LEGISLATIVE COMMITTEE MINUTES

SB18

Bill as Introduced

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

CHAPTER 50
SB 18 - FINAL VERSION

2023 SESSION

23-0762
04/08

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CHAPTER 50
SB 18 - FINAL VERSION

23-0762
04/08

STATE OF NEW HAMPSHIRE

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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:

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50:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 01, 2023
Effective Date: July 31, 2023

Committee Minutes

SENATE CALENDAR NOTICE
Ways and Means

Sen Timothy Lang, Chair
Sen Lou D'Allesandro, Vice Chair
Sen Keith Murphy, Member
Sen Daniel Innis, Member
Sen Cindy Rosenwald, Member

Date: January 12, 2023

HEARINGS

Wednesday	01/18/2023
(Day)	(Date)

Ways and Means	State House 100	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	**SB 19-FN**	relative to bingo dates.
9:15 a.m.	**SB 20-FN**	relative to keno license applications and fees.
9:30 a.m.	**SB 17**	establishing a gifts and donations account within the fish and game fund.
9:45 a.m.	**SB 18**	relative to the purchase of duck stamps and the suspension or revocation of a license issued by the fish and game commission.
10:00 a.m.	**SB 51-FN**	creating a commission to study charitable gaming and historical horse races and relative to the moratorium on licensed historical horse racing facilities.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 19-FN

Sen. Avard	Sen. Rosenwald	Sen. Gannon	Sen. Carson
Sen. Watters	Sen. Innis	Sen. Soucy	Sen. Birdsell
Sen. Murphy	Sen. Lang	Sen. Pearl	

SB 20-FN

Sen. Lang	Sen. Gannon	Sen. Innis	Sen. Birdsell
Sen. Pearl	Sen. Abbas	Rep. Moffett	

SB 17

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

SB 18

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

SB 51-FN

Sen. Lang	Sen. D'Allesandro	Sen. Pearl	Rep. Moffett

Sonja Caldwell 271-2117

Timothy Lang
Chairman

Senate Ways and Means Committee

Sonja Caldwell 271-2117

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

Hearing Date: January 18, 2023

Members of the Committee Present: Senators Lang, Murphy and Innis

Members of the Committee Absent : Senators D'Allesandro and Rosenwald

Bill 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.

Sponsors:

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

Who supports the bill: Sen. Lang, Major Dave Walsh (NH Fish & Game), Marty Mobley (Fish & Game), Sen. Innis

Who opposes the bill: no one

Who is neutral on the bill: no one

Summary of testimony presented in support:

Sen. Lang

- He filed this bill on behalf of the Fish and Game Department. The bill allows for an electronic duck stamp as compared to a physical piece of paper one must obtain from the department.
- This will allow an individual to purchase a duck stamp online and have access to it the same day with no time lag as compared to needing to obtain a physical piece of paper.
- Through JLCAR, an inconsistency was found between RSA 644:13 and RSA 207:3-a. The statutes have to do with discharging a firearm within 300 feet of a compact area. The conflict lies in whether doing so is grounds for suspension of one's fish and game license.
- The goal of this bill is to make the two laws consistent such that if one does discharge a firearm within 300 feet of a compact area, one's fish and game license could be suspended.

Major Dave Walsh - Fish and Game Law Enforcement Division

- This bill is a housekeeping measure. The federal government changed their law so that you no longer need a duck stamp physically on you. This changes New Hampshire's law to make

it consistent with federal law and make it easier for hunters to get a duck stamp online. Currently, if someone discharges a firearm in a compact area there is no suspension.

sc
Date Hearing Report completed: January 19, 2023

Speakers

SENATE WAYS & MEANS COMMITTEE

Date 01/18/23 Time 9:45 a.m. Public Hearing on **SB18**

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

Please check box(es) that apply.

SPEAKING	FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
☒	☒	☐	Sen Lang	Dist #3
☒	☒	☐	Major Dave Welsh	NH F & G
☐	☒	☐	Marty Mobley	Fish & Game
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Senate Remote Testify

Ways and Means Committee Testify List for Bill SB18 on 2023-01-18

Support: 2 Oppose: 0

Name	Title	Representing	Position
Lang, Senator Tim	An Elected Official	Senate District 2	Support
Innis, Senator Dan	An Elected Official	SD7	Support

Testimony

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.

Senate Ways and Means Committee
January 18, 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.*

Voting Sheets

Senate Ways & Means Committee

EXECUTIVE SESSION RECORD

2023-2024 Session

Bill # SB18

Hearing date: 1-18-23

Executive Session date: _____

Motion of: OTP **Vote:** 3-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Lang, Chair	☐	☐	☐	☑	☐
Sen. D'Allesandro, VC	☐	☐	☐	☐	☐
Sen. Murphy	☐	☑	☐	☑	☐
Sen. Innis	☐	☐	☑	☑	☐
Sen. Rosenwald	☐	☐	☐	☐	☐

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Lang, Chair	☐	☐	☐	☐	☐
Sen. D'Allesandro VC	☐	☐	☐	☐	☐
Sen. Murphy	☐	☐	☐	☐	☐
Sen. Innis	☐	☐	☐	☐	☐
Sen. Rosenwald	☐	☐	☐	☐	☐

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Lang, Chair	☐	☐	☐	☐	☐
Sen. D'Allesandro, VC	☐	☐	☐	☐	☐
Sen. Murphy	☐	☐	☐	☐	☐
Sen. Innis	☐	☐	☐	☐	☐
Sen. Rosenwald	☐	☐	☐	☐	☐

Reported out by: Lang

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Wednesday, January 18, 2023

THE COMMITTEE ON Ways and Means

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, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 3-0

Senator Timothy Lang
For the Committee

Sonja Caldwell 271-2117

General Court of New Hampshire - Bill Status System

Docket of SB18

Docket Abbreviations

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

Official Docket of **SB18.**:

Date	Body	Description
1/5/2023	S	**Introduced** 01/05/2023 and Referred to Ways and Means; **SJ 4**
1/12/2023	S	**Hearing:** 01/18/2023, Room 100, SH, 09:45 am; **SC 6**
1/18/2023	S	Committee Report: Ought to Pass, 01/26/2023; **SC 7**
1/26/2023	S	**Ought to Pass:** MA, VV; OT3rdg; 01/26/2023; **SJ 5**
3/20/2023	H	Introduced (in recess of) 03/16/2023 and referred to Fish and Game and Marine Resources
3/24/2023	H	Public Hearing: 04/04/2023 10:15 am LOB 305-307
4/13/2023	H	Executive Session: 04/04/2023 10:15 am LOB 305-307
4/13/2023	H	Committee Report: Ought to Pass 04/04/2023 **(Vote 11-0; CC)**
5/4/2023	H	**Ought to Pass:** MA VV 05/04/2023 **HJ 13** P. 14
5/23/2023	H	Enrolled (in recess of) 05/18/2023 **HJ 14**
5/23/2023	S	Enrolled Adopted, VV, (In recess 05/18/2023); **SJ 16**
6/2/2023	S	Signed by the Governor on 06/01/2023; Chapter 0050; Effective 07/31/2023

NH House	NH Senate

SB18

Bill Details

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

Sponsors: *(Prime)* Lang (r), Innis (R), Pearl (r), Abbas (r), Spillane (R), Moffett (R)

LSR Number: **23-0762**
General Status: **SIGNED BY GOVERNOR**
Chapter Number: **50**
House:
Committee: Fish and Game and Marine Resources
Due Out: 6/1/2023
Status: PASSED/ADOPTED
Senate:
Committee: Ways and Means
Floor Date: 1/26/2023
Status: PASSED/ADOPTED

Body	Description
S	Introduced 01/05/2023 and Referred to Ways and Means; **SJ 4**
S	Hearing: 01/18/2023, Room 100, SH, 09:45 am; **SC 6**
S	Committee Report: Ought to Pass, 01/26/2023; **SC 7**
S	Ought to Pass: MA, VV; OT3rdg; 01/26/2023; **SJ 5**
H	Introduced (in recess of) 03/16/2023 and referred to Fish and Game and Marine Resources
H	Public Hearing: 04/04/2023 10:15 am LOB 305-307
H	Executive Session: 04/04/2023 10:15 am LOB 305-307
H	Committee Report: Ought to Pass 04/04/2023 (Vote 11-0; CC)
H	Ought to Pass: MA VV 05/04/2023 **HJ 13** P. 14
H	Enrolled (in recess of) 05/18/2023 **HJ 14**
S	Enrolled Adopted, VV, (In recess 05/18/2023); **SJ 16**
S	Signed by the Governor on 06/01/2023; Chapter 0050; Effective 07/31/2023

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB18 **Senate Committee:** Ways & Means

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

✓ Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

✓ Bill version as it came to the committee

✓ All Calendar Notices

✓ Hearing Sign-up sheet(s)

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

✓ 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):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

✓ Executive Session Sheet

✓ 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):

___ - amendment # _____ ___ - 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}

___ as amended by the senate ___ as amended by the House

✓ final version

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

SLC 7-25-23

Committee Aide **Date**

Senate Clerk's Office AK