

Amendment to HB 1603-FN

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

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3 AN ACT requiring the executive director of the department of fish and game to adopt rules
4 relative to procedures for verifying accuracy of records collected relative to
5 threatened and endangered wildlife and ensuring landowner permission is granted
6 for the gathering of such record.
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8 Amend the bill by replacing all after the enacting clause with the following:

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10 1 Conservation Programs. Amend RSA 212-A:9, III to read as follows:

11 III.(a) All other state departments and agencies, to the extent possible, consistent with their
12 authorities and responsibilities, shall take such action as is reasonable and prudent to ensure that
13 actions authorized, funded, or carried out by them do not appreciably jeopardize the continued
14 existence of such species or result in the destruction or modification of habitat of such species which
15 is determined by the executive director to be critical, by requiring that all such action is designed to
16 avoid, minimize, and mitigate harm to such species and habitat designated as critical. Other
17 departments and agencies may consult with the executive director or hire their own internal wildlife
18 biologists to carry out the requirements of this paragraph. The executive director shall assist other
19 departments and agencies in carrying out this paragraph.

20 (1) *The executive director shall adopt rules pursuant to RSA 541-A, not later*
21 *than one year after the effective date of this chapter, to establish procedures to verify the*
22 *accuracy of records for threatened and endangered wildlife records under this paragraph,*
23 *including but not limited to the age of the data.*

24 (2) *The executive director shall adopt rules pursuant to RSA 541-A not later*
25 *than one year after the effective date of this chapter, to establish procedures to ensure*
26 *landowner permission is granted for the gathering of site-specific species location.*

27 (b) For the purpose of this statute, "appreciably jeopardize the continued existence of
28 such species" shall be defined in rules adopted by the executive director pursuant to RSA 541-A. The
29 provisions of RSA 212-A or any rule promulgated under this chapter shall not be applicable to a
30 state department or agency when that state department or agency, in the process of undertaking an
31 action, is required by federal law or regulation to address the environmental impact on wildlife or
32 wildlife habitat, of that action.

33 2 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill requires the executive director of the department of fish and game to adopt rules relative to procedures for verifying accuracy of records collected relative to threatened and endangered wildlife and ensures landowner permission is granted for the gathering of such record.