**CONSENT CALENDAR**

**January 26, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Criminal Justice and Public Safety to which was referred HB 1310,**

**AN ACT prohibiting the discharge of a firearm in the direction of a building, livestock, or pets. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. John Burt**

**FOR THE COMMITTEE**

Original: House Clerk
Cc: Committee Bill File

# COMMITTEE REPORT

| | |
|---|---|
| Committee: | **Criminal Justice and Public Safety** |
| Bill Number: | **HB 1310** |
| Title: | **prohibiting the discharge of a firearm in the direction of a building, livestock, or pets.** |
| Date: | **January 26, 2022** |
| Consent Calendar: | **CONSENT** |
| Recommendation: | **INEXPEDIENT TO LEGISLATE** |

## STATEMENT OF INTENT

This bill was well-intended, but unnecessary. The committee heard testimony from the New Hampshire Fish and Game Department, The American Kennel Club as well as several other animal welfare organizations as well as a number of NH citizens. All of the speakers said that the current laws are sufficient for the issue which this bill was purporting to fix and based on that persuasive testimony, the committee voted this bill inexpedient to legislate.

Vote 20-0.

Rep. John Burt
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

**CONSENT CALENDAR**

Criminal Justice and Public Safety

**HB 1310,** prohibiting the discharge of a firearm in the direction of a building, livestock, or pets. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. This bill was well-intended, but unnecessary. The committee heard testimony from the New Hampshire Fish and Game Department, The American Kennel Club as well as several other animal welfare organizations as well as a number of NH citizens. All of the speakers said that the current laws are sufficient for the issue which this bill was purporting to fix and based on that persuasive testimony, the committee voted this bill inexpedient to legislate. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

**HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

**EXECUTIVE SESSION on HB 1310**

**BILL TITLE:** prohibiting the discharge of a firearm in the direction of a building, livestock, or pets.

**DATE:** January 26, 2022

**LOB ROOM:** Reps. hall

**MOTIONS: INEXPEDIENT TO LEGISLATE**

Moved by Rep. Burt Seconded by Rep. Wallace Vote: 20-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Scott Wallace, Clerk

OFFICE OF THE HOUSE CLERK

1/10/2022 8:56:51 AM
Roll Call Committee Registers Report

2022 SESSION

**Criminal Justice and Public Safety**

**Bill #:** HB 310 **Motion:** ITL **AM #:** / **Exec Session Date:** 1-26-22

| Members | YEAS | Nays | NV |
|---|---|---|---|
| Abbas, Daryl A. Chairman | 20 | | |
| Roy, Terry Vice Chairman | 1 | | |
| Welch, David A. | 2 | | |
| Burt, John A. | 3 | | |
| ~~Hopper, Gary S.~~ RHODES | 4 | | |
| Green, Dennis E. | 5 | | |
| Wallace, Scott Clerk | 6 | | |
| Testerman, Dave | 7 | | |
| True, Chris | 8 | | |
| Pratt, Kevin M. | 9 | | |
| Marston, Dick | 10 | | |
| Harriott-Gathright, Linda C. | 11 | | |
| Pantelakos, Laura C. | 12 | | |
| O'Hearne, Andrew S. | | | 1 |
| Bordenet, John | 13 | | |
| Meuse, David | 14 | | |
| Newman, Ray E. | 15 | | |
| Bouldin, Amanda C. | 16 | | |
| Conley, Casey M. | 17 | | |
| Klein-Knight, Nicole | 18 | | |
| Bradley, Amy | 19 | | |

**OFFICE OF THE HOUSE CLERK**

1/10/2022 8:56:51 AM
Roll Call Committee Registers Report

**2022 SESSION**

## Criminal Justice and Public Safety

**Bill #:** HB 810 **Motion:** FTL **AM #:** _____ **Exec Session Date:** 1-26-22

| **TOTAL VOTE:** | 20 | 0 | 1 |
|---|---|---|---|

**HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

**PUBLIC HEARING ON HB 1310**

**BILL TITLE:** **prohibiting the discharge of a firearm in the direction of a building, livestock, or pets.**

**DATE:** **January 26, 2022**

**LOB ROOM:** **Reps Hall** **Time Public Hearing Called to Order:** **10:30 a.m.**

**Time Adjourned:** **11:06 a.m.**

**Committee Members: Reps. Abbas, Roy, Wallace, Welch, Burt, Green, Testerman, True, Pratt, Marston, Harriott-Gathright, Pantelakos, Bordenet, Meuse, R. Newman, Amanda Bouldin, Conley and Bradley**

**Bill Sponsors:**
**Rep. Verville**

**TESTIMONY**

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

Rep. **Rhodes** in for Rep. **Hopper**.

Rep. Kevin **Verville** introduced her bill in support. Relates set of circumstances that moved the filing of the bill.

Joe **Hannon**, representing Gun Owners of NH (GO-NH), opposes.

Col. Kevin **Jordan**, representing NH Fish and Game Department, opposes.

*Courtney **Nicholson**, representing Sportmen's Alliance, opposes.

*Stacey **Ober**, representing American Kennel Club, opposes.

Robert **Johnson**, II, representing NH Farm Bureau, opposes.

David **Lheureux**, representing self, opposes.

Penny **Dean**, representing self, opposes.

Respectfully submitted,

Rep. Scott Wallace
Clerk

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1310 Date 1/26/22

Committee Criminal Justice

** Please Print All Information **

| Name | Address | Phone | Representing | (check one) Pro | Con |
|---|---|---|---|---|---|
| Rep. Jeanine Notter | | | Hills 21 | ✓ | |
| Rep. A. Lekas | | | Hills 37 | ✓ | |
| Rep John Burt | 2A Freedom | | Hills 39 | ✓ | ✓ |
| Rep Kern | | | | | |
| Rep Kevin Pratt | Raymond NH | | Raymond | | ✓ |
| Stacey Obee | American Kennel Club | | | | ✓ |
| Penny Dean | 59 Warren Conc | 603-230-9999 | Self | | ✓ |
| KEVIN JORDAN | NHFB | | | | ✓ |
| Rep Michael Yakubovich | | | | ✓ | |

# House Remote Testify

## Criminal Justice and Public Safety Committee Testify List for Bill HB1310 on 2022-01-26

Support: 57 Oppose: 82 Neutral: 1 Total to Testify: 0

Export to Excel

| Name | City, State<br>Email Address | Title | Representing | Position | Testifying | Non-Germane | Signed Up |
|---|---|---|---|---|---|---|---|
| ploszaj, tom | Center Harbor, NH<br>tom.ploszaj@gmail.com | An Elected Official | Myself | Oppose | No | No | 1/21/2022 1:52 PM |
| Fitts, Melodie | Laconia, NH<br>mlfitts@metrocast.net | A Member of the Public | Myself | Oppose | No | No | 1/21/2022 3:22 PM |
| Rouleau, Scott | Hillsborough, NH<br>strouleau@outlook.com | A Member of the Public | Myself | Oppose | No | No | 1/21/2022 3:27 PM |
| Zalewski, Laurie | Concord, NH<br>lauriejansmith@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/21/2022 3:30 PM |
| Zalewski, Joseph | Concord, NH<br>joejustz@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/21/2022 3:31 PM |
| Ford, Catherine | Brookline, NH<br>omegarr@charter.net | A Member of the Public | Myself | Oppose | No | No | 1/21/2022 7:17 PM |
| Cross, Tiffany | Merrimack, NH<br>ctiffer2@hotmail.com | A Member of the Public | Myself | Oppose | No | No | 1/22/2022 6:50 AM |
| Angelosanto, Thomas | Derry, NH<br>tom@easternvent.com | A Member of the Public | Myself | Oppose | No | No | 1/22/2022 8:44 AM |
| Stinson, Wesley | Concord NH, NH<br>w.stinson@comcast.net | A Member of the Public | Myself | Support | No | No | 1/22/2022 12:03 PM |
| Gardner, Trevor | Chester, NH<br>Trevorgardner21@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/22/2022 2:25 PM |
| Provencher, Toni | Manchester, NH<br>rioworld@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/22/2022 5:45 PM |
| Provencher, Dennis | Manchester, NH<br>Buck1111@icloud.com | A Member of the Public | Myself | Oppose | No | No | 1/22/2022 5:45 PM |
| Barrows, Craig | West Chesterfield, NH<br>cwbarrows@myfairpoint.net | A Member of the Public | Myself | Oppose | No | No | 1/22/2022 10:27 PM |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Peternel, Catherine | Wolfeboro, NH<br>katypeternel@pm.me | A Member of the Public | Myself | Oppose | No | No | 1/23/2022 9:07 AM |
| Holmes, Nancy | New Boston, NH<br>fmkaffen@ix.netcom.com | A Member of the Public | Myself | Oppose | No | No | 1/23/2022 3:21 PM |
| Sawtelle, erick | Lee, NH<br>esawtelles@aol.com | A Member of the Public | Myself | Oppose | No | No | 1/23/2022 6:54 PM |
| Marcq, Stephen | Suncook, NH<br>spmarcq@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/23/2022 8:45 PM |
| Howland, Curtis | Manchester, NH<br>howland@priss.com | A Member of the Public | Myself | Oppose | No | No | 1/23/2022 9:36 PM |
| Russell, Patricia | Hancock, NH<br>Prussellpr@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/24/2022 9:03 AM |
| Domenico, William | Manchester, NH<br>bill@resunltd4u.com | A Member of the Public | Myself | Oppose | No | No | 1/24/2022 9:53 AM |
| Reed, William | Concord, NH<br>willie.b.reed@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/24/2022 12:40 PM |
| Reed, Sarah | Concord, NH<br>stubbs.saraha@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/24/2022 12:42 PM |
| chapman, kevin | marlborough, NH<br>denoct103@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/24/2022 5:25 PM |
| Merrill, Ben | Sugar Hill, NH<br>rocke123@aol.com | A Member of the Public | Myself | Oppose | No | No | 1/24/2022 6:29 PM |
| Richardson, Diane | Springfield, NH<br>Workingclasscanine@msn.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 7:39 AM |
| Folz, Sosanna | Fremont, NH<br>sosanna@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 9:24 AM |
| Anderson, Nicole | Weare, NH<br>nksmeaton@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 10:16 AM |
| Anderson, Steve | Weare, NH<br>steven.s.anderson15@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 10:27 AM |
| Association, Monadnock Sportsmen | Swanzey, NH<br>MSAhound@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 10:38 AM |
| keefe, kathy | wentworth, NH<br>rose2954@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 11:21 AM |
| Keeler, Margaret | New London, NH<br>peg5keeler@gmail.com | A Member of the Public | Myself | Support | No | No | 1/25/2022 11:27 AM |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Janvrin, Jason | Seabrook, NH<br>ikebub@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 4:33 PM |
| Doubleday, Daniel | Northfield, NH<br>Dndoubleday@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 4:48 PM |
| Richman, Susan | Durham, NH<br>susan7richman@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 9:29 PM |
| Schneider, David | Unity, NH<br>bastarddarsh@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/25/2022 10:08 PM |
| Campbell, Karen | Epsom, NH<br>klynncampbell50@gmail.com | A Member of the Public | Myself | Support | No | No | 1/25/2022 11:41 PM |
| Berrio, Simon | Holderness, NH<br>s_berrio@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 6:52 AM |
| OHearne, Tim | Charlestown, NH<br>Ohearne@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 7:25 AM |
| DiPirro, Steven | Merrimack, NH<br>sdipirro@hotmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 7:28 AM |
| Robb, Kalla | Manchester, NH<br>Kalla.robb@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 7:30 AM |
| Sims, Julie | Newport, NH<br>Jpmom39@gmail.com | A Member of the Public | Myself | Support | No | No | 1/26/2022 7:42 AM |
| Vail, Suzanne | Nashua, NH<br>Suzanne.vail@leg.state.nh.us | An Elected Official | Hillsborough County 30 | Support | No | No | 1/26/2022 7:49 AM |
| Anderson, Zach | Derry, NH<br>zach_anderson3@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 8:10 AM |
| Barry, Richard | Concord, NH<br>Richard.barry.6179@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 8:20 AM |
| Hunnewell, Richard | Holderness, NH<br>hunnewell.richard@gmail.com | A Member of the Public | Myself | Neutral | No | No | 1/26/2022 8:56 AM |
| Hunnewell, Anne | Holderness, NH<br>ahunne@roadrunner.com | A Member of the Public | Myself | Neutral | No | No | 1/26/2022 8:56 AM |
| gray, thomas | MANCHESTER, NH<br>meowman2@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 8:59 AM |
| Blair, Eric | Lebanon, NH, NH<br>supermanx23@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 9:02 AM |
| Dewey, Karen | NEWPORT, NH<br>pkdewey@comcast.net | A Member of the Public | Myself | Neutral | No | No | 1/26/2022 9:33 AM |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Fraysse, Michael | Epsom, NH<br>mikefraysse@gmail.com | A Member of the Public | Myself | Support | No | No | 1/26/2022 9:49 AM |
| LaCasse, Danielle | Newport, NH<br>domanic22@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 9:59 AM |
| Hoffman, Joshua | Dover, NH<br>nhfireman14@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 10:39 AM |
| Scialdone, Joan | East Kingston, NH<br>Joancs2009@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 10:54 AM |
| Howard, Raymond | Alton, NH<br>brhowardjr@yahoo.com | An Elected Official | Myself | Oppose | No | No | 1/26/2022 1:50 PM |
| Ludington, Desiree | sutton, NH<br>dludington7@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 3:11 PM |
| Grinnell, Terese | Loudon, NH<br>Teresegrinnell@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 7:34 PM |
| Bastarache, Kevin | Loudon, NH<br>4bastaraches@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 7:40 PM |
| MELANSON, LAWRENCE | Webster, NH<br>lmelanso@tds.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 7:51 PM |
| Griffin, Amy | Loudon, NH<br>Nhkick@aol.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 7:58 PM |
| Stokes, Katrina | Piermont, NH<br>ikandy7501@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 8:10 PM |
| LaClair, Donna | Loudon, NH<br>alleycat9801@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 8:20 PM |
| capone, cassie | North Conway, NH<br>cassielynnparker@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 8:25 PM |
| McBournie, Suzanne | Concord, NH<br>Suzibeth71@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 9:09 PM |
| Tourigny, Brett | Moultonborough, NH<br>Tourigny936@gmail.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 9:12 PM |
| goodwin, shawn | Manchester, NH<br>sgoody2221@aol.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 9:29 PM |
| Ward, Susan | Gilmanton, NH<br>Susanward2019@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 9:53 PM |
| Grant, Susan | Rochester, NH<br>gnrlgrnt001@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 10:38 PM |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Waisanen, Tyler | Merrimack, NH<br>cyclone70@myfairpoint.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 10:43 PM |
| LENNARTZ, MARIE | MERRIMACK, NH<br>c-m-lennartz@comcast.net | A Member of the Public | Myself | Oppose | No | No | 1/26/2022 11:32 PM |

**Archived:** Thursday, March 10, 2022 2:26:52 PM
**From:** Jesse Medeiros
**Sent:** Monday, January 24, 2022 9:15:21 AM
**To:** ~House Criminal Justice and Public Safety
**Subject:** HB1310
**Importance:** Normal

---

Hello committee members,

I oppose HB1310 and urge you to as well. Best, Jesse.

Jesse Medeiros
bgtrck458@gmail.com
603-969-6302
Call, Text, or Email, Thanks!

**Archived:** Thursday, March 10, 2022 2:26:53 PM
**From:** RW Anderson
**Sent:** Sunday, January 23, 2022 2:30:19 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** HB1310
**Importance:** Normal

---

You have made hunting with a dog illegal with this bill, e.g. dogs flushing a bird with Hunter behind taking aim and shooting the bird.
I basically support this bill and I do not hunt with a dog, but you need to change the language in this bill.
Rachel Anderson
Nottingham, NH

Sent From Rachel W. Anderson's iPad

**Archived:** Thursday, March 10, 2022 2:19:04 PM
**From:** Phil Reynolds
**Sent:** Monday, January 24, 2022 1:55:19 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** HB1310
**Importance:** Normal

---

Sent from Mail for Windows
Please vote this bill down or change the wording so as no one can make the claim that we are breaking the law when we discharge our firearms within 300 feet of our hunting dogs that are involved in the hunt. Thank You Phil Reynolds Sanbornton NH

I am wholeheartedly in support of HB1310. As a dog owner that walks the dogs every morning in a large meadow lined on two sides by houses and has heard bullets passing overhead - bullets heading in the direction of houses only a few hundred feet away – this bill is needed.

HB1310 does need a clarification regarding “pets”. There could be problems in the future when hunting dogs are present.

With or without a clarification this bill needs to be implemented !

# The State of New Hampshire

## ADMINISTRATIVE OFFICE OF THE COURTS

Dianne Martin
Director

1 Granite Place, Suite N400
Concord, NH 03301
(603) 271-2521
Fax: (603) 513-5454
eMail: aoc@courts.state.nh.us
TTY/TDD Relay: (800) 735-2964

January 23, 2022

The Honorable Daryl Abbas, Chair
House Criminal Justice and Public Safety Committee
Legislative Office Building Room 204
Concord, New Hampshire 03301

RE: HB 1310 (prohibiting the discharge of a firearm in the direction of a building, livestock, or pets)
Hearing Date: January 26, 2022
Request for Amended Effective Date

Dear Chairman Abbas and members of the House Criminal Justice and Public Safety Committee:

I am writing to make you aware of a concern the Judicial Branch has with regard to the proposed effective date of House Bill 1310. The current draft has a proposed effective date of 60 days after its passage. Under RSA 14:9-a "[e]ach law affecting judicial practice and procedure, or establishing or eliminating criminal prohibitions, civil causes of action or remedies, or limitations of actions, shall take effect on the January 1 following passage." Because this law would establish criminal prohibitions, RSA 14:9-a provides that it should be effective no sooner than January 1, 2023.

The additional time is needed for the Judicial Branch to implement the collective changes that will be made to laws during this legislative session that impact criminal and civil cases. After each legislative session, the Judicial Branch must update the uniform charge table and the Judicial Branch's Odyssey database, modify or create new forms, make necessary changes to the e-filing system, and notify and train judges and staff on the hundreds of changes that affect the court system. Implementation of these changes must accurately reflect the changes in law and be properly programed into the case management database and e-filing system. Given the number of changes that must be implemented, it takes several months to complete this effort.

The Judicial Branch respectfully requests that the bill be amended to change the effective date to January 1, 2023 which will allow the Judicial Branch sufficient time to implement all of the changes described in the bills that are passed in this session.

Thank you for your consideration of this request. Please do not hesitate to contact me if you have any questions.

Sincerely,

Richard W. Head
Government Affairs Coordinator
Email: rhead@courts.state.nh.us
Cell: 603-716-8235

**Archived:** Thursday, March 10, 2022 2:23:41 PM
**From:** Sosanna Folz
**Sent:** Tuesday, January 25, 2022 9:37:11 AM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Oppose as written - HB 1310
**Importance:** Normal
**Attachments:**
Poppy Hunting Dog.jpg

---

To the Members of the House Criminal Justice and Public Safety Committee -

I am writing to express concern about the inclusion of the word "pets" in this bill. My family has owned and trained Vizslas (Hungarian Pointers) since 1970. Many of our dogs have had hunting titles, but although they are working dogs, they are most definitely our pets first. I am attaching a picture of our current dog - Poppy, who has earned AKC hunting titles - as you can see, he is most accomplished at laying on laps and couches. I encourage you to address the language in this well intentioned bill, to avoid an unintended consequence of making hunting over our family companion a criminal offense.

Thank you for your time and attention.

Kind regards,

Sosanna Folz (and Poppy and Tilt, our family hunting pets)
Fremont, NH

**Archived:** Thursday, March 10, 2022 2:23:41 PM
**From:** rtsstrategies@gmail.com
**Sent:** Tuesday, January 25, 2022 10:25:05 AM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Sportsmen's Alliance opposition to HB 1310
**Importance:** Normal
**Attachments:**
012522 oppose HB 1310 cmte letter.docx

---

Dear Members of the New Hampshire Criminal Justice and Public Safety Committee:

Please see the attached letter of opposition to HB 1310. We are available to answer any questions committee members may have about the bill. Thank you.

Rob Sexton
Special Consultant
Sportsmen's Alliance
(614) 531-4426

AMERICAN KENNEL CLUB℠

**Stacey Ober, J.D.**
Legislative Analyst
Community Outreach
New England Region

January 26, 2022

The Honorable Daryl Abbas, Chair
New Hampshire House Committee on Criminal Justice and Public Safety
LOB Room 204, 33 North State Street
Concord, New Hampshire 03301

**RE: American Kennel Club Strongly Opposes HB 1310, Prohibiting Discharge of a Firearm in Direction of Building, Livestock, or Pets.**

Dear Chair Abbas and Members of the House Committee:

Founded in 1884, the American Kennel Club (AKC) is a not-for-profit organization that is recognized as a trusted expert in canine health, breeding, and training. We advocate for the purebred dog as a family companion and promote the ideals of responsible dog ownership. We represent over 5,000 dog clubs nationally, including 14 in New Hampshire, which represent thousands of dog owners. In 2019, AKC licensed and sanctioned 141 events in New Hampshire where more than 24,300 dogs participated. Surveys estimate that exhibitors spend $685 per show weekend, many of whom travel into New Hampshire to participate.

Under RSA 207:3-a, current state law prohibits the discharge of certain hunting weapons within 300 feet of a permanently occupied dwelling without permission of the owner or occupant or landowner. HB 1310 would add a paragraph to prohibit the discharge of a firearm in the direction of a building, livestock, or pets that are within eyesight of the person discharging the firearm while hunting. A first offense violation would result in loss of hunting license, while a second offense would remove hunting privileges in New Hampshire for life. Responsible gun ownership is crucial to ensure that guns are used safely, stored securely, and don't end up in the wrong hands. ***AKC recognizes that this bill is intended to promote responsible firearm use, but is strongly opposed to HB 1310 as written because of the harmful impact the bill will have on canine sporting activities.***

The AKC encourages and strongly supports the interaction and mutual enjoyment of owners and dogs in sporting activities such as hunting and field trials; in working circumstances such as herding, tracking, and pulling; and in competition events such as dog shows, obedience trials, agility trials, and other performance events and tests. **HB 1310 fails to distinguish "pets" from "hunting dogs" that are routinely trained to safely hunt game, while also serving as companion animals.** Without clear differentiation, this bill will have a chilling effect on these activities. Moreover, it is unclear how an officer charged with enforcing this proposed section could objectively evaluate whether a building, livestock, or pet was within eyesight of an individual when they discharged their firearm.

Please know that AKC and our affiliated dog clubs recommend that you vote this bill as written, "Inexpedient to Legislate". Thank you for your consideration of our significant concerns. If I can be of any assistance, please do not hesitate to contact me at (919) 816-3348 or Stacey.Ober@akc.org.

Sincerely,



Stacey Ober, JD
Legislative Analyst and Community Outreach Coordinator, New England
AKC Government Relations

CC: The Honorable Kevin Verville, Sponsor HB 1310
Angela Ferrari, Dog Owners of the Granite State (DOGS)

Dear Chairman and Member of the New Hampshire House Criminal Justice and Public Safety Committee,

I am writing today in Opposition to HB 1310. It appears to me to be the second bill this session that intents to end hunting with dogs and additionally try to end hunting in any non wilderness areas.

New Hampshire already has a law governing the discharge of certain hunting weapons within 300 feet of a permanently occupied dwelling without permission of the owner or occupant or land owner.

Our current law

*"207:3-a Prohibition.*

*I. It is unlawful for a person to discharge a firearm or a .22 caliber or larger air rifle when used for hunting purposes or to shoot with a bow and arrow or crossbow and bolt within 300 feet of a permanently occupied dwelling without permission of the owner or the occupant of the dwelling or from the owner of the land on which the person discharging the firearm or air rifle or shooting the bow and arrow or crossbow and bolt is situated. Whoever violates the provisions of this [section] paragraph shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person."*

The addition of the proposed language in HB 1310 will eliminate any consideration of owner permission from the law. It will make any sort of building structure the same as an occupied dwelling. In addition, it will eliminate any hunting with dogs for birds, small game animals or bear, and any use of a weapon to defend property, livestock, pets or humans from wild animals on home property.

Perhaps worst of all it will introduce an unmeasurable and inconsistent distance of "within eyesight" as the defining distance for enforcing the new law. Whose eyesight would that be? From what angle is that visibility determined?

If a 6' hunter could see a building but a 5' hunter could not – who would be in violation of this new law? Both? Neither?

If I am on a hillside and can see a church steeple in the distance or a tumbled down barn to one side of a meadow, or am hunting waterfowl lakeside and can see seasonal cabins or boat houses far across the lake, the proposed changes

would eliminate any chance to hunt without the potential of losing a hunting license for this year and next year, or life!

I'm sure there are areas in the state where you are not able to see buildings at all no matter where you stand but I do not believe those areas all permit hunting or that all hunting is done there.

Then there is the matter of shooting towards a pet. Hunting dogs are pets and may point on, flush, tree or den the prey they are finding for their owners. Guns are quite likely to be shot towards them as that is where the prey is.

Then there are pets that are hard to see. I'm sure you can see the barn in this image but can you see the cat?



Hint it is a gray tabby in front of the stones just to the right past the break in the stone wall.

Finally, showing there is no need for this bill, we already have laws in place to protect owner rights in, and make hunters liable for injury or death to, domestic animals (which would include pets) in RSA sections 207:39-b and 207:39-c.

***"Section 207:39-b***

***207:39-b Intentional or Negligent Shooting of Domestic Animals; Penalty.*** *– Any person, while actually engaged in hunting or in pursuit of wild animals or wild birds who knowingly or*

*purposely causes death, injury, or damage to such domestic animals, ducks, or fowl through the discharge of a firearm or bow and arrow may have his or her license to hunt revoked and he or she may not be granted a license to hunt for a period not to exceed 5 years. The provisions of this section shall not apply to a hunter killing or injuring his or her own animal or a borrowed animal or one used by another member of the same hunting party, other than being liable to the owner of the animal. The executive director of the fish and game department may make such revocation and suspension of the privilege of obtaining a license and determine the term of such suspension when, in the executive director's opinion, reasonable evidence of a violation of the provisions of this section exist.*

***Source.*** *2005, 289:2, eff. Jan. 1, 2006.*

## *Section 207:39-c*

***207:39-c Reporting the Death or Injury of Domestic Animals.*** *– Any person who negligently or accidentally causes death, injury, or damage to domestic animals through the discharge of a firearm or bow and arrow shall immediately report the death, injury, or damage to the local police department, and in the case of injury to such domestic animals, shall render aid to the animal in an attempt to save the animal's life.*

***Source.*** *2005, 289:2, eff. Jan. 1, 2006."*

Please vote HB1308 inexpedient to legislate as nothing more than attempt to eliminate all hunting with dogs, and to highly limit locations available for hunters to pursue the legal activity of hunting within the state of New Hampshire, while not providing any animal or landowner protections not already available under current law.

Nancy Holmes

New Boston, NH

**Archived:** Friday, February 4, 2022 1:03:54 PM
**From:** Diane Richardson
**Sent:** Wednesday, January 26, 2022 7:37:02 AM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Hb 1310 oppose
**Importance:** Normal

---

Dear committee members

Today You will see hb1310 **Prohibiting the discharge of a firearm in the direction of a building, livestock, or pets**

**This bill gives me great concern. We already have a strict statute and FIS rules on distance from building and people are charged with negligence if they shoot too close to animals etc**

**This bill is insanely vague**

**“Within eyesight” what the heck is that?**
**I’ve hunted many places where these were “in my eyesight” but in zero danger because of terrain or distance**

**What about hunting with dogs?**

**All this bill will do is virtually halt all hunting in suburban areas, heck even in many rural areas**

**Current law and Fg rules Are more than sufficient**

**Please vote this vague and overly broad bill inexpedient to legislate**

**Thank you**

Diane Richardson
Springfield
Workingclasscanine@msn.com

**Archived:** Friday, February 4, 2022 1:03:54 PM
**From:** Jacob Pickett
**Sent:** Tuesday, January 25, 2022 12:55:35 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Recall: Please oppose HB 1310
**Importance:** Normal

---

Jacob Pickett would like to recall the message, "Please oppose HB 1310".

**Archived:** Friday, February 4, 2022 1:03:54 PM
**From:** Jacob Pickett
**Sent:** Tuesday, January 25, 2022 12:54:59 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Oppose House Bill 1310
**Importance:** Normal

---

**This is an anti-hunting House Bill 1310 disguised as public safety could end untold hunting opportunities in NH! It does nothing to protect the citizens of NH and only destroys opportunities to feed their families and make criminals out of sportsmen & women.**

**This is a ridiculously ambiguous bill that doesn't quantify distance, what constitutes direction or specify firearm type, ammunition or anything else. It doesn't even say a building has to be inhabited or make allowances for hunting dogs,"**

**Enforced as written, shooting over your hunting dog or in the general direction of an abandoned barn three miles away would get your hunting license revoked."**

**While the vague HB1310 would end every type of shooting in any general direction a hunter can even see a building, livestock or domestic pet, its punishments are very concrete and harsh. A first offense violation would result in the immediate suspension of your hunting license for the remainder of the year the offense took place in *and* the following year. A second offense would remove hunting privileges in New Hampshire for life.**

**Archived:** Friday, February 4, 2022 1:03:54 PM
**From:** Jacob Pickett
**Sent:** Tuesday, January 25, 2022 12:52:22 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Recall: Please oppose HB 1310
**Importance:** Normal

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Jacob Pickett would like to recall the message, "Please oppose HB 1310".

**Archived:** Friday, February 4, 2022 1:03:54 PM
**From:** Jacob Pickett
**Sent:** Tuesday, January 25, 2022 12:51:23 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Please oppose HB 1310
**Importance:** Normal

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While the vague HB1310 would end every type of shooting in any general direction a hunter can even see a building, livestock or domestic pet, its punishments are very concrete and harsh. A first offense violation would result in the immediate suspension of your hunting license for the remainder of the year the offense took place in *and* the following year. A second offense would remove hunting privileges in New Hampshire for life.

**Archived:** Friday, February 4, 2022 1:03:54 PM
**From:** NEH
**Sent:** Monday, January 24, 2022 2:40:30 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** Opposition to HB 1310
**Importance:** Normal

---

Included in body of email for easy reading and as an attachment for easy printing

Dear Chairman and Members of the New Hampshire House Criminal Justice and Public Safety Committee,

I am writing today in Opposition to HB 1310. It appears to me to be the second bill this session that intents to end hunting with dogs and additionally try to end hunting in any non wilderness areas.

New Hampshire already has a law governing the discharge of certain hunting weapons within 300 feet of a permanently occupied dwelling without permission of the owner or occupant or land owner.

Our current law

*"207:3-a Prohibition.*

*I. It is unlawful for a person to discharge a firearm or a .22 caliber or larger air rifle when used for hunting purposes or to shoot with a bow and arrow or crossbow and bolt within 300 feet of a permanently occupied dwelling without permission of the owner or the occupant of the dwelling or from the owner of the land on which the person discharging the firearm or air rifle or shooting the bow and arrow or crossbow and bolt is situated. Whoever violates the provisions of this [section] paragraph shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person."*

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***"Section 207:39-b***

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***Source.*** *2005, 289:2, eff. Jan. 1, 2006.*

## *Section 207:39-c*

***207:39-c Reporting the Death or Injury of Domestic Animals. –*** *Any person who negligently or accidentally causes death, injury, or damage to domestic animals through the discharge of a firearm or bow and arrow shall immediately report the death, injury, or damage to the local police department, and in the case of injury to such domestic animals, shall render aid to the animal in an attempt to save the animal's life.*

***Source.*** *2005, 289:2, eff. Jan. 1, 2006."*

Please vote HB1308 inexpedient to legislate as nothing more than attempt to eliminate all hunting with dogs, and to highly limit locations available for hunters to pursue the legal activity of hunting within the state of New Hampshire, while not providing any animal or landowner protections not already available under current law.

Nancy Holmes
New Boston, NH

**Archived:** Friday, February 4, 2022 1:03:54 PM
**From:** Scott Rouleau
**Sent:** Friday, January 21, 2022 3:41:21 PM
**To:** ~House Criminal Justice and Public Safety
**Subject:** HB1310
**Importance:** Normal

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Dear Committee members,

You will be discussing HB1310 on January 26th.

HB1310 would prohibit hunters from discharging a firearm in the direction of a building, livestock, or pets within their eyesight.

Although well intentioned, as filed, this bill does not distinguish “pets” from “hunting dogs” that are routinely trained to safely hunt game while also serving as companion animals.

My concerns is that HB 1310 could penalize the use of “pet” dogs when hunting game and the language should be changed to allow the use of hunting dogs for the pursuit of all game species in NH where it is legal to use hunting dogs during said pursuit.

Thank you for your consideration,

Scott Rouleau
222 Danforth Corners Rd
Hillsborough NH, 03244
603-478-0099

Sent from Mail for Windows 10

**Archived:** Thursday, March 10, 2022 2:23:39 PM
**From:** Lori Siano
**Sent:** Tuesday, January 25, 2022 4:58:15 PM
**To:** ~House Criminal Justice and Public Safety
**Cc:** Lori Siano
**Subject:** URGENT - Opposition to house bill HB 1310 - hearing date 1/26/22 10:30A
**Importance:** High
**Attachments:**
Oppostion to Bill HB 1310 .docx

---

Dear Committee Members,

Please find our testimony attached for tomorrow's hearing (1/26/22) on this bill. I was unable to successfully download on your online testimony submission form.

J **ohn and Lori Siano - Residents of Alstead, NH**
**"Members of the public"**
**Bill HB1310 - hearing date 1/26/22 at 10:30A**

Please confirm receipt as this is extremely important to us.

Respectfully John & Lori Siano

Get Outlook for iOS

**HB 1310 - AS INTRODUCED**

2022 SESSION

22-2598
04/08

HOUSE BILL ***1310***

AN ACT prohibiting the discharge of a firearm in the direction of a building, livestock, or pets.

SPONSORS: Rep. Verville, Rock. 2

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This bill prohibits the discharge of a firearm in the direction of a building, livestock, or pets that are within eyesight of the person discharging the firearm while hunting.

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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.

**HB 1310 - AS INTRODUCED**

22-2598
04/08

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT prohibiting the discharge of a firearm in the direction of a building, livestock, or pets.

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

1 General Provisions as to Fish and Game; Prohibition. Amend RSA 207:3-a to read as follows:

207:3-a Prohibition.

***I.*** It is unlawful for a person to discharge a firearm or a .22 caliber or larger air rifle when used for hunting purposes or to shoot with a bow and arrow or crossbow and bolt within 300 feet of a permanently occupied dwelling without permission of the owner or the occupant of the dwelling or from the owner of the land on which the person discharging the firearm or air rifle or shooting the bow and arrow or crossbow and bolt is situated. Whoever violates the provisions of this [~~section~~] ***paragraph*** shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.

***II. It is unlawful for a person to discharge a firearm when used for hunting purposes in the direction of a building, livestock, or pets that are within eyesight of the person discharging the firearm. Whoever is found guilty of a first offense under this paragraph shall have their hunting license suspended for the remainder of the year in which the offense occurred and the following year. Whoever is found guilty of a second offense under this paragraph shall lose their hunting privileges in New Hampshire for life.***

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