SB 17 - AS INTRODUCED

2023 SESSION

23-0761
04/08

SENATE BILL ***17***

AN ACT establishing a gifts and donations account within the fish and game fund.

SPONSORS: Sen. Lang, Dist 2; Sen. Carson, Dist 14; Sen. Innis, Dist 7; Sen. Avard, Dist 12; Sen. Murphy, Dist 16; Sen. Pearl, Dist 17; Sen. Abbas, Dist 22; Rep. Bogert, Belk. 5; Rep. Coker, Belk. 2

COMMITTEE: Ways and Means

ANALYSIS

This bill provides that gifts, grants, and donations to the nongame species management fund shall not require the approval of the fish and game commission or the governor and council.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
23-0761
04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT establishing a gifts and donations account within the fish and game fund.

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

1 Fish and Game Fund; Gifts and Donations. Amend RSA 206:33-a, III to read as follows:

III. This section shall not apply to gifts, grants, bequests, or donations received pursuant to RSA 206:33-c ***or RSA 212-B:6***.

2 New Paragraph; Nongame Species Management Fund; Exception. Amend RSA 212-B:6 by inserting after paragraph II the following new paragraph:

III. Gifts, grants, bequests, or donations made to this account shall not require consent or approval of the fish and game commission nor the governor or governor and council.

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

CONSENT CALENDAR

April 26, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Ways and Means to which was referred SB 17,

AN ACT establishing a gifts and donations account within the fish and game fund. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Fred Plett

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Ways and Means**
Bill Number:	**SB 17**
Title:	**establishing a gifts and donations account within the fish and game fund.**
Date:	**April 26, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This bill provides that gifts, grants, and donations to the nongame species management fund shall not require the approval of the Fish and Game Commission or the Governor and Council. The amounts are very small. The committee found this bill to be a way to eliminate useless steps.

Vote 20-0.

Rep. Fred Plett
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Ways and Means

SB 17, establishing a gifts and donations account within the fish and game fund. **OUGHT TO PASS.**

Rep. Fred Plett for Ways and Means. This bill provides that gifts, grants, and donations to the nongame species management fund shall not require the approval of the Fish and Game Commission or the Governor and Council. The amounts are very small. The committee found this bill to be a way to eliminate useless steps. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: SB 17 Date: 4/18/23

Committee: Ways and Means

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

Name	Address	Phone	Representing	Pro	Con
Rep Steven Bogert				X	
Marty Mobley			Fish & Game	X	
Matt Leahy			Forest Society	X	

HOUSE COMMITTEE ON WAYS AND MEANS

PUBLIC HEARING ON SB 17

BILL TITLE: **establishing a gifts and donations account within the fish and game fund.**

DATE: **April 18, 2023**

LOB ROOM: **202-204** **Time Public Hearing Called to Order:** **1:05 p.m.**

Time Adjourned: **1:17 p.m.**

Committee Members: Reps. L. Sanborn, Janigian, Plett, Ulery, Doucette, Spilsbury, Aures, Rochefort, Almy, Ames, Malloy, Schamberg, Fellows, Bolton, Elberger and Leapley

Bill Sponsors:

Sen. Lang	**Sen. Carson**	**Sen. Innis**
Sen. Avard	**Sen. Murphy**	**Sen. Pearl**
Sen. Abbas	**Rep. Bogert**	**Rep. Coker**

TESTIMONY

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

Senator Tim Lang. The proposal will allow non-game funding to avoid acceptance by Governor and Council or Fish and Game.

Rep. Almy – Disclosure – She gifts this fund. She had no idea it went through the Governor and Council. Are there other exemptions? Yes.

*Mike Marchand – Responsible for non-game. Since 1985. Supports SB17. Dedicated account.
Plett – Why only Non-Game? Why not game donations? No answer. History.

Rep. Malloy – When something is expended from this fund, do you have a process? Answer – budget goes through budget process. If you contract out above a certain amount, goes through Governor and Council. Can you use this money to get matching grants from Federal or private sources? Yes.

Respectfully submitted,

Rep. Fred Plett, Clerk

House Remote Testify

Ways and Means Committee Testify List for Bill SB17 on 2023-04-18

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

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Hatfield, Meredith	Concord, NH meredith.hatfield@tnc.org	A Lobbyist	The Nature Conservancy NH	Support	No	No	4/18/2023 1:01 PM

New Hampshire
Fish and Game Department

11 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Website: www.WildNH.com

TDD Access: Relay NH 1-800-735-2964
Fax: (603) 271-1438
Email: info@wildlife.nh.gov

Scott R. Mason
Executive Director

New Hampshire Fish and Game Department
Testimony in **support of SB17** relative to gifts and donations within the fish and game fund
House Ways and Means Committee
April 18, 2023

Good afternoon House Ways and Means Committee Members,

My name is Mike Marchand and I serve as the supervisor of the Nongame and Endangered Wildlife Program for the New Hampshire Fish and Game Department. I'm here representing the Fish and Game Department and Commission in **support of SB17**, an act that provides that gifts, grants, and donations to the nongame species management fund shall not require the approval of the fish and game commission or the governor and council.

The Fish and Game Department supports this bill because:

- In the Nongame Species Management Act, the legislature finds and declares that: Native wildlife constitutes an invaluable natural resource with ecological, scientific, educational, historical, recreational, economic, and aesthetic values to the citizens of New Hampshire and that it shall be the policy of the state to maintain and manage this resource for future generations. The Nongame Program has responsibility for those species not hunted, fished, or trapped which includes 80% of the vertebrate species found in New Hampshire as well as thousands of species of invertebrates.

- New Hampshire's Nongame and Endangered Wildlife Program has been highly successful and represents significant benefit to the state and its people by keeping common species common, by recovering highly valued species such as Bald Eagles, Ospreys, and American Martens, and coordinating with the public and partners on statewide efforts through the development and implementation of the NH Wildlife Action Plan.

- The Nongame Program has a unique funding structure within state government that depends on donations and the Act was established with the understanding that donations would be necessary for the Program to succeed. The Nongame Program does not receive revenue generated from the sale of fishing and hunting licenses. Donations are critical for the various conservation programs conducted by the Nongame Program including species monitoring, management, research, education, and technical assistance to private landowners. The donations also provide critical necessary matching funds for state and federal grants.

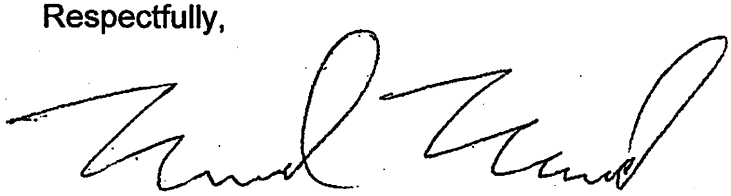
- The Nongame Species Management Act is a dedicated account with a legislative directive to seek donations from the public in order to receive state matching funds and achieve legislative identified purposes. As such, it has been the long-standing interpretation of the Department that donations to the Nongame Program didn't require additional approvals of the NHFG Commission and G&C. **The proposed bill seeks to clarify the donation approval procedures and align with those in place for several other existing NHFG programs (e.g., RSA 206:33-c) that receive donations to implement the Department's mission without further approvals.**

- New Hampshire's citizenry places a high value on the state's nongame program as reflected by annual donations exceeding $100,000/yr received by the Department and **over 4,500 annual donors**. We are extremely grateful for all the support the Nongame Program has received over the years. **SB17 will streamline the Nongame Program's procedures for accepting donations from the public and maximize the value of those donations and timeliness of applying those donations to their intended purposes.**

- Finally, a growing portion of the Program's donors are shifting to annual contributions through financial and charitable organizations and have expressed concern about their personal donations needing additional annual approvals, in some cases following their passing as identified in a will.

Thank you for your time and consideration.

Respectfully,



Michael Marchand
Nongame & Endangered Wildlife Program

HOUSE COMMITTEE ON WAYS AND MEANS

EXECUTIVE SESSION on SB 17

BILL TITLE: establishing a gifts and donations account within the fish and game fund.

DATE: April 26, 2023

LOB ROOM: 202-204

MOTIONS: OUGHT TO PASS

Moved by Rep. Plett Seconded by Rep. Elberger Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Fred Plett, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2023 9:55:04 AM
Roll Call Committee Registers Report

2023 SESSION

Ways and Means

Bill #: SB 17 Motion: _____ AM #: _____ Exec Session Date: 1/26/23

Members	YEAS	Nays	NV
Sanborn, Laurie J. Chairman	20		
Janigian, John C. Vice Chairman	✓		
Ulery, Jordan G.	2		
Doucette, Fred G.	3		
Spilsbury, Walter	4		
Plett, Fred R. Clerk	5		
~~Hynes~~, Dan Notter, James	6		
Soti, Julius F.	7		
Aures, Cyril Nicholas	8		
Rochefort, David	9		
Almy, Susan W.	10		
Ames, Richard	11		
Southworth, Thomas L.	12		
Malloy, Dennis J.	13		
Schamberg, Thomas C. Hakken Phillips, Mary	14		
Fellows, Sallie D.	15		
Bolton, Bill R	16		
Elberger, Susan A	17		
~~Leapley, Nicole M~~ Lloyd, Christal	18		
~~Smith, Geoffrey~~ Springhorn, Terry	19		
TOTAL VOTE:	20	0	