CONSENT CALENDAR

April 4, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Fish and Game and Marine Resources to which was referred SB 18,

AN ACT relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Jeffrey Goley

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Fish and Game and Marine Resources**
Bill Number:	**SB 18**
Title:	**relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission.**
Date:	**April 4, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This was a request of the Fish and Game Department to make NH law consistent with federal law by allowing someone to purchase an electronic duck stamp online and hunt for up to 45 days before being required to physically carry the stamp when hunting. The second part of the bill references RSA 644:13, the statute relative to the discharge of a firearm within 300 feet of a compact area, in RSA 214:19, giving the department the authority to suspend a hunting license should an infraction occur.

Vote 11-0.

Rep. Jeffrey Goley
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Fish and Game and Marine Resources

SB 18, relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission. **OUGHT TO PASS.**

Rep. Jeffrey Goley for Fish and Game and Marine Resources. This was a request of the Fish and Game Department to make NH law consistent with federal law by allowing someone to purchase an electronic duck stamp online and hunt for up to 45 days before being required to physically carry the stamp when hunting. The second part of the bill references RSA 644:13, the statute relative to the discharge of a firearm within 300 feet of a compact area, in RSA 214:19, giving the department the authority to suspend a hunting license should an infraction occur. **Vote 11-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON FISH AND GAME AND MARINE RESOURCES

EXECUTIVE SESSION on SB 18

BILL TITLE: relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission.

DATE: April 4, 2023

LOB ROOM: 305-307

MOTIONS: OUGHT TO PASS

Moved by Rep. Goley Seconded by Rep. Pare Vote: 11-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Carroll Brown, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2023 SESSION

2/28/2023 11:52:09 AM
Roll Call Committee Registers Report

Fish and Game and Marine Resources

Bill #: SB 18 Motion: OTP AM #: _____ Exec Session Date: 4-4-23

Members	YEAS	Nays	NV
Spillane, James A. Chairman	11		
Goley, Jeffrey P. Vice Chairman	1		
Khan, Aboul B.	2		
Smith, Jonathan H.	3		
Kofalt, Jim Absent			
Tudor, Paul D. Abs			
Bartlett, Benjamin T Abs			
Brown, Carroll M Clerk	4		
Corcoran, Travis J Abs			
Nutting, Zachary J Abs			
Ouellet, Mike	5		
Harvey, Cathryn A. Abs			
Read, Ellen D. Abs			
Ford, Damond T Abs			
Foxx, Loren E	6		
Ming, Ben	7		
Morton, Jennifer	8		
Paige, David	9		
Pare, Gail L	10		
Roesener, James Leon Abs.			
TOTAL VOTE:	11	0	

HOUSE COMMITTEE ON FISH AND GAME AND MARINE RESOURCES

PUBLIC HEARING ON SB 18

BILL TITLE: **relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission.**

DATE: **April 4, 2023**

LOB ROOM: **305-307** **Time Public Hearing Called to Order:** **10:15 a.m.**

Time Adjourned: **10:21 a.m.**

Committee Members: Reps. Spillane, Goley, C. Brown, Khan, Jonathan Smith, Kofalt, Tudor, Bartlett, Corcoran, Z. Nutting, Ouellet, C. Harvey, Read, D. Ford, L. Foxx, Ming, Morton, D. Paige, Pare and Roesener

Bill Sponsors:

Sen. Lang	**Sen. Innis**	**Sen. Pearl**
Sen. Abbas	**Rep. Spillane**	**Rep. Moffett**

TESTIMONY

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

- **Senator Lang: Introducing Bill** - This is a "housekeeping" bill that does 2 things. 1. It allows for electronic confirmation of a duck stamp in lieu of waiting for the actual physical stamp. This allows consistency between the Federal process which allows electronic stamp and NH process. The Bill also takes into consideration the lengthy time that it takes between the purchase of the stamp and receipt by the hunter. 2. This cleans up existing statute. It includes unlawful discharge of firearm in compact urban area governed by RSA644:13 as grounds for suspension of a license issued by Fish and Game. The intent is to create consistency between violation of RSA 207:3-A. which prohibits discharge within 300' of house and violation results in suspension and revocation. However, the same violation in RSA 644:13 that does not result in suspension. This change needed so that the rules can be made consistent for inclusion in the application of the penalty.
- **Major Dave Walsh: Fish and Game; Asst Chief of Law Enforcement** - This is a "housekeeping" bill. Waterfowl hunters in NH currently must buy a Federal duck stamp. NH law currently requires that the hunter has that on their person; however the Feds now sell on line provide electronic confirmation to prove that you purchased. This bill allows an electronic confirmation to be on the hunter's person. NH does NOT allow an e-copy of a duck stamp at this time. Second part of the bill covers discharge of firearm in compact zone. Currently there is no ability to remove a license of someone who shoots within a compact zone, a playground for example. This cleans up the suspension of hunting license for discharge while hunting in an urban compact zone.
    - **Q; Rep Brown:** Should 207:3A firearm discharge within 300'. Why is that not referenced in bill? **A:** They have ability to suspend for that violation but they are instances where a hunter might not violate that, but still be within a compact zone. FU: Therefore, it doesn't need to be referenced in this bill? **A:** It does not.
    - **Q: Chair Spillane:** I understand that a hunter needs to print signature across duck stamp to make it valid, similar to cancellation mark. In stamp collection unsigned stamps are worth more. Does this allow a hunter to take a stamp without a signature to save this as a more valuable item? Has Federal government changed regulation for signing the stamps? **A:** The e-copy is good for 45 days, then the

version comes in the mail and must be signed. This bill is for the last-minute hunter applying for license.

- **Q: Rep Smith :** If hunting in a compact zone, but WITH permission this is legal? **A:** Correct. However, only the Chief of police in that city or town can give this permission. **FU**: A landowner cannot give permission in compact zone, only Chief of Police? **A:** Correct.

Respectfully submitted,
Rep. Carroll Brown, Clerk

House Remote Testify

Fish and Game and Marine Resources Committee Testify List for Bill SB18 on 2023-04-04

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

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Foss, Carol	Concord, NH cfoss@nhaudubon.org	A Lobbyist	NH Audubon	Support	No	No	4/3/2023 9:22 AM
HALLOCK, LINDA	CORNISH, NH lindash@mail.com	A Member of the Public	Myself	Oppose	No	No	4/3/2023 6:25 PM

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # SB 18 Date APRIL 4, 2023

Committee Fish + Game

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
David Walsh			F&G	✓	

(1)

New Hampshire
Fish and Game Department

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

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

Glenn Normandeau
Executive Director

New Hampshire Fish and Game Department
Testimony in support to SB 18 relative to purchase of duck stamps and the suspension/revocation of a hunting license.

House Fish and Game and Marine Resources Committee
April 4, 2023

Mr. Chairman and members of the Committee, my name is Dave Walsh, Major with the Fish and Game Department's Law Enforcement Division. I am here in support of SB 18.

This bill is essentially a "housekeeping measure".

The first part of this bill deals with what NH will accept in regards to the mandatory Federal Duck Stamp required of all waterfowl hunters across the United States. Currently our state law requires a hunter to physically have the stamp on their person. The Federal law also required this until recently. The US Fish and Wildlife Service now allows the Federal Duck Stamp to be purchased online and will mail out the stamp. Hunters will get an electronic certificate with a unique identifier. SB 18 would allow NH to accept this electronic certificate for the first 45 days or until the physical stamp is received by the hunter.

The second part of the bill creates consistency with violations involving the discharge of firearms while hunting in and around housing developments and near dwellings. Currently RSA 214:19 allows the Executive Director to suspend the hunting/fishing/trapping privileges of anyone convicted of a violation of Title 18 (F&G laws), or RSA's 163-B (Littering), and RSA 635:2 (Criminal Trespass) if the person involved is also hunting/fishing/trapping. SB 18 will add RSA 644:13 (Unauthorized Use of Firearms) for any person who discharges a firearm while hunting in a Compact part of any city or town. Currently there is no hunting license suspension for one convicted of discharging a firearm while hunting in a Compact part of a city of town.

RSA 644:13, II (b): " Compact part " means the territory within a town or city comprised of the following:

> *(1) Any nonresidential, commercial building, including, but not limited to, industrial, educational, or medical buildings, plus a perimeter 300 feet wide around all such buildings without permission of the owner.*
> *(2) Any park, playground, or other outdoor public gathering place designated by the legislative body of the city or town.*
> *(3) Any contiguous area containing 6 or more buildings which are used as either part-time or permanent dwellings and the spaces between them where each such building is within 300 feet of at least one of the others, plus a perimeter 300 feet wide around all the buildings in such area.*

SB 18 - AS INTRODUCED

2023 SESSION

23-0762
04/08

SENATE BILL ***18***

AN ACT relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission.

SPONSORS: Sen. Lang, Dist 2; Sen. Innis, Dist 7; Sen. Pearl, Dist 17; Sen. Abbas, Dist 22; Rep. Spillane, Rock. 2; Rep. Moffett, Merr. 4

COMMITTEE: Ways and Means

ANALYSIS

This bill permits evidence of the purchase of an electronic duck stamp to legally take migratory waterfowl and adds a conviction for unauthorized use of a firearm as grounds for suspension or revocation of a hunting, fishing, or trapping license.

- -

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

23-0762
04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission.

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

1 Game Birds; Taking; Federal Duck Stamp Required. Amend RSA 209:6, II to read as follows:

II. No person who has attained the age of 16 years shall take any migratory waterfowl (brant, wild ducks, geese and swans) unless at the time of such taking he ***or she*** has on [~~his~~] ***their*** person an unexpired federal migratory bird stamp (commonly called a duck stamp) validated by his ***or her*** signature written across the face of said stamp in ink***, or confirmation of an electronic migratory bird hunting and conservation stamp, purchased within the previous 45 days***. A person who has not attained the age of 16 years is not required to have a duck stamp. Said duck stamp shall be required in addition to a valid New Hampshire hunting license obtained pursuant to RSA 214:1. Regulations promulgated under the Federal Migratory Bird Hunting Stamp Act of 1934 are hereby made a part of the game law of the state.

2 Hunting, Fishing, and Trapping; Revocation or Suspension for Conviction. Amend RSA 214:19, I to read as follows:

I. The executive director may revoke or suspend the license of any person who has been found guilty in any court of a violation of any provision of this title or any rule or regulation of the executive director, or who has been found guilty in a [~~municipal or district~~] ***superior or district division of a circuit*** court of a violation of RSA 163-B [~~or~~]***,*** RSA 635:2***, or RSA 644:13***. Such revocation or suspension shall not continue for more than one year from the date thereof, except for a conviction under RSA 208:8, in which case the revocation or suspension may be for a period not to exceed 5 years, or except for a conviction under RSA 208:1-a, in which case the revocation or suspension may be for a period not to exceed 2 years.

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