CHAPTER 195
HB 442-FN - FINAL VERSION

22Mar2023... 0709h
05/18/2023 1885s
29Jun2023... 2228CofC

2023 SESSION

23-0741
04/10

HOUSE BILL ***442-FN***

AN ACT relative to the removal of derelict fishing gear.

SPONSORS: Rep. Hill, Merr. 2; Rep. Ankarberg, Straf. 7; Rep. Weyler, Rock. 14; Rep. Spillane, Rock. 2; Rep. Janvrin, Rock. 40; Rep. Lewicke, Hills. 36; Sen. Pearl, Dist 17

COMMITTEE: Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill requires the executive director of the department of fish and game to schedule events for the collection, retrieval, and disposal of derelict fishing gear in coastal waters and makes an appropriation therefor.

This bill also requires the executive director of the department of fish and game to make a report to the house and senate standing committees with jurisdiction over derelict fishing gear.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the removal of derelict fishing gear.

Be it Enacted by the Senate and House of Representatives in General Court convened:

195:1 Findings. The general court finds that:

I. Derelict fishing gear in the coastal waters of New Hampshire presents a hazard to the marine ecosystem and proper removal and disposal of the abandoned or derelict fishing gear is a worthwhile project.

II. New Hampshire needs a rapid response to the call for a significant cleanup effort of all derelict fishing gear in our coastal waters.

III. A useful component to the clean-up effort is in the addition of stakeholders to assist in removal of the derelict fishing gear.

195:2 Department of Fish and Game; Derelict Fishing Gear.

I. The executive director of the department of fish and game shall schedule events and coordinate with volunteers to locate, remove, and dispose of derelict fishing gear off the coast of New Hampshire. Such events shall only be funded from the additional funding provided in section 3 of this act to derelict fishing gear and coastal cleanup fund under RSA 211:77. The executive director shall schedule at least 3 such events in 2024 and 3 such events in 2025 unless funding is insufficient to execute such events.

II. Before disposal, the executive director shall attempt to notify the owner of retrieved derelict gear by information contained in department records and any contact information shown on trap tags indicating the owner. In the event that there is no identifying marker, the owner fails to claim the derelict gear within 30 days of being notified by the department, or the owner verbally dismisses their claim on the derelict gear to the executive director after notification, then the executive director may dispose of the derelict fishing gear or authorize the disposal in any suitable fashion at his or her discretion.

III. In this section, "derelict fishing gear" means:

(a) Any lobster pot, trap, warp, or live car found in New Hampshire waters that does not have a surface buoy connected directly or indirectly to the equipment.

(b) Fishing gear absent a valid trap tag indicating the owner's name and contact information.

(c) Fishing gear that is plainly visible to law enforcement to be abandoned, lost, or derelict.

IV. The executive director shall submit a report to the chairpersons of the house and senate standing committees with jurisdiction over the derelict fishing gear cleanup by September 30, 2023. The report shall include, but not be limited to, a strategic plan for implementing the derelict fishing gear clean up program, including timing of events, projected costs, and additional funding sources.

195:3 Department of Fish and Game; Appropriation. The sum of $100,000 for the fiscal year ending June 30, 2024 and the sum of $100,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the derelict fishing gear and coastal cleanup fund established in RSA 211:77 and administered by the department of fish and game to provide funding for the removal of derelict fishing gear. Such funds shall be expended by December 31 of the corresponding calendar year. Said appropriation shall be in addition to any other sums appropriated for this purpose, shall not be transferred or expended for any other purpose. Any unexpended funds shall lapse to the general fund. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

195:4 Effective Date. This act shall take effect July 1, 2023.

Approved: August 04, 2023
Effective Date: July 01, 2023