

# Senate Executive Departments and Administration Committee

*Kevin Condict 271-7875*

**SB 32**, relative to the fish and game commission.

**Hearing Date:** January 15, 2025

**Time Opened:** 9:04 a.m.

**Time Closed:** 9:16 a.m.

**Members of the Committee Present:** Senators Pearl, McGough, Gannon, Altschiller and Reardon

**Members of the Committee Absent :** None

**Bill Analysis:** This bill:

I. Allows public hearing notices to be posted digitally on newspaper websites.

II. Allows the shooting of injured or crippled waterfowl from a motorized watercraft.

III. Removes the word "brook" from the reference to trout in the method and manner of taking fish.

IV. Enables the executive director of fish and game to set the fisheries habitat fee in rules.

V. Repeals the Connecticut River Atlantic salmon commission.

This bill is a request of the fish and game department.

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**Sponsors:**

Sen. Pearl

Sen. Lang

Sen. Reardon

Sen. Birdsell

Sen. Innis

Sen. Avar

Sen. Rochefort

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**Who supports the bill:** Senator Howard Pearl (SD17), Dan Bergeron (NH Fish & Game), Dianne Timmins (NH Fish & Game), Senator David Rochefort (Sd1), Senator Daniel Innis (SD7), and Senator Tara Reardon (SD15).

**Who opposes the bill:** Forrest Beaudoin-Friede.

**Who is neutral on the bill:** None.

**Summary of testimony presented:**

**Senator Howard Pearl, Senate District 17**

- Senator Pearl introduced Senate Bill 32.
- Sen. Pearl explained the bill was requested by Fish and Game as a housekeeping measure. The bill would allow the department to post public hearing notices required by law to be posted digitally on newspaper websites.
- Sen. Pearl said more and more publications are only available online. He said this bill will allow the department a more efficient way to post notices.
- Sen. Pearl explained the bill also allows for the shooting of injured or crippled waterfowl from a motorized craft. He said federal law already allows this.
- Sen. Pearl explained the department would like to remove the word “brook” from the reference to trout in state laws to cover all species of trout.
- Sen. Pearl explained the bill would enable the Executive Director of Fish and Game to set fisheries habitat fees in administrative rules.
- Sen. Pearl explained the bill would repeal the Connecticut River Atlantic Salmon Commission, whose term has expired, and whose name has changed.
- Sen. Pearl said that Fish and Game members could provide a better explanation.

**Dan Bergeron, NH Fish and Game, Chief of Wildlife Division**

**Dianne Timmons, NH Fish and Game, Chief of Inland Fisheries**

- Mr. Bergeron said this bill is largely housekeeping measures. He said most people get their information from websites now.
- Mr. Bergeron explained there was a change in the federal regulations in 50 CFR §20.21 that allows for the taking of cripple waterfowl from a powered watercraft. He explained this is largely to keep tidal waters from taking them. It is to try to prevent loss of game during hunting.
- Mr. Timmons explained the definition of brook trout previously encompassed all species. Fish and Game is separating their management out and so is requesting the word “brook” to be removed from the refence of trout so that any rules that do reference all species of trout are clearly articulated.
- Mr. Timmons said the habitat fee is currently not set through the director as it is for the Wildlife Division. The goal is to have the processes be the same.
- Mr. Timmons explained the Connecticut River Atlantic Salmon Commission expired federally in 2023. It was reestablished as the Connecticut River Migratory Fish Restoration Cooperative. This bill cleans up that language.
- Sen. Altschiller asked who is currently changing the rules that this bill will allow the Executive Director to adopt.

- Ms. Timmons said the habitat fee goes through RSA, which is different for the Fisheries and Wildlife divisions.
- Sen. Altschiller pointed to line 9. She asked if they would be amenable to an amendment adding in language to link notices to the fish and game website.
  - Mr. Bergeron said they would be fine with that.
- Sen. Pearl asked if hearings are already noticed on the website.
  - Mr. Bergeron said they are, but the issue is that Fish and Game is required to print the notice in a printed publication.
- Sen. Altschiller asked where the notice is posted on the Fish and Game website.
  - Mr. Bergeron said the notices are only in odd numbered years. The notice would not be up until shortly before the meeting.
  - Ms. Timmons said that Inland Fisheries can do rules at any time. Notices are posted on the website under “Rules and Notices”. She said there are not any on the website currently. She said they try to send them out via email.
  - Mr. Bergeron said the meetings are slightly different than rulemaking hearings. In statute, they are required to hold a public session. He said this is an opportunity for the public to comment on anything the department has done. It is statutorily obligated to happen every two years.
- Sen. Altschiller said there have been real improvements to the Fish and Game website. She said everything is helpful but not readily available.
- Sen. McGough asked if the last two hearings were in December 2023.
  - Mr. Bergeron said that is correct.
- Sen. McGough explained where he found the notices on the website.
  - Mr. Bergeron said Fish and Game is still learning the website after many recent changes.