LEGISLATIVE COMMITTEE MINUTES

HB490

Bill as Introduced

HB 490 - AS AMENDED BY THE HOUSE

6Jan2022... 2140h

2021 SESSION

21-0807
04/10

HOUSE BILL ***490***

AN ACT relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.

SPONSORS: Rep. Roy, Rock. 32; Rep. Spillane, Rock. 2; Sen. Reagan, Dist 17

COMMITTEE: Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 490 - AS AMENDED BY THE HOUSE

6Jan2022... 2140h

21-0807
04/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.

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

1 New Paragraph; General Provisions as to Fish and Game; Game Camera. Amend RSA 207:1 by inserting after paragraph XI the following new paragraph:

XI-a. Game Camera: Any device capable of recording and transmitting photographic or video data wirelessly to a remote device, such as a computer or smartphone, as well as a device that merely records photographic or video data and stores such data for later use.

2 New Paragraph; General Provisions as to Fish and Game; Hunting Day. Amend RSA 207:1 by inserting after paragraph XIII-a the following new paragraph:

XIII-b. Hunting Day: The period of time during the calendar day when the lawful taking of a game animal or fur-bearing animal is allowed.

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal, provided that no person shall take a game animal or fur-bearing animal within 10 hours of remotely viewing any image or video of that animal from a game camera in that area.

II.(a) No person shall place a game camera that records or transmits images or data of any kind while unattended outside on the private property of another without the written consent of the property owner, or the property owner has posted signage on his or her property allowing the placement of such camera as provided in this section.

(b) A person may permit the placement of a game camera by posting signs of durable material with any words describing the physical activity permitted, such as "Game Cameras Allowed," printed with block letters no less than 2 inches in height, and with the name and address of the owner or lessee of such property. Such signs shall posted at gates, bars, and commonly used entrances. This section shall not prevent any property owner from adding to the language required by this section.

(c) Any written permission granted by a property owner under this section shall expire on December 31 of each calendar year, unless earlier rescinded by the property owner or his or her designee.

III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.

IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

V. This section shall not prohibit:

(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

(b) The lawful use of implanted or attached electronic devices by fish and game department staff or other persons holding a scientific permit from the executive director to identify, monitor, and track animals; or

(c) Any device placed or used in accordance with a warrant or in accordance with other lawful actions of law enforcement officers and personnel of the fish and game department in the performance of their official duties.

VI. Any person who violates this section shall be guilty of violation and subject to a fine of up to $1,000 for each offense and, for a second or subsequent conviction under this section, forfeiture of the placed equipment.

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

HB 490 - AS AMENDED BY THE SENATE

6Jan2022... 2140h
05/05/2022 1807s

2021 SESSION

21-0807
04/10

HOUSE BILL ***490***

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, relative to the use of temporary tree stands or observation blinds, and relative to the definition of "firearm."

SPONSORS: Rep. Roy, Rock. 32; Rep. Spillane, Rock. 2; Sen. Reagan, Dist 17

COMMITTEE: Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal. The bill also provides limitations on the use of temporary tree stands and observation blinds and defines "firearm" as having the same meaning as the federal definition of "firearm."

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 490 - AS AMENDED BY THE SENATE

6Jan2022... 2140h
05/05/2022 1807s

21-0807
04/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, relative to the use of temporary tree stands or observation blinds, and relative to the definition of "firearm."

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

1 New Paragraph; General Provisions as to Fish and Game; Game Camera. Amend RSA 207:1 by inserting after paragraph XI the following new paragraph:

XI-a. Game Camera: Any device capable of recording and transmitting photographic or video data wirelessly to a remote device, such as a computer or smartphone, as well as a device that merely records photographic or video data and stores such data for later use.

2 New Paragraph; General Provisions as to Fish and Game; Hunting Day. Amend RSA 207:1 by inserting after paragraph XIII-a the following new paragraph:

XIII-b. Hunting Day: The period of time during the calendar day when the lawful taking of a game animal or fur-bearing animal is allowed.

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal.

II. A landowner may remove a game camera which the landowner has not authorized to remain on his or her property. A landowner shall notify the owner of any game camera that the landowner removes.

III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.

IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

V. This section shall not prohibit:

(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

(b) The lawful use of implanted or attached electronic devices by fish and game department staff or other persons holding a scientific permit from the executive director to identify, monitor, and track animals; or

(c) Any device placed or used in accordance with a warrant or in accordance with other lawful actions of law enforcement officers and personnel of the fish and game department in the performance of their official duties.

VI. Any person who violates this section shall be guilty of violation and subject to a fine of up to $1,000 for each offense and, for a second or subsequent conviction under this section, forfeiture of the placed equipment.

4 Fish and Game; Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a, V to read as follows:

V. [~~All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.~~] ***A portable or temporary tree stand or observation blind that does not violate paragraphs I or II of this section may be erected on the land of another between August 31 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by January 1, unless allowed by the written permission of the landowner. The portable or temporary tree stand or observation blind shall be labeled with the name and address of the owner in a clearly visible manner not higher than 6 feet off the ground, using an identification sign made of durable material at least 3 inches by 6 inches in size.***

5 Pistols and Revolvers; Definition of "Firearm". Amend RSA 159:1 to read as follows:

159:1 Definition.

I. "Pistol or revolver," as used [~~herein~~] ***in this chapter***, means any firearm with barrel less than 16 inches in length. It does not include antique pistols, gun canes, or revolvers. An antique pistol, gun cane, or revolver, for the purposes of this chapter, means any pistol, gun cane, or revolver utilizing an early type of ignition, including, but not limited to, flintlocks, wheel locks, matchlocks, percussions and pin-fire, but no pistol, gun cane, or revolver which utilizes readily available center fire or rim-fire cartridges which are in common, current use shall be deemed to be an antique pistol, gun cane, or revolver. Nothing in this section shall prevent antique pistols, gun canes, or revolvers from being owned or transferred by museums, antique or arms collectors, or licensed gun dealers at auctions, gun shows, or private premises provided such ownership or transfer does not conflict with federal statutes.

II. In this chapter, "firearm" shall have the same meaning as in 18 U.S.C. section 921(a)(3) as it appears on April 12, 2022. For the purposes of this chapter, the meaning of "firearm" shall not be construed in a manner that is broader than the definition under federal law.

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

Amendments

Sen. Bradley, Dist 3
January 28, 2022
2022-0359s
04/10

Amendment to HB 490

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

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, and relative to the use of temporary tree stands or observation blinds.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Fish and Game; Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a, V to read as follows:

V. [~~All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.~~] ***A portable or temporary tree stand or observation blind that does not violate paragraphs I or II of this section may be erected on the land of another between August 31 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by January 1, unless allowed by the written permission of the landowner. The portable or temporary tree stand or observation blind shall be labeled with the name and address of the owner in a clearly visible manner not higher than 6 feet off the ground, using an identification sign made of durable material at least 3 inches by 6 inches in size.***

UNAMENDED

2022-0359s

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal. The bill also provides limitations on the use of temporary tree stands and observation blinds.

UNAPPROVED

Sen. Watters, Dist 4
January 28, 2022
2022-0367s
04/10

Amendment to HB 490

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

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, and relative to the use of temporary tree stands or observation blinds.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Fish and Game; Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a, V to read as follows:

V. [~~All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.~~] ***A portable or temporary tree stand or observation blind that does not violate paragraphs I or II of this section may be erected on the land of another between August 31 and January 31 of each calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by February 1, unless allowed by the written permission of the landowner. The portable or temporary tree stand or observation blind shall be labeled with the name and address of the owner in a clearly visible manner not higher than 6 feet off the ground, using an identification sign made of durable material at least 3 inches by 6 inches in size.***

2022-0367s

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal. The bill also provides limitations on the use of temporary tree stands and observation blinds.

ADOPTED

Rep. Lang, Belk. 4
April 7, 2022
2022-1356h
04/10

Amendment to HB 490

Amend RSA 207:63 as inserted by section 3 of the bill by deleting RSA 207:63, II and renumbering the original RSA 207:63, III-VI to read as RSA 207:63, II-V, respectively.

UNAPPROVED

Sen. Giuda, Dist 2
April 12, 2022
2022-1429s
04/10

Amendment to HB 490

Amend the bill by replacing section 3 with the following:

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal.

II.(a) A game camera placed on another person's private property shall be permitted, without the permission of the landowner, from August 1 through December 31, unless the landowner authorizes the game camera owner in writing to leave the game camera on the landowner's land for a longer period of time.

(b) After December 31, a landowner may remove a game camera which the landowner has not authorized to remain on his or her property after that date. A landowner shall notify the owner of any game camera that the landowner removes.

III. This section shall not prohibit:

(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

(b) The lawful use of implanted or attached electronic devices by fish and game department staff or other persons holding a scientific permit from the executive director to identify, monitor, and track animals; or

(c) Any device placed or used in accordance with a warrant or in accordance with other lawful actions of law enforcement officers and personnel of the fish and game department in the performance of their official duties.

IV. Any person who violates this section shall be guilty of violation and subject to a fine of up to $1,000 for each offense and, for a second or subsequent conviction under this section, forfeiture of the placed equipment.

Sen. Giuda, Dist 2
April 25, 2022
2022-1776s
04/10

Amendment to HB 490

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

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, and relative to the use of temporary tree stands or observation blinds.

Amend the bill by replacing all after section 2 with the following:

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal.

II. A landowner may remove a game camera which the landowner has not authorized to remain on his or her property. A landowner shall notify the owner of any game camera that the landowner removes.

III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.

IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

4 Fish and Game; Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a, V to read as follows:

V. ~~[All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.]~~ ***A portable or temporary tree stand or observation blind that does not violate paragraphs I or II of this section may be erected on the land of another between August 31 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by January 1, unless allowed by the written permission of the landowner. The portable or temporary tree stand or observation blind shall be labeled with the name and address of the owner in a clearly visible manner not higher than 6 feet off the ground, using an identification sign made of durable material at least 3 inches by 6 inches in size.***

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

2022-1776s

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal. The bill also provides limitations on the use of temporary tree stands and observation blinds.

Sen. Avard, Dist 12
April 25, 2022
2022-1777s
04/10

Amendment to HB 490

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

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, relative to the use of temporary tree stands or observation blinds, and relative to the definition of "firearm."

Amend the bill by replacing all after section 2 with the following:

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal.

II. A landowner may remove a game camera which the landowner has not authorized to remain on his or her property. A landowner shall notify the owner of any game camera that the landowner removes.

III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.

IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

4 Fish and Game; Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a, V to read as follows:

V. ~~[All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.]~~ ***A portable or temporary tree stand or observation blind that does not violate paragraphs I or II of this section may be erected on the land of another between August 31 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by January 1, unless allowed by the written permission of the landowner. The portable or temporary tree stand or observation blind shall be labeled with the name and address of the owner in a clearly visible manner not higher than 6 feet off the ground, using an identification sign made of durable material at least 3 inches by 6 inches in size.***

5 Pistols and Revolvers; Definition of "Firearm". Amend RSA 159:1 to read as follows:

159:1 Definition.

I. "Pistol or revolver," as used [~~herein~~] ***in this chapter***, means any firearm with barrel less than 16 inches in length. It does not include antique pistols, gun canes, or revolvers. An antique pistol, gun cane, or revolver, for the purposes of this chapter, means any pistol, gun cane, or revolver utilizing an early type of ignition, including, but not limited to, flintlocks, wheel locks, matchlocks, percussions and pin-fire, but no pistol, gun cane, or revolver which utilizes readily available center fire or rim-fire cartridges which are in common, current use shall be deemed to be an antique pistol, gun cane, or revolver. Nothing in this section shall prevent antique pistols, gun canes, or revolvers from being owned or transferred by museums, antique or arms collectors, or licensed gun dealers at auctions, gun shows, or private premises provided such ownership or transfer does not conflict with federal statutes.

II. In this chapter, "firearm" shall have the same meaning as in 18 U.S.C. section 921(a)(3) as it appears on April 12, 2022. For the purposes of this chapter, the meaning of "firearm" shall not be construed in a manner that is broader than the definition under federal law.

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

2022-1777s

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal. The bill also provides limitations on the use of temporary tree stands and observation blinds and defines "firearm" as having the same meaning as the federal definition of "firearm."

Energy and Natural Resources
April 26, 2022
2022-1807s
04/10

Amendment to HB 490

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

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, relative to the use of temporary tree stands or observation blinds, and relative to the definition of "firearm."

Amend the bill by replacing all after section 2 with the following:

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal.

II. A landowner may remove a game camera which the landowner has not authorized to remain on his or her property. A landowner shall notify the owner of any game camera that the landowner removes.

III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.

IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

V. This section shall not prohibit:

(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

(b) The lawful use of implanted or attached electronic devices by fish and game department staff or other persons holding a scientific permit from the executive director to identify, monitor, and track animals; or

(c) Any device placed or used in accordance with a warrant or in accordance with other lawful actions of law enforcement officers and personnel of the fish and game department in the performance of their official duties.

VI. Any person who violates this section shall be guilty of violation and subject to a fine of up to $1,000 for each offense and, for a second or subsequent conviction under this section, forfeiture of the placed equipment.

4 Fish and Game; Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a, V to read as follows:

V. [~~All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.~~] ***A portable or temporary tree stand or observation blind that does not violate paragraphs I or II of this section may be erected on the land of another between August 31 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by January 1, unless allowed by the written permission of the landowner. The portable or temporary tree stand or observation blind shall be labeled with the name and address of the owner in a clearly visible manner not higher than 6 feet off the ground, using an identification sign made of durable material at least 3 inches by 6 inches in size.***

5 Pistols and Revolvers; Definition of "Firearm". Amend RSA 159:1 to read as follows:

159:1 Definition.

I. "Pistol or revolver," as used [~~herein~~] ***in this chapter***, means any firearm with barrel less than 16 inches in length. It does not include antique pistols, gun canes, or revolvers. An antique pistol, gun cane, or revolver, for the purposes of this chapter, means any pistol, gun cane, or revolver utilizing an early type of ignition, including, but not limited to, flintlocks, wheel locks, matchlocks, percussions and pin-fire, but no pistol, gun cane, or revolver which utilizes readily available center fire or rim-fire cartridges which are in common, current use shall be deemed to be an antique pistol, gun cane, or revolver. Nothing in this section shall prevent antique pistols, gun canes, or revolvers from being owned or transferred by museums, antique or arms collectors, or licensed gun dealers at auctions, gun shows, or private premises provided such ownership or transfer does not conflict with federal statutes.

II. In this chapter, "firearm" shall have the same meaning as in 18 U.S.C. section 921(a)(3) as it appears on April 12, 2022. For the purposes of this chapter, the meaning of "firearm" shall not be construed in a manner that is broader than the definition under federal law.

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

2022-1807s

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal. The bill also provides limitations on the use of temporary tree stands and observation blinds and defines "firearm" as having the same meaning as the federal definition of "firearm."

Sen. Giuda, Dist 2
May 3, 2022
2022-1924s
04/10

Floor Amendment to HB 490

Amend the bill by replacing section 3 with the following:

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal.

II.(a) If an unauthorized game camera is located within 300 feet of an inhabited structure or within the boundary of a landowner's legally-defined curtilage, whichever distance is greater, the landowner may remove the camera, provided that within 24 hours of removing the camera, the landowner notifies the camera owner using the identification information on the camera, and surrenders the camera to the local police or conservation officer to be retrieved by the camera's owner.

(b) If an unauthorized game camera is located within 300 feet of a structure outside the landowner's legally-defined curtilage, the landowner may remove the camera, provided that within 24 hours of removing the camera, the landowner notifies the camera owner using the identification information on the camera, and surrenders the camera to the local police or conservation officer to be retrieved by the camera's owner.

(c) If a landowner discovers an unauthorized game camera in an area not defined in subparagraphs (a) or (b), the landowner shall, within 24 hours of discovering the camera, notify the camera owner using the identification information on the camera. If the landowner wishes the camera to be removed, the landowner shall, within 24 hours of discovering the camera, request the local police or conservation officer to remove it.

(d) Upon discovering an unauthorized game camera anywhere on their property, a landowner removing or seeking to remove the camera, or their authorized representative, may place tape over the camera lens. However, this subparagraph shall not relieve a landowner of the obligation to comply with subparagraphs (a)-(c).

III. This section shall not prohibit:

(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

(b) The lawful use of implanted or attached electronic devices by fish and game department staff or other persons holding a scientific permit from the executive director to identify, monitor, and track animals; or

(c) Any device placed or used in accordance with a warrant or in accordance with other lawful actions of law enforcement officers and personnel of the fish and game department in the performance of their official duties.

IV. Any person who violates this section shall be guilty of violation and subject to a fine of up to $1,000 for each offense and, for a second or subsequent conviction under this section, forfeiture of the placed equipment.

Committee Minutes

SENATE CALENDAR NOTICE
Energy and Natural Resources

Sen Kevin Avard, Chair
Sen Bob Giuda, Vice Chair
Sen James Gray, Member
Sen David Watters, Member
Sen Rebecca Perkins Kwoka, Member

Date: March 31, 2022

HEARINGS

Thursday	04/07/2022
(Day)	(Date)

Energy and Natural Resources	State House 103	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	**HB 169**	establishing a commission to study the removal of unused utility poles following the transition of equipment, lines, and cables to new utility poles.
9:15 a.m.	**HB 410**	establishing a commission to study the assessing of power generation and utility transmission
9:30 a.m.	**HB 490**	relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.
9:45 a.m.	**HB 543**	establishing a commission to study nuclear power and nuclear reactor technology in New Hampshire.
10:00 a.m.	**HB 1005**	relative to the creation of a New Hampshire low-grade timber and wood emerging market commission.
10:15 a.m.	**HB 1052**	relative to the number of rounds of ammunition allowed for hunting regardless of firearm capacity.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:
HB 169
Rep. Grote Rep. Maggiore Rep. K. Murray Rep. Cannon

Rep. Marsh	Sen. Sherman		
HB 410			
Rep. Merner	Rep. Abrami		
HB 490			
Rep. Roy	Rep. Spillane	Sen. Reagan	
HB 543			
Rep. Ammon	Rep. Osborne	Rep. Vose	
HB 1005			
Rep. Thomas	Rep. Merner	Rep. Harley	Rep. Abrami
Rep. Vose	Sen. Carson	Sen. Bradley	
HB 1052			
Rep. Spillane	Rep. Verville	Rep. Roy	Rep. Bershtein
Rep. Love	Rep. Howard		

Daley Frenette 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Daley Frenette 271-3042

HB 490, relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.

Hearing Date: April 7, 2022

Members of the Committee Present: Senators Giuda, Gray, Watters and Perkins Kwoka

Members of the Committee Absent : Senator Avard

Bill Analysis: This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal.

Sponsors:
Rep. Roy Rep. Spillane Sen. Reagan

Who supports the bill: 9 People Signed in Support.

Who opposes the bill: 130 People Singed in Opposition.

Who is neutral on the bill: 1 Person Signed in Neutral.

Summary of testimony presented:

Representative Roy, Rockingham-District 32

- Representative Roy introduced HB 490 and requested that the committee vote inexpedient to legislate on the bill. He explained that the bill was drafted to allow the use of game cameras, but the bill was changed throughout the committee process to include the need for landowner permission to place a game camera. This is contrary to New Hampshire's current land use for hunting purposes. Over 70 percent of the land in NH is privately owned and people are not required to have permission to hunt on private property unless it is posted. You also do not need permission put up a tree stand as long as it does not damage the tree.
- Representative Roy understands that there may be an amendment offered by another Representative and he would be amendable to that if the committee decides to accept it. If not, he asks the committee to vote ITL on the bill as it is not what he originally intended it to be.

- The bill passed the House on consent because they were under the impression that the only thing that was changed about the bill was the hours that the cameras could be used.
- Senator Giuda asked Representative Roy to state his objections to the bill in its current form. Representative Roy stated that the bill would require written landowner permission to put up a game camera in the woods where a person is hunting. The issue is that currently people can hunt on private property without written permission if there is no posting on the land that says otherwise. People can also set up tree stands without permission if it does not damage the tree. If the bill passed it would defeat the entire open use land policy in NH and therefore would cause a lot of problems that do not currently exist.
- Senator Giuda asked if there is a problem with the current law in its present form. Representative Roy's original intention for the bill was to address the current law that states that hunters can not use a game camera that sends a picture to the hunters cell phone on the same day that they are hunting. The reason being that it is not "fair chase". He intended to fix that issue because if a hunter receives a picture of a deer on their phone, the deer is not going to still be around the game camera by the time the hunter returns. Fish and Game is concerned that hunters could set up networks of cameras to cover the entire woods and they are concerned that the related technology is evolving very quickly. Representative Roy considered Fish and Game's concerns and stated that the bill would need to be amended. He stated that the bill either needs to be amended or the committee should ITL the bill.
- Another intention that Representative Roy had for the bill was to make it easier for elderly and disabled hunters to go out and check their cameras as it is difficult for them to travel out into the woods on a daily basis.

Senator Bradley, Senate District 3

- Grant Bosse spoke on behalf of Senator Bradley.
- He presented amendment 0359 S to HB 490 as proposed by Rick Estes Senator Bradley's constituent from Ossipee. Mr. Estes is a former conservation officer and very knowledgeable about these issues. He approached Senator Bradley about an amendment to HB 490 that would clarify the removal of temporary tree stands and ensuring private lands are treated the same as lands managed by Fish and Game. Amendment 0359s accomplishes that. Additionally, Mr. Estes pointed out an oversight and amendment 0359 S in this amendment a new Section 5 creates the similar treatment Mr. Estes is seeking but inadvertently eliminates existing sections of RSA 207:36=A. The sections eliminated are 5, 6, and 7. He requested that the committee insert an amendment into RSA 207:36-A and retain section 5, 6, and 7.
- Senator Bradley also suggested that, as the prime sponsor indicates, the committee does not wish keep the underlying bill, that the committee redraft

the amendment as a replace all as opposed to an addition while making that numbering change to comply with the current law.

- Senator Watters asked if Representative Roy is okay with the amendment as a replace all. Mr. Bosse stated that based on Representative Roy's testimony, he did not object to using the bill as a vehicle for the amendment as he requested the committee to not carry the underlying bill.
- Senator Watters asked if the amendment has the language that he and Senator Bradley had previously worked on as a response to a previous bill about tree stands. Mr. Bosse stated that he believes that is true.

Representative Lang, Belknap-District 4

- HB 490 was amended by his committee in the House. Following the public hearing in the House, there was significant debate surrounding the written landowner permission. The concept was considering landowner privacy.
- Representative Lang offered an amendment to the bill that strikes section 2 of the bill which starts on line 17 and goes through line 29. This will eliminate the landowner permission. He would like the bill to move forward with the 10-hour rule as well as requiring people to have their names and contact information on the cameras.
- The 10-hour rule was developed to fix the current law that prohibits hunters from hunting on the same day as they receive a picture from their game camera. He believes that rule is too stringent as a hunter could receive a picture at 2 o'clock in the morning and not be able to hunt for the rest of the day.
- Senator Watters asked if Representative Lang would approve of Senator Bradley's amendment to the bill. Representative Lang stated that Colonel Jordan should take a look at it. To his understanding, what Senator Bradley's amendment does is already allowed. Tree stands can be set up on land without landowner permission as long as the do not penetrate or damage the tree. He also believes that hunters are required to label tree stands anyway.
- Senator Giuda asked how the 10-hour ban will be enforced. Representative Lang is a former law enforcement officer and stated that they would need a warrant to verify if the hunter received the picture and saw it before they hunted. It is a high hurdle for Fish and Game to meet, but it is possible.
- Senator Giuda asked if this would be applicable only to cameras that send images. Representative Lang stated that is correct. It is upon viewing the image. The original concern was with "couch hunters" who wait until they receive a picture and then run out to shoot the deer.

Robert Johnson, NH Farm Bureau

- Mr. Johnson expressed his support for the bill.

- The request for landowner permission was proposed by the Farm Bureau. They support the bill with section 2 as brought forth. They support landowner written permission because the cameras are surveillance devices. The farmers and landowners that he has spoken to are concerned about being unaware of cameras on their property that could be taking pictures of them.
- The landowner written permission requirement exists in Maine, Wisconsin, North Dakota, and Nevada during hunting season. Hunters should have to speak with landowners before putting the cameras up on their land.
- Technology is evolving constantly. There is now more opportunity for people to survey and keep track of whatever they see on the camera.
- Mr. Johnson shared a letter from a woman from Senate District 2. She is a supporter of hunting and owns 300 acres of land. Her concern is having surveillance devices on her property without her knowledge. They want to know where the cameras are posted and when they are there.
- The Farm Bureau supports requiring written permission for hunters to set up tree stands and game cameras. Currently, written permission is not required for tree stands if they do not damage the tree. He stated that he has yet to see a tree stand that does not damage a tree.
- They support the bill in the form that it came to the committee.
- Senator Gray asked if as the law currently stands, the only remedy for landowners would be to post the whole property as no trespassing. Mr. Johnson stated that is one way. He added that if a landowner calls Fish and Game they will remove a camera from the property. The Farm Bureau believes that the cameras should not be there in the first place without landowner permission. The bill as amended by the House required that Fish and Game take cameras down because there were concerns about conflict between landowners and the hunters. They are comfortable with the bill if it includes the written permission aspect. Perhaps a bigger issue is that landowners will post no trespassing on their land because of the game cameras. 10 years ago, there were no game cameras on Mr. Johnson's property, now there are numerous.
- Senator Gray asked if this could reduce the amount of land for hunting because landowners may begin posting no trespassing on their land. Mr. Johnson believes that it could result in landowners posting no trespassing on their land if they do not have the option of written permission. It is a reasonable request for landowners to know beforehand. The committee may hear testimony about hunters having trouble contacting the landowners for permission. If that is the case, then those folks will most likely not mind having a game camera on their land.

Colonel Jordan, Fish and Game

- Fish and Game is opposed to the bill as currently written. They like some aspects of the bill and they dislike other aspects.

- They are concerned that as technology advances it will degrade the principles of fair chase. It is not in the best interest of sportsmen and women and it is not in the best interest of the sport of hunting.
- They are concerned with cameras, drones, and firearms that can be fired without the person being present.
- The currently Fish and Game rule is that people cannot use live action cameras that send a live picture to harvest game within the same calendar day that they see the live image. Colonel Jordan also had concerns about the enforcement of that. They convicted three individuals a few days prior to the public hearing because they saw an animal on a game camera and they immediately went and found the animal. These things do happen contrary to the belief that a deer would not stay in front of the camera for long. They picked a whole calendar day because it would be easier for people to understand and easier to enforce. The bill when it was originally introduced was designed to repeal that rule and to allow live action game cameras to be used everywhere. They had concerns with that because they believe it undermines fair chase. They are trying to convince people who are opposed to hunting that they are doing it ethically and giving the animals the opportunity to escape. The cameras can be networked, and hunters can cover 5-10 acres if they wish and hunt that land without leaving their home.
- Fish and Game has respect for the Farm Bureau and understands that the majority of the land in the state is privately owned and they respect the concerns of landowners. Landowners and constituents are upset about this and it will likely result in landowners posting their land and therefore reducing available land for hunting.
- It is fair for a landowner to say they do not want people on their property with a camera taking pictures without their permission and knowledge.
- Fish and Game is going to support landowners.
- Regarding the amendment from Senator Bradley and Mr. Estes, the current law states that in order to put up a tree stand that would damage the property, they need written landowner permission. The concern that Mr. Estes has is that people will put up blinds or portable tree stands that do not require permits and then people leave them up after the season is over. There are some on his property that have been up for years. The amendment says that those tree stands need to be removed by the end of the year unless they have permission from the landowner. That is not a heavy lift for the sporting community, and they still will be able to put up a climbing tree stand if the amendment passes.
- Landowners calling Fish and Game to complain about the cameras is quickly becoming the most popular complaint at Fish and Game headquarters.
- Senator Watters asked what the status of the administrative rule is. Colonel Jordan stated that it is in existence and in effect. It is FIS-31204 which states that "no person shall use a live-action game camera to locate or surveil for the purposes of attempting to locate for a furbearing animal for the purpose of

taking or attempting to take during the open hunting season in the same calendar day as the picture is taken".

- Senator Watters asked if they would be able to by rule, establish that any image that came from a game camera cannot be broadcast or would we need a statute. Colonel Jordan stated that they could do it in rule but a statute has more authority. They did the live-action camera rule because it could be done quickly. 5 states have completely outlawed the use of live-action cameras during the open hunting season.
- Senator Watters asked if Colonel Jordan would like this to be a study committee or if Fish and Game is going to be working on this issue regardless. They could bring language for a new bill next January. Colonel Jordan said the most important issue is that there are major landowners who are not pleased and that should be addressed. He does not think that the bill does that. He does not have a problem with Mr. Estes amendment. The rest of the bill he opposes.
- Senator Watters asked if the requirement to put contact information on the tree stands. Colonel Jordan stated that is correct.

Kyle Baker, NH Wildlife Federation

- The NH Wildlife Federation is neutral on the bill.
- They are concerned that there should be a differentiation between live-action cameras and regular store-bought cameras that do not send live images. They look very similar and can be hard to differentiate.
- They are concerned about the hunting day language. The 10-hour period is confusing and could lead to conflict between sportsmen and Fish and Game Conservation Officers.
- Institutional investment landowners may be absent and there is no concrete way to contact them. They do not want to have anyone unintentionally violate the law if they are unable to get in contact.
- Regarding the amendment for tree stands. They are in support of it. If you are placing a camera or tree stand on a property you should have to put your contact information on it. This will protect property and allow property owners to contact people if they want them to remove cameras or tree stands.

Jason Parent

- Former state representative. When he was in the office he worked to ensure the rights of hunters so they could actively go on to unposted property. They secured attorneys fees for people who were unjustly accused of causing damage to someone's property. He is opposed to the bill as written.
- Currently, Fish and Game is in charge of creating rules that are imposed on hunters and sportsmen. This bill makes it very difficult to make adjustments if

we run into problems. Having Fish and Game use its rule making authority would be better and easier to change in the future. Requiring hunters to have contact information on their equipment is something that can be done through Fish and Game rules. It should stay with the commission.

- The amendment that requires people to remove their tree stands at the end of January is more difficult than people realize.
- There are only a few major landowners in the northern part of New Hampshire. One of them is the National Wildlife Refuge. There are hurdles that people must deal with to try and get written landowner permission. If hunters are required to put their name and contact information on a game camera and a landowner from the Farm Bureau finds it and says that they do not want to have it on their property, they are now on notice from that individual landowner and therefore would not be allowed to place a game camera on that property. There are absentee landowners who are very difficult to contact.
- It will be difficult for people to meet the 60-day time frame for removing all their equipment out of the woods. It is an unfair amount of time and it provides unfair constraints on the people.
- Getting written landowner permission will also burden landowners who will receive many requests to hunt on their land during the season. This would cause more posted property.
- There is no definition for "area", "same day", or "10 hours" in the bill. He asked if a deer walks by a camera at 6 o'clock in the morning, is it now protected from being harvested for the rest of the day from anyone who has that camera. The circumstances are too up to interpretation.
- Senator Watters stated that in 207:36-A it currently requires that written permission is granted from the landowner to put up a tree stand. This bill is making things easier for the hunters because they can get permission to keep their stands up for longer. Mr. Parent clarified that they do not need written permission if the stands do not damage the tree in any way.

Neil Pendleton

- Neil is a hunter and avid user of game cameras. He opposes the bill, and it was not made aware to them since the original bill permitted the use of game cameras. Now it does not. It essentially bans the use of game cameras.
- Contacting landowners is difficult. In some cases, hunters would need to contact close to 40 people for one section of woods depending on if many people own different acres of land. They would need to do this annually.
- Posted land would increase and be detrimental to hunting.
- There are many benefits to allowing cameras. Hunters can be more selective of what they harvest. Game cameras can be used for wildlife education purposes.
- Mr. Pendleton owns close to 80 game cameras.

- In the 15 years that Mr. Pendleton has been using game cameras, there has only been a handful of times where he has got a picture of a landowner or someone who was not intended. They are not surveillance cameras they are game cameras. They are trying to get pictures of wildlife, not people.
- The bill has gone way to far and the language needs clarification. "Received or viewed" is up to interpretation. The picture may be taken at 10 o'clock in the morning and not received until late on. Most pictures are delayed by a few minutes. There is a lot of confusion around this.
- He has used game cameras to help find his neighbors lost dog.
- There is a whole generation of hunters who rely on this technology.
- Game cameras are important for game management. By requiring written permission, it will restrict game cameras to the point of making it impossible to use them.
- This bill should not pass, and we should let Fish and Game use their rule making authority to address this.

Mike Guillemette

- Mr. Guillemette has a few cameras. Getting written permission from landowners who are out of state will be difficult. Many hunters are just passing through and it would be difficult for them to get permission and it will cause landowners to be bombarded with permission requests.
- There are many people now who are not hunters who use game cameras to monitor game on public and private land and those people probably do not even know about the bill.
- Mr. Guillemette opposes the bill. He knows a landowner whose land he hunts on. He sometimes sends the pictures from his game cameras to the landowner so they can see the wildlife. The landowner is happy to have him hunting on their land. It is educational for people to see the images.

Patrick Rivard

- Mr. Rivard is opposed to the bill as currently written.
- The bill puts a burden on hunters who have very little time to hunt during the season already. It is fair that landowners want to know who is putting recording devices on their property. However, we do not know how this will impact public land because some people will have difficulty seeking landowner permission. Many people rely on game cameras, and it is common practice with close to 60 percent of hunters in the state use them. we do not know how this will push people into other areas and how that will affect the wildlife in those areas. Public lands are already overused with the COVID-19 pandemic and the amount of people working from home.

- He asked the committee to look at the possible consequences of the bill relating to land use and animal movements.

Jake Trickett

- Mr. Trickett opposes the bill is a hunter and uses trail cameras to assist him in hunting. Hunters need to present themselves better to landowners.
- For Mr. Trickett, game cameras are a small part of hunting. Hunters still need to scout and figure out good places to put the cameras.
- His concern is that the bill will take away game cameras. It will hurt the hunting community.
- He respects private landowners, but there are many landowners whether be residents or private companies who do not live here and are hard to contact. He has tried to contact a landowner before but the man lives in Florida.
- Cameras tell hunters a lot. It shows how the animals communicate, where they eat, and where they bed. It also tells age structure as well as if the herd is healthy and if there is good offspring. It is a huge tool for hunters.
- Senator Giuda asked if requiring a flag or colored designator on the equipment would interfere with the hunt. Mr. Trickett said that it could because it is a foreign object and the animals can tell. He is supportive of requiring the equipment to have hunters names and contact information on it.

Jason Stock, NH Timberland Association

- NH Timberland Association supports the bill.
- Private land is private property. That means hunters are guests on people's land. The majority of hunters, birdwatchers, and others are respectful of land. This is creating policy for that small minority of people.
- They are in support of having names and contact information on the cameras and tree stands. Mr. Stock has spoken to many loggers who have collections of tree stands that they take down when they are logging. It will be helpful for loggers to know who to contact if they find a tree stand. They support putting this in statute.
- They believe that hunters should be communicating with landowners as a courtesy.
- Regarding the notion that it is difficult to contact landowners, he stated that if the tax bills can find them, then so can the hunters. Large institutional owners have land managers that they can contact that are usually locally based.
- Regarding written permission, if landowners are okay with cameras, they can put up a sign indicating so.
- They support Senator Bradley's amendment. Name and contact information should be on the tree stands.

Susan Price, Carroll County Fish and Game

- The commission opposes the bill as currently written as Colonel Jordan explained.
- The legislative committee at the commission will meet the following Tuesday to discuss this issue. They hope to present a position to the committee after the meeting. Currently, they oppose.
- She is a hunter and owns a game camera. The deer she took this year never appeared on her camera. She comes from a family of deer hunters, and they never had a shortage of venison when they hunted without the cameras. She stated that if you are a good hunter, you do not really need a game camera to be successful.

DF
Date Hearing Report completed: April 20, 2022

Speakers

Senate Energy & Natural Resources Committee
SIGN-IN SHEET

Date: 4/7/2022 **Time:** 9:30 a.m.

HB 490 AN ACT relative to the definition of "game camera" and "hunting day" and relative to the use of game cameras.

Name/Representing *(please print neatly)*

	Support	Oppose	Speaking?	Yes	No
Senator Reagan	☒	☐		☐	☒
Grant Bosse for Sen. Bradley	☑	☐		☒	☐
Kyle Baker NH Wildlife Federation	☐ x	☐		☒	☐
Jason Parent NNE outfitters	☐	☒		☒	☐
1021 Neil Pendleton	☐	☑		☑	☐
1026 Mike Guillemette	☐	☒		☒	☐
1029 Patrick Rivard	☐	☒		☒	☐
1032 Jake Trickett	☐	☒		☒	☐
1038 Jasen Stock NH Timberland owners Assoc.	☒	☐		☒	☐
Robert Johnson, II / NH Farm Bureau	☒	☐		☒	☐
Robert Clegg Self	☐	☑		☐	☑
Rep Tim Lang	☑ OTPA	☐		☑	☐
COLONEL KEVIN JORDAN	☐	☑		☑	☐
NICHOLAS JAMES VARGAS	☐	☒		☐	☒
Rep. Roy	☐	☒		☒	☐
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐

(2)

Senate Energy & Natural Resources Committee
SIGN-IN SHEET

Date: 4/7/2022 **Time:** 9:30 a.m.

HB 490 AN ACT relative to the definition of "game camera" and "hunting day" and relative to the use of game cameras.

Name/Representing *(please print neatly)*

X Matt Leahy - Forest Society	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
X Jeremy Martinson - Concord Business owner	Support ☐	Oppose ☑	Speaking?	Yes ☐	No ☑
X Sue Price F&G Commission	Support ☐	Oppose ☑	Speaking?	Yes ☐	No ☑
X Marty Mobley F&G Dept.	Support ☐	Oppose ☑	Speaking?	Yes ☐	No ☑
X Jake Trickett NH President	Support ☐	Oppose ☑	Speaking?	Yes ☐	No ☑
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

(3)

Senate Energy & Natural Resources Committee
SIGN-IN SHEET

Date: 4/7/2022 **Time:** 9:30 a.m.

HB 490 AN ACT relative to the definition of "game camera" and "hunting day" and relative to the use of game cameras.

Name/Representing *(please print neatly)*

1043 Susan Price Carroll Co. FG.	Support ☐	Oppose ☑	Speaking?	Yes ☑	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill HB490 on 2022-0

Support: 3 Oppose: 116

Name	Title	Representing	Position
LEMOINE, RONALD	A Member of the Public	Myself	Oppose
Cyr, PJ	A Member of the Public	Myself	Oppose
Richard, Gary	A Member of the Public	Myself	Oppose
Richardson, Diane	A Member of the Public	Myself	Oppose
Roberge, Ross	A Member of the Public	Myself	Oppose
St.Onge, Robert	A Member of the Public	Myself	Oppose
Silver, Michael	A Member of the Public	Myself	Oppose
Salvalzo, Joe	A Member of the Public	Myself	Oppose
Dutil, Jeremy	A Member of the Public	Myself	Oppose
Lyle, Jason	A Member of the Public	Myself	Oppose
Lyle, Carla	A Member of the Public	Myself	Oppose
Pendleton, Neil	A Member of the Public	Myself	Oppose
Kessler, Colby	A Member of the Public	Myself	Oppose
Archibald, Armand	A Member of the Public	Myself	Oppose
Tyler, David	A Member of the Public	Myself	Oppose
Trickett, Jake	A Member of the Public	Myself	Oppose
Tobine, Brian	A Member of the Public	Myself	Oppose
Dumont, Michel	A Member of the Public	Myself	Oppose
LOSO, Jeremy	A Member of the Public	Myself	Oppose
Miller, William	A Member of the Public	Myself	Oppose
Lemoine, Jeffrey	A Member of the Public	Myself	Oppose
Lyle, Robin	A Member of the Public	Myself	Oppose
Price, David	A Member of the Public	Myself	Oppose
Sykes, Brad	A Member of the Public	Myself	Oppose
Herman, Paul	A Member of the Public	Myself	Oppose
Roberge, Keith	A Member of the Public	Myself	Oppose
Michelson, Jason	A Member of the Public	Myself	Oppose
Schellong, Connor	A Member of the Public	Myself	Oppose
O'Brien, Brandon	A Member of the Public	Myself	Oppose
Amicangioli, Matthew	A Member of the Public	Myself	Oppose
O'Brien, Sean	A Member of the Public	Myself	Oppose
O'Brien, Hayley	A Member of the Public	Myself	Oppose
O'Brien, Joanne	A Member of the Public	Myself	Oppose
Hodges, Stephen	A Member of the Public	Myself	Oppose
MacBrien, Wayne	A Member of the Public	Myself	Oppose
Langlois, Brandon	A Member of the Public	Myself	Oppose
Heath, Carter	A Member of the Public	Myself	Oppose
Dumont, Michael	A Member of the Public	Myself	Oppose
Sharpe, Cathy	A Member of the Public	Myself	Oppose
Morse, Scott	A Member of the Public	Myself	Oppose
Tatro, Stanley	A Member of the Public	Myself	Oppose
Lamper, Alan	A Member of the Public	Myself	Oppose
Blais, James	A Member of the Public	Myself	Oppose
Blais, Christen	A Member of the Public	Myself	Oppose
BUTLER, CRAIG	A Member of the Public	Myself	Oppose
Gordon, Shae	A Member of the Public	Myself	Oppose
Jaros, Daniel	A Member of the Public	Myself	Oppose

Gaulin, Grace	A Member of the Public	Myself	Oppose
Chace, Joanna	A Member of the Public	Myself	Oppose
Hamel, Norman	A Member of the Public	Myself	Oppose
Cobb, Denise	A Member of the Public	Myself	Oppose
Dube, Richard	A Member of the Public	Myself	Oppose
Parks, Franklin	A Member of the Public	Myself	Oppose
Henderson, Garrett	A Member of the Public	Myself	Oppose
Morse, Sarah	A Member of the Public	Myself	Oppose
Gould, Kyle	A Member of the Public	Myself	Oppose
Clark, Jordan	A Member of the Public	Myself	Oppose
Osgood, Justin	A Member of the Public	Myself	Oppose
Martin, Justin	A Member of the Public	Myself	Oppose
Hartford, Adam	A Member of the Public	Myself	Oppose
Millard, Sarah	A Member of the Public	Myself	Support
Sokolowski, Michael	A Member of the Public	Myself	Oppose
Toepfer, Peter	A Member of the Public	Myself	Oppose
Greenslit, David	A Member of the Public	Myself	Oppose
Brobst, Ryan	A Member of the Public	Myself	Oppose
Kellom, Barry	A Member of the Public	Myself	Oppose
Hallahan, James	A Member of the Public	Myself	Oppose
Curtis, Daniel	A Member of the Public	Myself	Oppose
Lewis, Michael	A Member of the Public	Myself	Oppose
Malony, Patrick	A Member of the Public	Myself	Oppose
Hatt, Michael	A Member of the Public	Myself	Oppose
Williams, Brandon	A Member of the Public	Myself	Oppose
Hurteau, Lauren	A Member of the Public	Myself	Oppose
Graves, Peter	A Member of the Public	Myself	Oppose
Cameron, Joseph	A Member of the Public	Myself	Oppose
Brasier, Cody	A Member of the Public	Myself	Oppose
DeCamp, Travis	A Member of the Public	Myself	Oppose
Saunders, Wayne Saunders	A Member of the Public	Myself	Oppose
Bertrand, Albert	A Member of the Public	Myself	Oppose
SZUMIESZ, DANIEL	A Member of the Public	Myself	Oppose
Leborgne, Trevor	A Member of the Public	Myself	Oppose
Rice, Jason	A Member of the Public	Myself	Oppose
Micucci, Kevin	A Member of the Public	Myself	Oppose
Jones, Ethan	A Member of the Public	Myself	Oppose
Rush, Linda	A Member of the Public	Myself	Oppose
Graham, Joshua	A Member of the Public	Myself	Oppose
Eudenbach, Joseph	A Member of the Public	Myself	Oppose
Ward, Jeremy	A Member of the Public	Myself	Oppose
Rush, Daniel	A Member of the Public	Myself	Oppose
Noe, Angela	A Member of the Public	Myself	Oppose
Coburn, Bryan	A Member of the Public	Myself	Oppose
Savinsky, Tim	A Member of the Public	Myself	Oppose
Morin, Christopher	A Member of the Public	Myself	Oppose
Rackliff, Brandon	A Member of the Public	Myself	Oppose
Devost, Spencer	A Member of the Public	Myself	Oppose
Rivard, Jeffrey	A Member of the Public	Myself	Oppose
Rivard, Jeff	A Member of the Public	Myself	Oppose
Ayotte, Jason	A Member of the Public	Myself	Oppose
Rich, Amber	A Member of the Public	Myself	Oppose
Simard, Gregoire	A Member of the Public	Myself	Oppose
Parker, Shawn	A Member of the Public	Myself	Oppose
Hadcock, Greg	A Member of the Public	Myself	Oppose
Lacourse, Alexander	A Member of the Public	Myself	Oppose

Rush, Ricky	A Member of the Public	Myself	Oppose
Osgood, Zachary	A Member of the Public	Myself	Oppose
Mattson, Nicole	A Member of the Public	Myself	Oppose
Mattson, Daniel	A Member of the Public	Myself	Oppose
Lane, Aaron	A Member of the Public	Myself	Oppose
Plante, Kevin	A Member of the Public	Myself	Oppose
Deyarmin, Collin	A Member of the Public	Myself	Oppose
Moore, Scott	A Member of the Public	Myself	Oppose
Fife, Kathie	A Member of the Public	Myself	Support
Davis, Jazmin	A Member of the Public	Myself	Oppose
SAWTELLE, ERICK	A Member of the Public	Myself	Support
MacDonald, Mark	A Member of the Public	Myself	Oppose
Vaughn, Mike	A Member of the Public	Myself	Oppose
Slocum, Jonathan	A Member of the Public	Myself	Oppose
Dwire, Rebecca	A Member of the Public	Myself	Oppose
Pusey, William	A Member of the Public	Myself	Oppose

Testimony

LAW WITHOUT GOVERNOR'S SIGNATURE

JUNE 29, 2013

CHAPTER

382

PUBLIC LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND THIRTEEN

S.P. 354 - L.D. 1040

An Act To Prohibit the Placement of Cameras and Electronic Surveillance Equipment on Private Property without the Written Permission of the Landowner

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 33 MRSA c. 43 is enacted to read:

CHAPTER 43

PLACEMENT OF EQUIPMENT ON PRIVATE PROPERTY

§2001. Placement of cameras and electronic surveillance equipment on private property

1. Prohibition. A person may not place a camera or electronic surveillance equipment that records images or data of any kind while unattended outside on the private property of another without the written consent of the landowner, unless the placement is pursuant to a warrant.

2. Labeling. A person who places a camera or electronic surveillance equipment described in subsection 1 on the private property of another with the written consent of the landowner or pursuant to a warrant shall label the camera or electronic surveillance equipment with that person's name and contact information.

3. Remove or disable. A landowner may remove or disable a camera or electronic surveillance equipment placed on the landowner's private property in violation of this section.

4. Exceptions. This section does not prohibit the following:

A. The use of a camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

B. The use of implanted or attached electronic devices to identify, monitor and track animals.

5. Penalty. A person who violates this section commits a civil violation for which a fine of not more than $500 may be adjudged.

Mrs. John Lynch
195 Lynch Road
Hill, NH, 03243
March 15, 2022

To Rob Johnson
NHFB Policy Director
New Hampshire Farm Bureau
295 Sheep Davis Rd.
Concord, NH, 03301

Dear Mr. Johnson,

Reading yuoir February Legislative News in the Communicator made my day recently; it even made my week and my season!

I strongly support Farm Bureau's amendment HB 490, requiring written permission before placement of game cameras on the property of another. There are many reasons. Please be patient with my long explanation.

I manage one of the laragest tracts of open, unposted land in Hill; I did place it in a family trust. I have no wish to post it and enjoy sharing it with others. Most is in current use.

Here's the catch, as relates to hunting. I, too, have concerns about fair chase. Not only that, it's an invasion of privacy. Personal or family privacy no longer exists.

There's more. Some of us, including me, realize that various species do need to be thinned out occasionally but wish to encourage the harvest by experienced hunters who are familiar with the terrain and careful, and discreet enough to know how NOT to frighten or upset their prey.

We've had some wonderful skilled people who've hunted here for decades and have done good work. Now there seems to be a few newbies coming along who want it easy. They expect instant success through technology. I have one in particular who's become an absolute pest,

sometimes staying most of the day for 2 or 3 days in a row. He's done nothing legally wrong since his first visit when I had to chase his truck out of my hayfields!!! I'm not posted, and am in current use so it's been awkward to approach him about this

But I feel the permit to place cameras would allow me to better screen my hunters. He also uses wildlife photography as an excuse to be ever present.. None of the true wildlife photographers would behave the way he does. He can't even grasp the fact that his mere presence is upsetting the natural balance here and my creatuures have had to re-locate their trails because of him.

Thank you so much for your efforts. Good luck in the Senate. If they hold a hearing and you'd like a shorter letter on this or some input if I'm not tedding hay, please give me a call. It's 603-744-8860. I'm a very young 84 and can still swing a rolling pin if that's needed!

Warmly, Pat Lynch

aka Patricia J. Lynch, Trustee

Lynch Farm Family Trust in Hill, NH

(361.8 acres and I police them all thoroughly- nobody even tries me out anymore.)

Patricia J. Lynch

Senate Energy and Natural Resources
107 North Main Street,
Concord, NH 03301

April 4, 2022

Chairman Avard and Honorable Committee Members,

My name is Richard Estes, and I am a resident of Ossipee, NH. I am a land owner of 260 acres in Ossipee. This land is open to the public and we have availed this tract of land to hunting, fishing and other recreational pursuits for over 34 years. I am writing to express my support of House Bill 490 and more to the point I support amendment 0359S, which has been drafted by my Senate Representative, Senator Bradley. It is my understanding that House Bill 490 and amendment 0359S will be heard on April 7, 2022 by your committee.

We have 25 acres of our land in conservation easement with the New Hampshire Fish and Game Department. I found it curious that temporary tree stands or observation blinds that are erected on the conservation easement must be placed and removed by the owner by a date as per Administrative Rule Fis. 902.02 (9). However, on the rest of our acreage they can be erected and stay there indefinitely with no obligation by the owner to identify who it belongs to. Make no mistake there are numerous temporary tree stands or observation blinds on our land. Quite often these tree stands and observation blinds are often accompanied by "trail cameras". Our land is in current use and is classified as timberland. We manage it as timberland but because of my background we also manage our land with an eye toward wildlife management. Perhaps I should expand on my background by advising you that I worked as a Conservation Officer with the New Hampshire Fish and Game for almost 30 years. I then was a licensed guide in New Hampshire and Maine for 20+ years. I would like to think that I have a good understanding of the importance of sportsman/landowner relationships.

After a conversation with Senator Bradley about this disparity between how state managed land and private land is regulated, he drafted an amendment. That being amendment 0359S. Given that the House crafted a bill regulating "game cameras" and that bill, HB 490, is addressing the placement and use of "game cameras" on private land, it appears to me that while we are at it we should clarify what owners of temporary tree stands or observation blinds obligations to landowners should be. For the sake of clarity, I would agree that this amended section be added to RSA 207:36-a which reads:

207:36-a Use of Tree Stands, Observation Blinds, and Pit Blinds. –
I. No person shall erect, build or use a tree stand or observation blind on land of another person that damages or destroys a tree by inserting into the tree any metallic, ceramic, or other object used as part of a ladder or observation deck, without express written permission from the property owner or designee.
II. No person shall erect, build or use a pit blind on land of another person without express written permission from the property owner or designee.
III. No person shall cut any tree in connection with any of the activities regulated under this section without the express written permission of the property owner or designee.
IV. The permittee shall carry such permit on his person while in the field and shall be subject to inspection on demand of any conservation officer.
V. All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.

VI. Any person who violates any provision of this section shall be guilty of a violation and shall be liable for the amount of damage caused by the act, to be recovered by the property owner sustaining the damage.
VII. The executive director shall adopt rules, pursuant to RSA 541-A, relative to the form, issuance and filing of property owner permits for the tree stands, observation blinds and pit blinds.

Source. 1991, 144:1, eff. July 19, 1991.

I don't find this amendment to be unnecessarily restrictive to owners of temporary tree stands or observation blinds. I do find it to have the ability to foster good sportsman/landowner relationships. There are not enough State and Federal public lands in New Hampshire to insure our recreational users a future of having land to enjoy. Private land ownership is essential to the future of outdoor recreation in New Hampshire.

I would like to thank the committee on Energy and Natural Resources for considering this matter.

Respectfully Submitted



Richard A.Estes Jr.

Good Morning Mr. Chair & Members of the Committee,

I would like to thank Mr. Bosse for filling in for me today and presenting amendment 0359s to HB 490 as proposed by Rick Estes, my constituent from Ossipee. Mr. Estes is a former conservation officer and very knowledgeable about these issues.

He approached me about an amendment to HB 490 that would clarify removal of temporary tree stands and ensuring private lands are treated the same as lands managed by Fish and Game. Amendment 0359s accomplishes that. Attached to my testimony is the amendment and a letter from Mr. Estes that offers further explanation.

Additionally, Mr. Estes pointed out an oversight in amendment 0359s. In the amendment, a new section V creates the similar treatment Mr. Estes is seeking, but inadvertently eliminates existing sections of RSA 207:36-a. The sections eliminated are V, VI and VII. I would request that the Committee insert my amendment into RSA 207:36-a and retain sections V, VI and VII.

Thank you very much for your time and consideration of this amendment. Again, my thanks to Mr. Bosse for filling in for me today.

Jeb Bradley
NH Senate District 3

Daley Frenette

From: jeredutl <jeredutl@comcast.net>
Sent: Saturday, January 29, 2022 2:31 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: Trail camera bill HB 490

Hi Energy and Natural resources committee,

I am contacting you in regards of bill hb 490 to strongly oppose this bill and these are my reasons

207:63 Use of Game Cameras.
I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal, provided that no person shall take a game animal or fur-bearing animal within 10 hours of remotely viewing any image or video of that animal from a game camera in that area.

Nh is one of the toughest states on fair chase laws, in which I don't have many complaints! However, this is just ridiculous because whether you see any animal on camera even if cellularly transmitted to a person the odds of success only increase by a slim margin because there is never a guarantee it comes back within that 10hr window. But if it does then it's illegal to harvest thats just obsurd because then you are tying the hands of a hunter from managing the population say like in unit m or l where the state goal is to reduce populations to avoid road kill/ accidents, manage the health of a herd because of the carrying capacity of the enviroment, etc. In my opinion the only way a hunter should be limited is if a cellular camera was behind their dwelling because with instant upload features they can guarantee the harvest of that animal however the other issue with this is if the land is in the ownership of the hunter noone should have the power to manage his actions on his own property.

II.(a) No person shall place a game camera that records or transmits images or data of any kind while unattended outside on the private property of another without the written consent of the property owner, or the property owner has posted signage on his or her property allowing the placement of such camera as provided in this section.
(b) A person may permit the placement of a game camera by posting signs of durable material with any words describing the physical activity permitted, such as "Game Cameras Allowed," printed with block letters no less than 2 inches in height, and with the name and address of the owner or lessee of such property. Such signs shall posted at gates, bars, and commonly used entrances. This section shall not prevent any property owner from adding to the language required by this section.
(c) Any written permission granted by a property owner under this section shall expire on December 31 of each calendar year, unless earlier rescinded by the property owner or his or her designee.
III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.
IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

I am a private property owner in the state of NH in which I strongly disagree with this whole section. Very simple if a person doesn't want hunters, cameras, hikers, atv riders etc. just post their property. This bill will make the southern zones very difficult to manage population wise due to limiting availability of areas to hunt, many private landowners don't post their property which leaves it open to recreational use if you require steps for people to ask for written consent likehood most will say no because they don't believe in hunting practices or fear of liability if someone were to get hurt on their property. Sometimes out of sight out of mind is best. Plus there already rules in place to protect

people's property like no pruning limbs and brush, no use of screw in steps and so on. Let alone these land owners can then apply for the recreational use discount if there property falls into current use requirements with no checks and balances because now they will gain the ability to discourage the use of their property. As for labeling their equipment that is just aiding into hunter harassment either by the landowner, others using the property or other hunters who will act as if they own the land because it's a piece they have been hunting forever.

Game Cameras are one of the biggest contributors in monitoring our states species whether it be population, health, or age structure. This bill will negatively effect our states ability to set these goals do to inaccurate surveys. Please vote down this bill and leave our state the way it is!

Thank you for your time
Jeremy Dutil

Sent from my Verizon, Samsung Galaxy smartphone

Daley Frenette

From: Tricia Melillo
Sent: Tuesday, February 22, 2022 4:14 PM
To: Daley Frenette
Subject: FW: HB490

Just going through Senator Avard's old emails and thought you may want the testimony below.

Thank you,

Tricia

Tricia Melillo
Legislative Aide - Senator Kevin Avard (SD12) and Senator Bill Gannon (SD23)
Senate Election Law and Municipal Affairs
(603) 271-3077
tricia.melillo@leg.state.nh.us

From: ken@capitolcopy.com <ken@capitolcopy.com>
Sent: Monday, January 24, 2022 9:06 AM
To: Kevin Avard <Kevin.Avard@leg.state.nh.us>
Subject: HB490

Dear Senator Avard,

Below is my testimony Opposing HB490 which will be head in your committee.

My name is Kenneth Kreis, Sr. I am a former state rep that served with you in the House 2010-2012. I am also a friend of Rep. John Burt who told me he would also discuss an upcoming House Bill with you. I would like to take a few moments to discuss HB490 AN ACT relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras, and also mention that I would be very willing to discuss this in-person with you if you wish.
This particular piece of legislation is as they say 'not ready for prime time.' It affects several other laws on the books and does not make provision for them, nor does it recognize their effect on this proposal.
Outdoor Recreation is a huge part of NH's economy. This recreation depends on the willingness of landowners to open their lands and trails.
Unlike other parts of the country where either much of the land is either owned by the government or is presumed posted unless permission is obtained, most New Hampshire landowners share their land with others where the land is open for pedestrian traffic and traditional recreation unless it is posted. This is just part of our culture.
'Game Cameras' have been allowed for use in New Hampshire for several years and when used correctly save the individual both time and money – something this proposal would certainly change.
'Game Cameras' are also 'security cameras' in use by the non-hunting public and while this proposal is designed to reach that end, there is also a portion that would make unintended changes to uses by the non-hunting public. While this may be able to be amended further it would be my testimony that it should be ITL'd and allowed to be reconstructed taking into consideration all aspects of camera use.

Under 207:63 Use of Game Cameras.
I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal, provided that no person

shall take a game animal or fur-bearing animal within 10 hours of remotely viewing any image or video of that animal from a game camera in that area.
This section is directed at the use of cellular cameras, however it does not limit it to cell cameras, but 'game cameras' how does one remotely view a pic from a stationary camera? It can't be done.
II. (a) No person shall place a game camera that records or transmits images or data of any kind while unattended outside on the private property of another without the written consent of the property owner, or the property owner has posted signage on his or her property allowing the placement of such camera as provided in this section.
Under current New Hampshire law any property not prohibiting trespass is open to trespass. People can walk, hike take pictures, camp or pretty much do whatever they want to as long as the property is not posted against trespass. Under Fish & Game law individuals can place tree stands for hunting, set up blinds for hunting without landowner permission. They don't even have to know who the landowner is for them to hunt that property. This proposal would place an undo burden on both landowner and participant by making it required to obtain written landowner permission. Additionally, this new wording allows for the landowner to post signage allowing the placement of cameras – this in of itself would cause the landowner an expenditure which may result in them closing their property to trespass for any reason. It is actions like this that compel landowners to post their property. It also sends a ripple effect through the entire landowner community where they now evaluate exposures for themselves when someone is on their property.
(b) A person may permit the placement of a game camera by posting signs of durable material with any words describing the physical activity permitted, such as "Game Cameras Allowed," printed with block letters no less than 2 inches in height, and with the name and address of the owner or lessee of such property. Such signs shall posted at gates, bars, and commonly used entrances. This section shall not prevent any property owner from adding to the language required by this section.
This is covered above.
V. This section shall not prohibit:
(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked
This section is even more troubling than the rest. As previously mentioned 'game cameras' are also used as security cameras, many of them have camouflage covering which allow them to go undetected and therefore are use in surveliance of out buildings, storage containers and so on. As an example; I have a 40' box trailer that I use for storage located on the property of another, I also have game cameras placed on that property along the driveway into the area as well as at the storage trailer site – this portion would make my security cameras illegal as it only allows for temporarily parked motor vehicle.
I ask that you ITL this proposed legislation.

Respectfully,

Kenneth Kreis, Sr.
532 Loudon Ridge Road
Loudon, NH 03307

Daley Frenette

From:	Joan O'Brien <joanlobrien@yahoo.com>
Sent:	Friday, February 25, 2022 11:51 PM
To:	Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; daley.frenette@leg.state.nh.u
Cc:	Joan OBrien
Subject:	Opposition to House Bill 490

Dear Chairman Avard and Members of the Senate Energy and Natural Resources Committee,

I am writing to ask that the committee oppose **House Bill 490**, permitting the use of live-action game cameras.

Using cameras to surveil wildlife in real time from the comfort of one's home or truck does not support the ethic of fair chase.

As it is, hunting in NH has been steadily moving away from fair chase as quicker, easier methods — such as bait, lures, and calling devices — grow in popularity. Add technology to the mix, and the woods of New Hampshire become a real, live video game where wildlife doesn't stand a chance.

I have attended Fish and Game Commission meetings where this bill was discussed, and the Commissioners are also uneasy about the prospect of live-action cameras. Along with a general distaste for the advantage cameras would provide, enforcement is a major concern for the Commission and law enforcement.

These same concerns are reflected in the House Fish and Game and Marine Resources Committee Minority report (HC p. 34), pasted below:

***

Vote 14-7. Rep. Cathryn Harvey for the Minority of Fish and Game and Marine Resources. This bill as amended would
permit the use of live action game cameras while hunting. The minority believes that permitting such devices, sometimes several on one landowner's property, could be **impossible to regulate**. There was testimony suggesting that **enforcement of the regulations set forth in the bill would be extremely difficult**. More importantly, the minority further believes that using live action cameras to locate animals for a hunter to harvest, even with the time delay, **does not support fair chase hunting**.

***

Thank you for your consideration.

Joan O'Brien
Amherst, NH

Daley Frenette

From: Ronlemoine1 <ronlemoine1@aol.com>
Sent: Sunday, April 3, 2022 6:58 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: Oppose HB 490

Dear Senators,
I am writing to you today to express my opposition of HB 490. This bill seeks to regulate the use of motion activated cameras on private land as well as any of these cameras that communicate with the owners in real time.
NH Fish and Game, the entity that will be asked to police this issue is on the record as opposed. For the last few years American citizens have been asked to "trust the science", "follow the data", and "listen to the experts". Why would we scrap those sentiments in this instance? Furthermore, why would we break traditions and our typical order of creating Fish and Game laws though the Commission by having the legislature create laws that do not allow for the flexibility of the Commission in conjunction with the experts? To me, this is a dangerous precedent that could lead to further laws which will erode the rights of sportsman.
If the experts in the Fish and Game commission see the need to regulate game cameras based on the data, let them utilize their existing authority to adjust the laws.
Thank you for your time.
Gratefully,

Ronald Lemoine Jr
143 Howard St
Berlin NH 03570

Daley Frenette

From: Diane Richardson <workingclasscanine@msn.com>
Sent: Sunday, April 3, 2022 7:51 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: Hb490

Dear committee

I sent this email to the chairs awhile ago but sending it to you all again
HB490 the game camera bill which would require permission slips from land owners is headed to your hearings 4/7

Based upon house testimony I am assuming this bill will also pass your committee

I'd like to suggest an amendment to the bill if you are at all interested

I would simply like to add
"Property enrolled in the Recreational Current use tax category shall be exempt from the written permission requirement"

Reason being, is that we are able to put up tree stands and blinds on such properties (in fact on any unposted land) without being required to get permission.
Recreational current use lands must remain open for recreation by law. They may however restrict wheeled vehicles or at a for example

You may not be interested in my idea, but I thought it worth a shot because getting written permission from these large tract absentee landowners is going to be a nightmare and they have their property in CU-R intentionally to leave it open for all forms of recreation including hunting in exchange for the added tax discount

Thank you

Diane Richardson
Springfield

Diane
Workingclasscanine@msn.com

Daley Frenette

From: Paul Herman <paul.herman@myfairpoint.net>
Sent: Monday, April 4, 2022 2:17 PM
To: Kevin Avard
Subject: Re: HB490

Dear Senators,
I am writing to you today to express my **opposition of HB 490.** This bill seeks to regulate the use of motion activated cameras on private land
as well as any of these cameras that communicate with the owners in real time.
NH Fish and Game, the entity that will be asked to police this issue is on the record as opposed. For the last few years American citizens
have been asked to "trust the science", "follow the data", and "listen to the experts". Why would we scrap those sentiments in this instance?
Furthermore, why would we break traditions and our typical order of creating Fish and Game laws though the Commission by having the legislature
create laws that do not allow for the flexibility of the Commission in conjunction with the experts? To me, this is a dangerous precedent that
could lead to further laws which will erode the rights of sportsman.
If the experts in the Fish and Game commission see the need to regulate game cameras based on the data, let them utilize their existing authority
to adjust the laws.

Thank you for your time.
Gratefully,

Paul Herman
450 Main Street
Gorham, NH 03581

Daley Frenette

From: Gary R. <garyr3531@gmail.com>
Sent: Monday, April 4, 2022 2:42 PM
To: Daley Frenette
Subject: Re: Link not working

Thank you-
This is the mail I was trying to send to the Senate Energy & Natural Resources Committee:

Dear Senators,
I am writing to you today to express my opposition of HB 490. This bill seeks to regulate the use of motion activated cameras on private land as well as any of these cameras that communicate with the owners in real time.
NH Fish and Game, the entity that will be asked to police this issue is on the record as opposed. For the last few years American citizens have been asked to "trust the science", "follow the data", and most relevant to this particular piece of legislation "listen to the experts". Why would we scrap those sentiments in this instance? Furthermore, why would we break traditions and our typical order of creating Fish and Game laws through the Commission by having the legislature create laws that do not allow for the flexibility of the Commission in conjunction with the experts? To me, this is a dangerous precedent that could lead to further laws which will erode the rights of sportsman.
If the experts in the Fish and Game commission see the need to regulate game cameras based on the data, let them utilize their existing authority to adjust the laws.
Thank you for your time.
Gratefully,

Gary Richard
162 Denmark St
Berlin NH 03570

Sent from my iPhone

> On Apr 4, 2022, at 8:20 AM, Daley Frenette <daley.frenette@leg.state.nh.us> wrote:
> Good morning Gary,
>
> You may send me any message you would like the Committee members to receive and I will make sure they see it.
>
> Daley Frenette
> Legislative Aide to Senator Bob Giuda
> Legislative Aide to the Senate Energy & Natural Resources Committee
> Phone: (603) 271-3042
> E-mail: daley.frenette@leg.state.nh.us
>
> -----Original Message-----
> From: Gary R. <garyr3531@gmail.com>
> Sent: Sunday, April 3, 2022 8:31 PM
> To: Daley Frenette <daley.frenette@leg.state.nh.us>
> Subject: Link not working
>
> The "email all committee members" link is not working.
>
> Sent from my iPhone

Daley Frenette

From: ken@capitolcopy.com
Sent: Wednesday, April 6, 2022 7:54 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: HB 490 Opposition

Dear Senators,
I am writing to you today to voice my opposition to HB490
AN ACT permitting the use of live-action game cameras.
SPONSORS: Rep. Roy, Rock. 32; Rep. Spillane, Rock. 2; Sen. Reagan, Dist 17
COMMITTEE: Fish and Game and Marine Resources

As a former state representative I understand the difficulty you have when a previous committee doesn't do it due diligence to understand and create verbiage to make a proposal better. I am very sorry that I have work related commitments at the time when the committee will be hearing this bill. Please accept this as my testimony in opposition to HB490.

HB490 as introduced would have defined 'Hunting Day' and provided for a time period which was not defined in the rules when NH F&G created the rules for cellular game cameras. This in itself would have been acceptable and supported.

However additional wording which was added requiring written landowner consent, or landowner posted signage creates additional issues which I believe will cause land to be closed to hunting purposes. New Hampshire has had a very long tradition of hunting on private property as long as that parcel in not posted against trespass.

Additional wording of II. (a) creates concerns when a landowner puts in writing permission to enter their property.
II.(a) No person shall place a game camera that records or transmits images or data of any kind while unattended outside on the private property of another without the written consent of the property owner, or the property owner has posted signage on his or her property allowing the placement of such camera as provided in this section.
(b) A person may permit the placement of a game camera by posting signs of durable material with any words describing the physical activity permitted, such as "Game Cameras Allowed," printed with block letters no less than 2 inches in height, and with the name and address of the owner or lessee of such property. Such signs shall posted at gates, bars, and commonly used entrances. This section shall not prevent any property owner from adding to the language required by this section.
(c) Any written permission granted by a property owner under this section shall expire on December 31 of each calendar year, unless earlier rescinded by the property owner or his or her designee.
We understand that 508:14 Landowner Liability Limited. –

I. An owner, occupant, or lessee of land, including the state or any political subdivision, who without charge permits any person to use land for recreational purposes or as a spectator of recreational activity, shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage.

II. Any individual, corporation, or other nonprofit legal entity, or any individual who performs services for a nonprofit entity, that constructs, maintains, or improves trails for public recreational use shall not be liable for personal injury or property damage in the absence of gross negligence or willful or wanton misconduct.

III. An owner of land who permits another person to gather the produce of the land under pick-your-own or cut-your-own arrangements, provided said person is not an employee of the landowner and notwithstanding that the person picking or cutting the produce may make remuneration for the produce to the landowner, shall not be liable for personal injury or property damage to any person in the absence of willful, wanton, or reckless conduct by such owner.

In speaking with an attorney it is my understanding that this could create liability especially for those landowners who receive Current Use tax breaks on their properties, and would most certainly create the need for civil lawsuits in the event of an injury – this will cause many to close their properties to trespass.

Additionally, Section V. This section shall not prohibit:
(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or What about monitoring out buildings etc., or storage buildings on the property of another? I spoke with a current state rep who during last campaign season had several of his roadside signs stolen, he stated to me that he would be placing game cameras in those areas to see if he can get pics of the culprits – according to the HB490 proposal, this would be an illegal act.

I know that you have and will be hearing from many on this proposal and I am almost certain that additional amendments will be coming forward – given that amount of updating it would be my opinion that this bill is not ready for primetime and should be studied to make all the corrections necessary or killed completely, then worked on and reintroduced with something that can garner support.

Please feel free to contact me with any questions you may have.

Please ITL.

Respectfully

Hon. Kenneth Kreis, Sr
2010-2011

Daley Frenette

From: Walter Lacey <waltlacey2@gmail.com>
Sent: Wednesday, April 6, 2022 10:19 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: Fwd: HB 490

Begin forwarded message:

From: Walter Lacey <waltlacey2@gmail.com>
Subject: HB 490
Date: April 6, 2022 at 10:11:17 AM EDT
To: Bob.Giuda@leg.state.nh.us

Dear Committee Members:

I own several hundred acres of woodland in the Keene/Swanzey/Chesterfield area. I believe very strongly in traditional uses of the land and hunting is one of them. Although not a hunter myself, I allow hunting on 100% of my land and can't foresee changing that. That being said, I feel very strongly that equipment of any kind (tree stand, camera, blind, etc) left on or attached to private property should be required to have the owner's name and contact information on it. I also believe that permission should be required when leaving such gear on private property. These requirements would be mutually beneficial in establishing a hunter/landowner dialog, including placement, privacy concerns and the return of lost equipment. In recent years I have had two nice red oak trees damaged by abandoned tree stands. A week or so ago I finally cut down another tree stand and camera before damage was done. I had spent months trying to contact the owner by attaching my contact info to the equipment. Last fall I communicated my frustrations to NH Fish & Game, Dan Bergeron, in particular, and he mentioned future rule making, which I believe this is.

It seems high time to have a simple, sensible solution to what should be a matter of common courtesy!

Sincerely,

Walter Lacey

230 Daniels Hill Road
Keene, NH 03431
603-352-2292 or 617-413-5712 (cel)

Daley Frenette

From: James Spillane <james@jamesspillane.org>
Sent: Wednesday, April 6, 2022 11:49 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: HB490 from a co-sponsor

Good morning, Senators,

As a co-sponsor of the original bill HB490 I am asking you to amend or kill the current language as amended (with good intentions) by the House.
This bill has immense unexpected consequences as amended, introducing a requirement for written landowner permission far above anything ever required in NH to date.
The bill was amended to address concerns of privacy by landowners in situations where someone may place game cameras within view of a residence to watch the inhabitants.
Currently written landowner permission is only required for:

* Bait sites
* Cutting, trimming, or puncturing the bark of a tree when installing a tree stand
* Discharging a bow or firearm within 300 feet of a permanently occupied dwelling.

Should you want to protect the privacy concerns regarding game cameras that precipitated the current language, I would strongly suggest amending the bill to match the discharge of bow or firearm, by prohibiting the placement of game cameras within 300 feet of a permanently occupied dwelling without written permission. 300 feet is plenty far enough to prevent invasion of privacy, and it does not create a new requirement for hunting under the law in the state.

Otherwise, please kill the bill entirely.

Sincerely,

--
NH Representative James Spillane
Rockingham 2
Deerfield, Candia, Nottingham

Daley Frenette

From: Daley Frenette
Sent: Wednesday, April 6, 2022 2:28 PM
To: avardsenate@gmail.com; James Gray; Rebecca Perkins Kwoka; David Watters
Cc: Cameron Lapine; Shannon Girard; Tricia Melillo
Subject: FW: HB490 Please Read It's Urgent, Concerned Sportsman

Good afternoon,

Please see this testimony that was submitted to me for the committee regarding HB 490.

Daley Frenette
Legislative Aide to Senator Bob Giuda
Legislative Aide to the Senate Energy & Natural Resources Committee
Phone: (603) 271-3042
E-mail: daley.frenette@leg.state.nh.us

From: Neil Pendleton <napendleton@hotmail.com>
Sent: Tuesday, April 5, 2022 8:01 AM
To: Daley Frenette <daley.frenette@leg.state.nh.us>
Subject: HB490 Please Read It's Urgent, Concerned Sportsman

Neil Pendleton

(207)-322-3182

napendleton@hotmail.com

4/5/2022

Dear committee,

I would like to offer my vast knowledge, expertise, and experiences with game cameras in regards to the upcoming HB490 bill. This Thursday, April 7th at 9:30am your committee meets to make a big decision. I am in the highest percentile of experience with game cameras you will find in New Hampshire. I have been featured in hunting magazine articles, gone on numerous local and national hunting podcast, spoken at hunting expos, and a Big Woods Bucks team member. If you Google search "Hunting New Hampshire" and select to view "Images" the most popular and very first image to appear is of me and a deer from my 2015 season, the buck pictured was taken with the assistance of using game cameras. Please contact me and use me as resource. Don't hesitate to pick up the phone and call me.

This is without a doubt one of, if not the biggest and potentially most upsetting decision that has ever affected the New Hampshire hunting community. I only just recently became aware of bill HB490 and can guarantee the overwhelming majority of hunters aren't aware of it either. I assure you had I been aware of this bill sooner I would have been reacting from the beginning to make you, proponents, and even the casual observer aware of the far reaching results the

changes to this law will have. It is funny that in the age of information that the very information that personally affects us can so easily pass by. You, the senate committee members are now the only thing standing in the way of upsetting the majority of the hunting community. Let me be clear it is not the goals of the bill that I disagree with but part of the method of achieving them. My issue is with the second change of HB490, the one requiring written permission from the property owner before placing a game camera on private property.

Game cameras are one of the best tools to experienced and new hunters. For many hunters game cameras allow us to easily share the images and experiences with others. We can share these images with hunters, non-hunters, family, friends, and perhaps most importantly, land owners. These images help inspire, motivate, and encourage the viewers to participate in the outdoors and to recognize the beauty of the land most people so often just drive past.

Fast paced modern life doesn't allow for the old ways of hunting to be as approachable for the vast majority of people. Few people can afford the time commitment that game cameras directly reduce. A hunter without game cameras is left to decide between their family, friends, and work and the large time commitment that is required to pursue their passion.

Another aspect of game cameras that is often ill-understood is the effect they have on conservation efforts. Hunters can be more selective in a variety of ways, whether it be to manage for older animals and more mature animals, or balance populations and overall make better and more educated hunting decisions. These are not new understandings of game cameras either, as early as 2015[i] game cameras have been recognized as an important tool for conservation and wildlife management. Even as recently as 2021[ii] game cameras have been recognized again for their benefit. To oppose the use of game cameras for hunting implicitly opposes the use of game cameras for educational and academic use as well.

Furthermore, cameras allow hunters to spend less time in a particular area, reducing stress on wildlife, landowners, and recreational users of the same tracts of land. Hunters can spread out and expand to new areas more easily instead concentrating more time in fewer spots. Hunters, like all of us, are limited on time and game cameras help them observe and learn more about wildlife in an area in the least intrusive, most efficient way.

As far as the changes we can expect to see, they will be numerous and far reaching. Obtaining written permission from many land owners will be difficult and once again very time consuming. This in effect will create a barrier of entry that discriminates against those without the financial stability to cover the cost of the time that is required. A huge appeal of being a sportsman in New Hampshire is not having to worry about property lines, boundaries, or obtaining written permission. Many areas of the country have different views and laws towards hunting, but our history and values have always been such to not restrict and this bill starts to undermine that value of common use. The obstacle of written permission deters many hunters, whether they be shy, young or just inexperienced. Fears of discrimination is an unfortunate hurdle for some to overcome before they can find the courage to ask permission. Concerns arise when land owners are approached about written permission because they feel if permission is required first there must be negative stigma associated. The barrier created by requiring written permission would go far beyond that just of simply knocking on a door and having a friendly conversation and happily obtaining permission.

Finally, I want to focus on a concern that HB490 attempts to address. It is one that many residents of New Hampshire, along with myself, hold dear. That issue is privacy. I can say without a moments hesitation that I value my privacy as an inalienable right. The issue comes to what extent do we let privacy reign over our other values. I believe we already have the answer for this within our rules and regulations and that the step to ensure privacy does not need to be as dramatic. By state law (RSA 207:3-a), *"a hunter (or anyone else, for that matter) shall not discharge a firearm or bow and arrow within 300 feet of a permanently occupied dwelling without the landowner's permission"*. It seems to me, that the simple addition of, *"shall not discharge a firearm or bow and arrow or set up game cameras..."* totally alleviates all the previous issues I have raised with this bill. Furthermore the New Hampshire Fishing & Game Department already has guidelines[iii] for hunting near developed recreational and trails.*"Hunters are advised not to discharge firearms within 150 feet of trails or within 300 feet of any developed recreation area..."*. Once again the laws and rules we have now are sufficient, only requiring and update for modern methods.

- To summarize, I hope you agree that requiring written permission is a at best a needless obstacle and an unnecessary change. It is a dangerous precedent to set when it comes to regulations pertaining to hunting. If the standard of written permission is set than further regulations for many things such as tree stands and blinds run the risk of meeting a similar fate. Our rules might require a small update, but our values should be timeless.

Please take action to oppose this bill, or at least limit the dramatic effect such a challenge to our values will have.

Thank you,

Neil Pendleton of Nashua

ihttps://agrilifecdn.tamu.edu/feralhogs/files/2011/09/Potentialuseofwildgamecamera.pdf

iihttps://www.sciencedaily.com/releases/2021/03/210324094716.htm

iiihttps://www.nh.gov/nhdfl/documents/hunting_nh_state_lands_faq_02.pdf

Daley Frenette

From: brandonreed@burnellarchitects.com
Sent: Wednesday, April 6, 2022 4:05 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: HB940

I would just like to express my opposition to the House Bill 940 as it pertains to written permission for trail camera use on private property. I am 100% against this bill.

I seek permission each time I set foot on someone's land and each year that gets harder and harder as no one is required to accurately post or provide contact information on those signs. Even unposted land is difficult to track down a land owner that is in state or willing to speak with you.

Thank You
Brandon Reed

Daley Frenette

From: duckslayer@metrocast.net
Sent: Wednesday, April 6, 2022 8:55 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: HB 490 (Cell cam Bill)

Dear Committee member, I just learned of this bill this evening and I am quite taken back by it. I wished I had more time to research this and discuss it with you, but being time is short on this, as it goes to committee tomorrow, I would like to share my thoughts. First, I think this is the work of anti-hunters. NH has enjoyed a rich hunting heritage involving many generations being able to enjoy others' private land in the pursuit of recreation, hunting and fishing. I'm not sure why the use of cell cameras would suddenly become the ire of landowners-I'm pretty sure something else is at play here. Secondly, if landowners are truly that disturbed by the placement of cell cameras on their properties, they are most likely against others using their property in pursuit of recreation, hunting and fishing. And if that is the case, they have probably already posted their property, thus making this law another frivolous law. Thirdly, obtaining permission from some of these property owners will likely be difficult as they are owned by large corporations, businesses, trusts, absentee owners- making finding the
person(s) in charge of the properties difficult to locate. And lastly, how is the NH Fish and Game Department going to keep track of what I can only imagine will be a burdensome amount of paperwork and permits? This is going to create a huge amount of work.

I don't feel this law is a good idea, given NH's long history of open lands, it is going to be burdensome to manage and enforce and there are other ways landowners can deal with cameras on their property if the cameras are so offending to them. I'm not against landowners rights, but there are ways to deal with this other than making more laws.

Thank You for your time and attention,
Scott Moore

Daley Frenette

From: Christopher Stoner <stoner.christopher@gmail.com>
Sent: Monday, April 11, 2022 2:39 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: NH HB 490

Distinguished Members of the Senate Energy and Natural Resources Committee,

I'm writing to indicate my vehement opposition to HB 490, the so-called "Trail Cam Bill". This bill illustrates the fact that certain legislation can be beneficial to some parts of the state (i.e. suburban Rockingham, Hillsborough and Strafford counties), but damaging to more rural parts of the state in the west and north. Like many parts of rural New Hampshire, here in Cheshire county we rely on large tracts of private land (often owned by timber companies) for hunting opportunities. A bill such as this not only strips us of a low-cost and effective way of scouting big woods but it's also nearly impossible to enforce. I understand that landowners of suburban tracts of woods in southeastern New Hampshire want to protect their own hunting spots that they pay for and pay taxes on, but you're completely ignoring hunters in Cheshire, Sullivan, Grafton, Coos and Carroll counties. This bill doesn't harm the wealthy landowners, it harms the "little guys".

So here is a suggestion -- if you do want this bill to go through in some form, maybe make it specific to certain counties, much like the shotgun-only areas for deer hunting. This would ensure that suburban landowners in the southeast are protected from unwanted hunting pressure and those of us sportsmen who live in rural counties aren't unnecessarily harmed in the process.

Sincerely,
Chris Stoner
Chesterfield, NH

Daley Frenette

From: ronlemoine1 <ronlemoine1@aol.com>
Sent: Wednesday, April 13, 2022 9:41 PM
To: Bob Giuda; Daley Frenette; David Watters; James Gray; Kevin Avard; Rebecca Perkins Kwoka
Subject: NDA Releases Official Position Statement on Trail-Camera Use - NDA

https://shar.es/aWMLSe

Please consider the attached article in reference to game camera use and please vote ITL HB 490.

Thank you

Ronald Lemoine Jr
143 Howard St.
Berlin NH 03570

Sent using ShareThis

Sent from my U.S. Cellular® Smartphone

Daley Frenette

From: taylor beaudry <tmbeaudry@hotmail.com>
Sent: Tuesday, April 26, 2022 12:06 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Daley Frenette
Subject: HB 490

Dear Senators,

I'm writing in opposition to HB 490. Specifically needing written permission to place game cameras. I believe if passed it would infringe on the freedoms granite staters have enjoyed and respected for many years. I feel it would only hurt the honest sportsman, be difficult to enforce, and because of that dishonest hunters would take advantage of that so, ultimately the law would only hurt law abiding citizens.

I would be in support of an amendment that required camera owners to put contact information on or next to cameras. Much like many people do for tree stands.

Thank you for taking the time to read this. I hope you contemplate my concerns when debating and voting on HB 490

Sincerely,
Taylor Beaudry

14 Lower Main St
Sunapee, NH 03782

Contact number: 540 471 3580

Daley Frenette

From: Daley Frenette
Sent: Thursday, May 5, 2022 9:11 AM
To: David Watters; James Gray; Kevin Avard; Rebecca Perkins Kwoka
Cc: Cameron Lapine; Shannon Girard; Tricia Melillo
Subject: FW: HB490

Good morning,

Please see the below message from a citizen who opposes HB 490. The bill will be heard on the Senate floor today and the original message was sent to the Senate Judiciary Committee.

Daley Frenette
Legislative Aide to Senator Bob Giuda
Legislative Aide to the Senate Energy & Natural Resources Committee
Phone: (603) 271-3042
E-mail: daley.frenette@leg.state.nh.us

From: Jennifer Horgan <jennifer.horgan@leg.state.nh.us>
Sent: Thursday, May 5, 2022 9:07 AM
To: Daley Frenette <daley.frenette@leg.state.nh.us>
Subject: FW: HB490

Hey Daley,

I think this was meant for Energy!

Jennifer C. Horgan
NH State Senate
Legislative Office Building
Room 5
Concord, NH 03301
(603) 271-7875

From: Richard Barry <richard.barry.6179@gmail.com>
Sent: Thursday, May 5, 2022 6:47 AM
To: Becky Whitley <Becky.Whitley@leg.state.nh.us>; Harold French <Harold.French@leg.state.nh.us>; Jay Kahn <Jay.Kahn@leg.state.nh.us>; Jennifer Horgan <jennifer.horgan@leg.state.nh.us>; Sharon Carson <Sharon.Carson@leg.state.nh.us>; William Gannon <William.Gannon@leg.state.nh.us>
Subject: HB490

Good morning,
Please remove and oppose amendment 2022-1807s.
This change is not only unnecessary but will create more havoc for law abiding gun owners in our state. It is also patently anti second amendment.

Thank you.

Voting Sheets

Senate Energy & Natural Resources Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # HB 490

Hearing Date: 4/7/22

Executive Session Date: 4/26/22

Motion of: OTP **Vote:**

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☑	☐	☐	☐	☐
Sen. Giuda, Vice Chair	☑	☐	☐	☐	☐
Sen. Gray	☑	☐	☐	☐	☐
Sen. Watters	☑	☐	☑	☐	☐
Sen. Perkins Kwoka	☑	☑	☐	☐	☐

Motion of: Committee amendment **Vote:**

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☐	☐	☐	☑	☐
Sen. Giuda, Vice Chair	☐	☐	☐	☑	☐
Sen. Gray	☐	☐	☑	☑	☐
Sen. Watters	☐	☑	☐	☑	☐
Sen. Perkins Kwoka	☐	☐	☐	☑	☐

Motion of: OTP/A **Vote:**

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☑	☐	☐	☑	☐
Sen. Giuda, Vice Chair	☐	☐	☐	☐	☐
Sen. Gray	☐	☑	☐	☑	☐
Sen. Watters	☐	☐	☑	☐	☐
Sen. Perkins Kwoka	☐	☐	☐	☑	☐

Motion of: ~~Consent~~ **Vote:**

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☑	☐	☐	☐	☐
Sen. Giuda, Vice Chair	☑	☑	☐	☐	☐
Sen. Gray	☑	☐	☐	☐	☐
Sen. Watters	☑	☐	☐	☐	☐
Sen. Perkins Kwoka	☑	☐	☐	☐	☐

Reported out by: ~~Chair~~ Avard

Notes:

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, April 26, 2022

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 490**

AN ACT relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1807s

Senator Kevin Avard
For the Committee

Daley Frenette 271-3042

ENERGY AND NATURAL RESOURCES

HB 490, relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.

Ought to Pass with Amendment, Vote 5-0.

Senator Kevin Avard for the committee.

General Court of New Hampshire - Bill Status System

Docket of HB490

Docket Abbreviations

Bill Title: (Second New Title) relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, relative to the use of temporary tree stands or observation blinds, and relative to the definition of "firearm."

Official Docket of **HB490.**:

Date	Body	Description
1/11/2021	H	**Introduced** (in recess of) 01/06/2021 and referred to Fish and Game and Marine Resources **HJ 2** P. 50
1/21/2021	H	Public Hearing: 02/01/2021 10:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94410519799 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
1/21/2021	H	Subcommittee Work Session: 02/01/2021 01:30 pm Remote info same as above
2/8/2021	H	Retained in Committee
4/21/2021	H	Full Committee Work Session: 04/28/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/97783276704
8/17/2021	H	==ROOM CHANGE== Subcommittee Work Session: 09/15/2021 10:00 am LOB 210-211
9/22/2021	H	Executive Session: 09/22/2021 09:00 am LOB 307
11/1/2021	H	Majority Committee Report: Ought to Pass with Amendment **#2021-2140h** NT 10/05/2021 (Vote 14-7; RC) **HC 48** P. 34
11/1/2021	H	Minority Committee Report: Inexpedient to Legislate HB490 10/05/2021 (Vote 14-7; RC)
1/9/2022	H	Amendment **#2021-2140h**: AA VV 01/06/2022 **HJ 1**
1/9/2022	H	**Ought to Pass with Amendment** : MA DV 195-159 01/06/2022 **HJ 1**
1/18/2022	S	Introduced 01/05/2022 and Referred to Energy and Natural Resources; **SJ 2**
3/31/2022	S	**Hearing:** 04/07/2022, Room 103, SH, 09:30 am; **SC 14**
4/26/2022	S	Committee Report: Ought to Pass with Amendment **#2022-1807s**, 05/05/2022; **SC 18**
5/5/2022	S	Committee Amendment **#2022-1807s**, **RC** 17Y-7N, AA; 05/05/2022; **SJ 11**
5/5/2022	S	Sen. Giuda Floor Amendment **#2022-1924s**, **RC** 10Y-14N, AF; 05/05/2022; **SJ 11**
5/5/2022	S	**Ought to Pass with Amendment** 2022-1807s, MA, VV; OT3rdg; 05/05/2022; **SJ 11**
5/10/2022	H	House Non-Concurs with Senate Amendment 2022-1807s and Requests CofC (Reps. Lang, Khan, Roy, Egan): MA VV 05/05/2022 **HJ 12**
5/12/2022	S	Sen. Avard Accedes to House Request for Committee of Conference, MA, VV; 05/12/2022; **SJ 12**
5/12/2022	S	President Appoints: Senators Avard, Giuda, Watters; 05/12/2022; **SJ 12**
5/18/2022	H	Conference Committee Meeting: 05/18/2022 09:00 am LOB 305-307
5/23/2022	S	Conference Committee Report; Not Signed Off; **SJ 13**

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 490 **Senate Committee:** Ener57

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

___ Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

X - amendment # 14295 X - amendment # 03675 X 13564

X - amendment # 17765 X - amendment # 17775 X 03595

X 18075

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

X - amendment # 1924 ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

X as amended by the senate ___ as amended by the house

___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Dale 6/24/22

Committee Aide **Date**

Senate Clerk's Office AL