

Senate Energy and Natural Resources Committee

Max Taylor 271-1403

HB 211-FN, relative to the use of air rifles for hunting game.

Hearing Date: March 25, 2025

Time Opened: 9:21 a.m.

Time Closed: 9:36 a.m.

Members of the Committee Present: Senators Avard, Pearl, McConkey, Watters and Rosenwald

Members of the Committee Absent : None

Bill Analysis: This bill:

I. Allows the taking of game in New Hampshire with air rifles.

II. Further defines "air rifle."

III. Requires the fish and game commission to make rules creating and administering a hunting tag program for air rifle hunting.

Sponsors:

Rep. Spillane

Rep. Cole

Rep. Darby

Rep. Kofalt

Rep. Popovici-Muller

Rep. Roy

Rep. McFarlane

Sen. Pearl

Sen. Watters

Who supports the bill: Representative James Spillane (Rockingham District 2), Representative Brian Cole (Hillsborough District 26), Representative Daniel Popovici-Muller (Rockingham District 17), Representative David Love (Rockingham District 13), Colonel Kevin Jordan (New Hampshire Fish & Game), Kyle Baker (New Hampshire Wildlife Federation), Daniel Love

Who opposes the bill:

Who is neutral on the bill:

Summary of testimony presented in support:

Representative James Spillane

Rockingham District 2, Prime Sponsor

- Representative Spillane introduced HB 211-FN, which would allow the use of air rifles for hunting certain game in New Hampshire.

- He explained the bill came after a full summer study committee, involving Fish & Game and air rifle experts. Testing was done at Sig Sauer's facility using air rifles provided by Northeast Air Rifle.
- Representative Spillane highlighted that instead of regulating based on caliber size, the bill proposes Fish & Game set rules based on how many foot-pounds are generated at the muzzle, which better determines a rifle's effectiveness and ethical use in hunting.
- He stated that Fish & Game would retain the power to create different standards based on species.
- He explained the bill also includes an option for Fish & Game to create a tag for air rifle use, similar to a muzzleloader tag, to help cover enforcement costs.
- He compared modern air rifles to muzzleloaders, noting they are powered by compressed air, not gunpowder, and typically allow up to 5 accurate shots per fill using scuba-style tanks.
- The testing showed that larger calibers were highly effective, with deep penetration in ballistic gel and consistent accuracy over several shots.
- Representative Spillane highlighted that air rifles can be a safer and quieter alternative in high-density or noise-sensitive areas, such as Governor's Island where traditional firearms are restricted.
- He emphasized the hunter's responsibility to ensure the rifle is properly charged, just like properly loading a muzzleloader.
- Senator Avard questioned an air rifle's ability to kill a bear.
 - Representative Spillane stated larger-caliber air rifles, such as the .50 or .54 cal, were tested and shown to be powerful enough for larger game.
- Senator Avard asked what the effective range was for air rifles.
 - Representative Spillane explained most testing was done at 50 yards, which matches typical hunting distances in NH. He stated air rifles are ideal for short-range, wooded areas.
- Senator Pearl asked why turkey was removed from the bill.
 - Representative Spillane explained that rifles cannot legally be used to hunt turkey in NH.

Colonel Kevin Jordan
New Hampshire Fish & Game

- Colonel Jordan explained Fish & Game initially opposed the bill due to concerns about animal wounding and effectiveness, but the department changed their position following field testing with air rifles.
- Colonel Jordan stated he participated in hands-on testing, shooting into gel blocks and examining penetration power.
- He concluded that modern air rifles can ethically and effectively kill large game such as deer and bear.

- He stated Fish & Game asked for and received the ability to set specific caliber and energy rules, rather than listing them in statute.
- He recommended they start with .35 caliber at 400 foot-pounds for deer and bear, then higher for moose.
- Colonel Jordan stated temperature and shot consistency were not significant concerns after testing. He stated the drop in air pressure over 5 shots had minimal impact on accuracy.
- He noted that it would not be likely that air rifles are widely used, as they are very expensive and require scuba-style air tanks.
- He stated his appreciation that the bill gives Fish & Game the option to create a separate tag. He explained this is especially helpful since air rifles do not qualify for Pittman-Robertson funding.
- Senator Avard asked for clarification on if there is an actual fiscal impact from this bill.
 - Colonel Jordan stated there is no fiscal impact at this time.
- Senator Watters asked if the bill prohibits air rifle use in compact zones.
 - Colonel Jordan stated like bows and firearms, air rifles are not allowed in compact zones.
- Senator Watters asked if air rifles could be used in urban or rifle-restricted towns, similar to how muzzleloaders are permitted.
 - Colonel Jordan stated since air rifles are quieter and have a similar muzzle velocity and range to muzzleloaders, they could be allowed in places where rifles are banned but muzzleloaders are allowed.
- Senator Watters asked if the bill defines what a “loaded” air rifle is.
 - Colonel Jordan stated the bill includes clear language defining “loaded” in a way that is consistent with other hunting statutes.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.