

Senate Finance Committee

Deb Martone 271-4980

SB 239-FN, requiring the general fund to cover the costs of the fish and game department retirement contributions and technology services.

Hearing Date: February 4, 2025

Time Opened: 2:39 p.m.

Time Closed: 3:01 p.m.

Members of the Committee Present: Senators Gray, Innis, Birdsell, Pearl, Lang, Rosenwald and Watters

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill requires the general fund to cover the costs of the fish and game department retirement contributions and technology services.

Sponsors:

Sen. Watters

Sen. Altschiller

Sen. Fenton

Sen. Avard

Rep. Darby

Rep. C. Harvey

Rep. K. Murray

Who supports the bill: Senators Watters, Fenton and Altschiller; Representative K. Murray; Kathy LaBonte; Meredith Hatfield; Carol Foss; Daniel Richardson; Weldon Bosworth; Janet Lucas.

Who opposes the bill: Julie Smith; Cindy Kudlik.

Who is neutral on the bill: Stephanie Simek; Kathy LaBonte.

Summary of testimony presented in support:

Senator Watters, Prime Sponsor:

- Senator Watters offered Amendment #2025-0234s as a "replace all" amendment. It appropriates funds to the Fish and Game Department for continuing environmental review and to cover a deficit for increases in salary.
- SB 239-FN arose out of a study committee that met last summer on Fish and Game funding. A very thorough study was done. A copy of the final report has been distributed to all Senate Finance Committee members.
- The Search and Rescue funding is now being covered by the Hike Safe Pass.
- Different methods for bringing revenue into the department have been explored.
- It appears there is a \$3-4 million problem sustaining the operations of Fish and Game.

- While the Fish and Game Fund does have substantial funding in it currently, the projection is the fund will be drained in a couple of years.
- Senator Watters submitted a placeholder LSR for Fish and Game. However, in talking with Executive Director Simek the areas of continuing environmental review and covering the salary increase deficit were the two requests made by Executive Director Simek to the Governor for inclusion in the budget.
- With alteration of terrain permits, both DES and Fish and Game are required under the endangered species and habitat laws of the state and federal government, to look at potential threats, identify what they are, and propose mitigation funds if appropriate. These are highly trained Fish and Game individuals. In previous years, funding was supplied through ARPA, the General Fund or Governor Sununu. These methods of funding for the AOT positions are now in doubt. The reviews are necessary, and Fish and Game has the expertise to perform them.
- Regarding the salary increases Governor Sununu, again, was instrumental in finding the funding. But what does the department do going forward? If this money is not provided, former Executive Director Mason indicated perhaps 12-18 positions would have to be cut from an already shorthanded department.
- Senator Gray's problem with Amendment #2025-0234s is the germaneness of the amendment to the original bill. The original bill addresses paying for specific services. The public has not seen the language of Amendment #2025-0234s. Senator Watters stated he would be in favor of holding a public hearing on the amendment itself.
- Senator Rosenwald indicated she struggles with SB 239-FN. There is no other self-funded agency that is unable to self-fund itself. Are there things that Fish and Game is doing that perhaps a different agency could be doing so that the department's workload is less? In particular, Senator Rosenwald gave examples such as finding Alzheimer's patients, lost children, and suicidal individuals. Or other services such as enforcing snowmobile and ATV trails. Should we be looking at what we're asking this department to do more holistically given the amount of money it is able to raise through fees it thinks are reasonable? Senator Watters agreed there has been some growth in the mission of Fish and Game. Often times it is who has the expertise to perform certain kinds of searches, or whether or not the police departments up north have the capacity for some of these things. It is good to scrutinize this. In addition to New Hampshire, other states around the country are seeing declining revenues from hunting and fishing licenses. We have no way to charge the outdoor recreational enthusiasts or other users the way other states institute fees. Additionally, there are states that provide General Funds, which we need to examine more closely. The bottom line is, we're going to have to find some General Funds to help sustain the mission of Fish and Game one way or another.
- Senator Rosenwald was curious as to why Executive Simek changed the funding from Information Technology to endangered species, and from retirement to the salary increases.

- Senator Lang mentioned there was a new requirement placed onto Fish and Game recently by the Supreme Court. It was regarding the review of AOT permits for their impact on endangered and threatened species. This is a revenue stream to go to that new Supreme Court decision. Perhaps we create the fund, allow them to remain self-funded but take the administrative costs out of that fund from the fees they collect from developers. They would still be able to maintain that fund. This new line of work has not been previously funded. Senator Watters agreed this is essential work. These habitat and endangered species mean a lot to this state. We have these trained biologists at Fish and Game who know how to look at this. In general, these individuals do great work. They try to accommodate what needs to be done. We have the mitigation fund for development problems. We could shorten up the time period.
- Senator Pearl wondered if any consideration had been given in raising funds from MOUs with the Departments of Safety and DES for functions Fish and Game currently performs, such as the AOT reviews and law enforcement duties for the North Country towns. Senator Watters agreed there are some possibilities, but we need guidance from the Governor.

Meredith Hatfield, The Nature Conservancy:

- Ms. Hatfield expressed the Conservancy's very strong support for Fish and Game. They are a key agency to the Conservancy's work in this state. They provide tremendous value to hunters, fishermen and all kinds of tourism activities.
- The Nature Conservancy has had the opportunity to work with Fish and Game as a financial partner. The Conservancy has brought in match funds for the department to help them access federal funds to help them fill positions.
- It is time for the state to step up, even if it is temporary.
- The Conservancy has spoken informally with the developer community and with the hunter community. There is a willingness for individuals to step up and pay a bit more for the really important services Fish and Game provides.
- We need to help the department to become self sufficient.

Neutral Information Presented:

Stephanie Simek, Executive Director and Kathy LaBonte, Business Administrator, New Hampshire Fish and Game Department:

- Executive Director Simek agreed the Supreme Court decision is a big deal for the department.
- Again, Senator Pearl inquired if there has been any consideration given to getting revenue from other state agencies. Executive Director Simek stated they have given some thought to it. She is waiting for the Governor to announce her budget to determine if there might be the possibility of negotiating such agreements. They are working with DES on a MOU that outlines the rules and responsibilities, and how they can become more efficient working across lines within Fish and Game. The Department of Natural and Cultural Resources is also included; the three agencies are working together. Fish and Game has

considered charging fees. Senator Pearl added interagency efficiencies can sometimes be gained by working together.

- Senator Watters asked Executive Director Simek to review the appropriations included in Amendment #2025-0234s with committee members. Administrator LaBonte explained the department did an analysis of the cost of the 4 permit review staffers' salary and benefits. With operational costs it is approximately \$400,000 per year. The Department was given a one-lump sum of \$2 million in June 2023 to cover the two employee salary increases. Former Executive Director Mason was under the impression that would continue. Subsequently, it did not. Senator Watters wondered what the impact would be to staff if the department does not receive this funding. Executive Director Simek stated they have been discussing the matter. It is likely they would have to lay off or not hire seasonal positions to account for this. This means less work will be done. It will come out of other staff positions, basically. Administrator LaBonte added the budget they've submitted for the upcoming biennium used **every penny** the department has in the unrestricted Fish and Game Fund. Currently, there is only approximately \$100,000 in the fund.
- Senator Rosenwald inquired if the \$2 million is a prioritized need for the department. Administrator LaBonte replied it was not.

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Date Hearing Report completed: February 8, 2025