HB 1148 - AS INTRODUCED

2024 SESSION

24-2137
08/05

HOUSE BILL ***1148***

AN ACT relative to the fish and game commission.

SPONSORS: Rep. C. Harvey, Ches. 6; Rep. Rung, Hills. 12; Rep. Almy, Graf. 17; Sen. Fenton, Dist 10

COMMITTEE: Fish and Game and Marine Resources

ANALYSIS

This bill makes changes to the fish and game commission including notice of appointment, qualifications, and misconduct and removal from office.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the fish and game commission.

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

1 Fish and Game Commission; Appointment of Commission. Amend RSA 206:2 to read as follows:

206:2 Appointment of Commission.

I. The commission shall consist of 11 members, each qualified pursuant to RSA 206:2-a, appointed by the governor and council. Whenever an appointment is to be made to the commission, the governor shall cause to be published the name of the nominee in a newspaper of statewide daily circulation ***and in the minutes of the council meeting in which the nomination was announced. The executive director shall announce the name of the nominee at the commission meeting immediately following the nomination, and shall also publish the name of the nominee on the department's website while the person is under consideration by the council***. The council may not consent to an appointment under this section sooner than 30 days after the name of the nominee is submitted to the council.

II. [~~Sporting clubs in each county may form a county sporting club board.~~] Whenever an appointment is to be made to the commission, [~~each board~~] ***a participating organization*** may nominate one to 3 persons and submit such recommendations to the governor for the governor's consideration. Whenever an appointment is to be made to the commission from the tidewater towns, the advisory committee on marine fisheries may nominate one to 3 persons and submit such recommendations to the governor for the governor's consideration.

III. For the purposes of this section [~~"sporting clubs"~~] ***"participating organization"*** means:

(a) An organization which has specific interests in hunting, fishing, ***or*** trapping, ***or a*** wildlife [~~and~~] ***or*** habitat conservation ***organization organized under section 501(c)(3) of the Internal Revenue Code,*** and which has been registered with the department of state for at least 2 consecutive years.

(b) An organization which acknowledges in its permanent bylaws, the promotion and protection of hunting, fishing [~~or~~]***,*** trapping***, and wildlife or habitat conservation*** and which accepts scientific wildlife management methods and tools.

2 Fish and Game Commission; Qualification of Commissioners. Amend RSA 206:2-a, I-II to read as follows:

I. Each member of the commission shall be a resident of a different county in the state except that one commission member shall be a resident of one of the tidewater towns of Portsmouth,

Seabrook, Rye, Hampton, Hampton Falls, North Hampton, Newington, Greenland, Stratham, Exeter, Newfields, Newmarket, Durham, Madbury, Dover, Rollinsford or New Castle[~~, and not~~]**.** ***As appointments to the commission are considered pursuant to RSA 206:3, no*** more than 6 commissioners shall be ***registered to vote in this state as*** members of the same political party. ***A person registered as an undeclared voter shall not be considered a member of any political party.***

II. Each member shall also be qualified in the following manner:

(a) Well informed on the subject of fish and wildlife conservation and restoration;

(b) Dedicated to the conservation and protection of the state's fish and wildlife resources and of an environment conducive to the welfare of the same;

(c) Committed to a fish and game program providing reasonable balance between research, habitat management and law enforcement;

(d) An active [~~outdoorsman~~] ***outdoorsperson*** holding a resident fishing, hunting, or trapping license [~~in at least 5 of the 10~~] ***for at least 3 of the 5*** years preceding the appointment ***and who holds such license for the entirety of their term of office on the commission***;

(e) A personal record free of convictions of violation of fish and game laws and regulations of this state or any other jurisdiction within 5 years, preceding his ***or her*** appointment; and

(f) ***An active membership in a conservation or sportsperson's organization in this state.***

(g) At least 5 years' experience in one or a combination of the following fields ***which may be demonstrated by study at the undergraduate or graduate level or employment in this state in the field***:

(1) Forestry

(2) Agriculture

(3) Management of wild lands

(4) Soils conservation

(5) Conservation of water resources

(6) ***The biology of*** fish and game management [~~or~~]**,** propagation ***or disease prevention or treatment***

(7) Conservation engineering

(8) Conservation law

(9) Wildlife ***and outdoor safety*** education

(10) [~~Active membership in a conservation or sportsmen's organization in this state~~] ***Ecology***.

[~~(g)~~] ***(h)*** In the case of the coastal commission member, a general knowledge of all crustaceans and bivalves in coastal waters and salt water fishing in general.

3 Fish and Game Commission; Removal. Amend RSA 206:4 to read as follows:

206:4 Removal.

I. The governor, with the advice of the council, may remove a commissioner for inefficiency, neglect of duty, [~~or~~] misconduct in office, ***or for suspension of a hunting, fishing, or trapping license as a result of a violation of the fish and game laws of this state or another jurisdiction by*** delivering to [~~him~~] ***the commissioner*** a copy of the charges and affording him ***or her*** an opportunity of being publicly heard in person or by counsel in [~~his~~] ***the commissioner's*** own defense, upon not less than 10 days' notice. If such commissioner shall be removed, the governor shall file in the office of the secretary of state a complete statement of all charges made against such commissioner and [~~his~~] ***the*** findings thereon, together with a complete record of the proceedings.

II. A commissioner who through a change in circumstance fails to meet one or more of the qualifications required by RSA 206:2-a shall be disqualified from further service on the commission, and the seat shall be declared vacant.

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