protection and due process clause of the Fourteenth Amendment to the United States Constitution. In a recent press release the Funds for Animals indicated this lawsuit will be a springboard for challenging other states wildlife commissions requirements.

Thank you for allowing me to testify on behalf of my organization.



SB 144
3/8/99 @ 10:25

Sen Dusnard:

Sen Wheeler: In statute solidifies. Dont Think its appropriate that Commission ... should reflect diversity of its responsibility.

Sen Dusnard: U know my bias. State does not contribute fisherman, trappers. Would U be willing to appropriate ....

Wheeler: 63% Supported by Hunting fishing lic fees. Unique Situation Supported by pvt donations.

Dusnard: Thank U I can't disagree . . .

Susan Fournier: from Milford
(Typed Testimony)

Holding up Lic'ing Should
this be requirement. or This
Citizen of N. H.

Roberge: Are Comm paid

Fournier: Un paid

Roberge: Would U be agreeable
to adding 3.

Fournier: (Typed)

Ellis Hatch: Fish Game Comm (Typed)
from Strafford Cnty. F/G Unanim
opposed. Major Waldrons, Hackle
Tackle, 1000, opposed. Rockingham
Durdm
RSA 206: 2a broad, not restrictive
just purchase hunt/fish Lic.

Roberge: How are they chosen

Hatch: nominated by Gov. Approved by Council.

Hatch: Just sent ltr indicated my interest in serving.

Tiffany Worley: Nashua, fed'l (Typed)

Roberge: Does he support adding 3?

Worley:

Peter Stanley: Typed Testimony

Krueger: In your mind, you have felt this Bd has done a good job in managing?

Peter Stanley: Absolutely Woodcock, Song birds 3/4 acres.

Habitat Coordinator . . .
Beaver, Deer . . -

Krueger: Motives differ from Animal rights people.

Roberge: Provide list of Criteria.

Peter Stanley
RSA 206: - Handed copy of RSA 206 to Sen Roberge.

Juliana Zelansky: Audobon Society
End of Side 'A'
If I may speak to Mr Stanley's last comment . . . .
Hornets nest.

Desnard: Rep Mark against bill.

William Carney:
~~Stanley~~: Typed Testimony

Roberge: Are U a member of the Commission when they take the vote majority rules.

Dispanty.

Krueger:

Stanley:

Wheeler: Say Pat.

Roberge:

Vetter:

Wayne Veteran: Exec. Director opposed . . . 63% supported correct lic funds.

Pitman Roberson . . . $3 Million per yr. we run agency. Steady common coarse . . non-hunting-fishing public . . . if State wants to pay . . perhaps our constituents coud accept if State pays.

Wheeler: would you object . . .

Wayne Veteran: No, there is a study bill.

Wheeler: U would see no problem

Richard Mokwin Chairman Fish/ Game. Great idea, open frank discussion. Kill subject to take up in that.

Closed: 11:05

Date: September 9, 1999
Time: 1:30
Room: 101 LOB

The Senate Committee on Wildlife Recreation held a hearing on the following:

SB 144 relative to qualifications for members of the fish and game commission.

Members of Committee present: Senator Disnard
Senator Trombly
Senator D'Allesandro

The Chair, Senator George F. Disnard, opened the hearing.

I will now open the hearing on SB 144 relative to qualifications for members of the fish and game commission. The bill authorizes the appointment of no more than 3 fish & game commission members who have not held a resident fishing, hunting or trapping license and I assume everyone is aware of the fact that one of the requirements for the previous ten years, five of those ten years a person desiring to be nominated and selected as a commissioner must have held a fishing, trapping or hunting license.

This would change this indicating an active outdoorsman or outdoorswoman, holding a fishing, hunting or trapping license at least five years preceding the appointment, provided however, that no more than three members may be appointed who have not held a fishing, hunting or trapping license. I assume everyone is aware of the fact there are 11 Fish & Game Commissioners. One from each county plus one what they call a tide water member that represents the interests of the salt water sportsmen.

Prime sponsors are Senator Wheeler, Senator Cohen, Senator Roberge. Do any of the prime sponsors wish to speak? Seeing none, I'd like to call on Daryl Covell, appearing in opposition. Please proceed.

Daryl Covell: My name is Daryl Covell representing the New Hampshire Wildlife Federation. I would agree with other members

of our board of directors that this is a bad bill for New Hampshire Fish & Game. The New Hampshire Fish & Game Commission and the conservation of our resources in general. Although a non-game mission is implicit in the overall mission statement of Fish & Game, that non-game portion of the overall budget for the department is actually less than 1%. I don't think it is a good assumption that we should have as many as 27% of the commissioners, be non-game people if 99% of the budget is focussed on the sportsmen and sportswomen interests.

Senator George F. Disnard, D. 8: Is this a vote? Are you speaking for the Wildlife Commission?

Daryl Covell: No I represent the New Hampshire Wildlife Federation.

Senator George F. Disnard, D. 8: I am a member of the federation but are you speaking as a selected member, a vote. I just want to make sure because it will add strength.

Daryl Covell: Yes I am speaking on behalf of the New Hampshire Wildlife Federation, 7,000 members.

Senator George F. Disnard, D. 8: Do you believe that people who do not have a fishing or hunting license, do not pay any type of support and perhaps do not understand any of the problems the hunters and fishermen, the wildlife people, should be members of this commission?

Daryl Covell: I do not believe so no.

Senator George F. Disnard, D. 8: I appreciate you coming and I'm sorry there is no one here from Fish & Game. We had the hearing before, this was a re-referred bill. Thank you for your testimony.

I now close the hearing on SB 144.

Hearing closed at 1:40

SB 144
9/9/99 1:30

Sen Disnard
Sen L. D'Allesandro

Sen Disnard: Open

Daryl Corell: NH Wildlife Fed'n
bad bill . . . non-game
implicit in F/G less %
7,000 members

Disnard: no lic, no support,
should be member?

Daryl Corell: no

1:40

ITL
2-0
L. Dallesandro

Speakers

SENATE Wildlife Date 3/8/99 Time _____ COMMITTEE

PUBLIC HEARING ON SB 144

APPEARING IN FAVOR: (Please Print)

CHECK IF YOU WISH TO SPEAK	NAME	ADDRESS	REPRESENTING
☑	✓SUZANNE FOURNIER	45 HIGHLAND AV., #2 WILFORD NH	SELF
☑	~~ELLIS HATCH~~	~~31 HARDING ST ROCH~~	~~FIG. COMMISSION~~
☑	✓Tiff Worley	60 Causeway Nashua	Self
☑	✓JULIAN ZELAZNY	3 Silk Farm Rd Concord	AUDUBON Soc. NH
☐			
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APPEARING IN OPPOSITION: (Please Print)

CHECK IF YOU WISH TO SPEAK	NAME	ADDRESS	REPRESENTING
☑	ELLIS HATCH	31 HARDING ROCHESTER	FIG. COMMISSION
☐			
☐			
☐			
☐			
☒	✓BOB STALKEY	NEW LONDON, NH	NH WILDLIFE FED
☒	✓William F. CARNEY	526 CLINTON ST BOW NH	SUNSET MT FISH & GAME CLUB
☒	Rep. Henry Mock	Jackson, N.H.	Carr. 3
☑	Director Wayne Vetter		
☐			

SENATE WILDLIFE & RECREATION COMMITTEE

Date 9/9/99 Time 1:30 Public Hearing on SB 144

Appearing in FAVOR: (Please print) Please check box at left to speak.

Speaking?	Name	Address	Representing
☐	Julian Zecazny	3 Silk Farm Rd	Audubon Soc of NH
☐			
☐			
☐			
☐			
☐			
☐			
☐			
☐			
☐			

Appearing in OPPOSITION: (Please Print) Please check box at left to speak.

☒	Darrel Covell	54 Portsmouth St. Concord NH 03301	NH Wildlife Fed.
☐			
☐			
☐			
☐			
☐			
☐			
☐			
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Voting Sheets

Senate Wildlife & Recreation Committee

EXECUTIVE SESSION

SB 144

Hearing date: 9-9-99 Room: 104 LOB

Motion of: ITL

Made by Senator:		*Seconded by Senator:*	
	Disnard ☐		Disnard ☐
	Trombly ☐		Trombly ☐
	D'Allesandro ☐		D'Allesandro ☐
	Klemm ☐		Klemm ☐
	Krueger ☐		Krueger ☐
	McCarley ☐		McCarley ☐
	Roberge ☐		Roberge ☐
	K. Wheeler ☐		K. Wheeler ☐

2-0

Committee Member	*Present*	*Vote*	*Reported out by*
Senator George Disnard, Chairman	☑		
Senator Rick Trombly, Vice-Chair	☐		
Senator Lou D'Allesandro	☑	✓	
Senator Arthur Klemm	☐		
Senator Patricia Krueger	☐		
Senator Caroline McCarley	☐		
Senator Katie Wheeler	☐		
Senator Sheila Roberge	☐		

*Amendments:

NOTES:

Committee Report

Date: 9/9/99 Time: 1:30pm

The Senate Committee on Wildlife Recreation held its hearing in Room LOB101, Concord, New Hampshire.

BILL NO.: SB144 TITLE: relative to qualifications for members of the fish and game commission.

Members of the Committee present: Senator Disnard
Senator Trombly
Senator D'Allesandro

Those appearing in favor:

Name and Address Representing

See Attached.

Those appearing in opposition:

Name and Address Representing

See Attached.

REPORT OF THE COMMITTEE:

- ☐ Ought to Pass
- ☐ Ought to Pass w/ Amendment
- ☒ Inexpedient to Legislate
- ☐ Rereferred
- ☐ Interim Study
- ☐ Continued Hearing
- ☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Wildlife Recreation

to which was referred Senate Bill 144

AN ACT relative to qualifications for members of the fish and game commission.

VOTE: 6-0

Having considered the same, report the same with the following recommendation that the bill be: **REREFERRED TO COMMITTEE.**

Senator George F. Disnard
For the Committee

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Wildlife Recreation

to which was referred Senate Bill 144

AN ACT relative to qualifications for members of the fish and game commission.

VOTE: 2-0

Having considered the same, report the same with the following resolution:
Resolved, that it is: **INEXPEDIENT TO LEGISLATE.**

Senator Lou D'Allesandro
For the Committee