

CHAPTER 186
HB 212 – FINAL VERSION

11Mar2015... 0229h
05/14/2015 1586s
05/14/2015 1748s
11June2015... 2162EBA

2015 SESSION

15-0774
10/06

HOUSE BILL **212**

AN ACT relative to revocation of fish and game licenses of persons convicted of sexual assault while hunting, trapping, or fishing and relative to the authority of the fish and game department to establish fees.

SPONSORS: Rep. Shepardson, Ches 10; Sen. Kelly, Dist 10

COMMITTEE: Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill:

I. Requires a minimum period of revocation or suspension of a license issued by the fish and game department for a person convicted of sexual assault while hunting, trapping, or fishing.

II. Establishes the authority of the fish and game department to set the fees under RSA 541-A for licenses and permits issued by the department.

III. Establishes the fish and game department environmental review fee.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 186
HB 212 – FINAL VERSION

11Mar2015... 0229h
05/14/2015 1586s
05/14/2015 1748s
11June2015... 2162EBA

15-0774
10/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to revocation of fish and game licenses of persons convicted of sexual assault while hunting, trapping, or fishing and relative to the authority of the fish and game department to establish fees.

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

1 186:1 Fish and Game; Sexual Assault Conviction; Revocation of Licenses. Amend RSA 214:19 to
2 read as follows:

3 214:19 Revocation or Suspension for Conviction.

4 ***I.*** The executive director may revoke or suspend the license of any person who has been
5 found guilty in any court of a violation of any provision of this title or any rule or regulation of the
6 executive director, or who has been found guilty in a municipal or district court of a violation of
7 RSA 163-B or RSA 635:2. Such revocation or suspension shall not continue for more than one year
8 from the date thereof, except for a conviction under RSA 208:8, in which case the revocation or
9 suspension may be for a period not to exceed 5 years, or except for a conviction under RSA 208:1-a, in
10 which case the revocation or suspension may be for a period not to exceed 2 years.

11 ***II.*** The executive director shall revoke or suspend the license of any person who has been
12 found guilty in any court a second time within 5 years of the first finding of guilt, of a violation of
13 any such laws or regulations, for a period of not less than one, nor more than 3 years from the date of
14 such finding or conviction.

15 ***III.*** ***The executive director shall revoke or suspend the license of any person***
16 ***convicted of committing aggravated felonious sexual assault, felonious sexual assault, or***
17 ***sexual assault pursuant to RSA 632-A:4, I(a) or (b), or any similar statute in any other***
18 ***state, which occurred while the person was engaged in any activity requiring the person to***
19 ***carry a license as required in RSA 214:1. The period of revocation or suspension under this***
20 ***paragraph for any felony conviction shall be not less than 10 years and not more than life.***
21 ***The period of revocation or suspension under this paragraph for any misdemeanor***
22 ***conviction that is a first offense shall be not less than 5 years and not more than life. The***
23 ***period of suspension under this paragraph for any second or subsequent misdemeanor***
24 ***conviction shall be not less than 10 years and not more than life.***

25 186:2 Fish and Game Department; Rulemaking; Fees. Amend RSA 206:10, I as follows:

CHAPTER 186
HB 212 – FINAL VERSION
- Page 2 -

1 I. It shall be the duty of the executive director to function as the chief administrator of the
2 commission and to protect, propagate and preserve the fish, game, and wildlife resources of the state
3 and to protect and conserve nongame birds of the state. The executive director shall, subject to the
4 limitations hereinafter set forth, have the power and authority to adopt and enforce rules, pursuant
5 to RSA 541-A, for the adequate and effective control, management, restoration, conservation, and
6 regulation of the fish, game, bird, and wildlife resources of the state, including rules designed to
7 prohibit or otherwise regulate nonagricultural activities which may cause the introduction or spread
8 of infectious disease in the state's wildlife resources. Such power and authority shall include: **(a)**
9 the right, **after consultation with the commission, to set and charge fees adopted pursuant**
10 **to RSA 541-A, (b) the right to** open and close the season for taking fish, game, birds, and wildlife,
11 **and (c)** the right to fix the size, number and weight limits, and other conditions governing the
12 method and manner of taking the same. Such power and authority may be exercised with reference
13 to the state as a whole, or for any specified county or part thereof, or for any lake, pond, stream, or
14 part thereof.

15 186:3 Fish and Game; Crossbow Permit; Disability; Administrative Fee. Amend RSA 207:10-c,
16 V, to read as follows:

17 V. ~~[A \$10]~~ **An administrative fee set by the executive director pursuant to RSA 206:10, I**
18 shall be charged once, upon application to the executive director for such permit.

19 186:4 Fish and Game; Dog Training; Fee. Amend RSA 207:12-a, I to read as follows:

20 I. Any person who is licensed to hunt within the state may be issued a training permit for
21 the training of bird dogs and trail or tree hounds during the closed season on any wildlife, except
22 deer, moose, caribou, elk, lynx, cougar, bobcat, and turkey, upon application and the payment of a fee
23 ~~[of \$5]~~. The executive director shall adopt rules pursuant to RSA 541-A, relative to the **amount of**
24 **the fee for the training permit and the** period for the training of bear dogs. Notwithstanding the
25 provisions of this paragraph, field trials shall be permitted pursuant to RSA 207:13.

26 186:5 Fish and Game; Field Trials. Amend RSA 207:13, I to read as follows:

27 I. Field trials for dogs may be held at such times, in such manner, and under such
28 restrictions, as may be prescribed by the executive director. Any person wishing to hold a field trial
29 shall first obtain a written permit from the person on whose land it is proposed to hold the trial,
30 present the same to the executive director, and pay a fee ~~[of \$9.50]~~ **set by the executive director**
31 **pursuant to RSA 206:10, I**, including field trials for coon dogs and such night hunts for coon dogs
32 as authorized by paragraph II. The executive director may thereupon issue a permit for such field
33 trial. The executive director or his duly authorized agent shall supervise the holding of such field
34 trial, enforce the terms of the permits, and the rules for its conduct. The executive director shall
35 adopt rules under RSA 541-A for the conduct of field trials as in his **or her** opinion are necessary to
36 safeguard the interest of the wildlife of the state, provided that the executive director shall issue

CHAPTER 186
HB 212 – FINAL VERSION
- Page 3 -

1 permits for beagle trials to any beagle club recognized by the American Kennel Club for trials to be
2 run under the rules and regulations of the American Kennel Club. The fee for this permit shall ~~not~~
3 ~~exceed \$9.50~~ **be set by the executive director pursuant to RSA 206:10, I.** The executive director
4 or his **or her** authorized agent shall enforce the terms of such permits.

5 186:6 Fish and Game; Bow and Arrow; License Fee. RSA 208:5, I is repealed and reenacted to
6 read as follows:

7 I. The executive director shall set the fee pursuant to RSA 206:10, I, for issuance of archery
8 licenses for the following categories: residents 16 years of age or older and nonresidents 16 years of
9 age or older.

10 186:7 Fish and Game; Muzzleloaders. Amend RSA 208:5-a to read as follows:

11 208:5-a Muzzleloaders. A person who has complied with the licensing requirements relative to
12 hunting deer pursuant to RSA 214, ~~[upon payment of a fee of \$15 by residents or a fee of \$40 by non~~
13 ~~residents,]~~ shall be issued a license, **upon payment of a fee set by the executive director**
14 **pursuant to RSA 206:10, I, for the following categories: residents 16 years of age or older**
15 **and nonresidents 16 years of age or older.** A muzzleloading license shall not be required for
16 residents less than 16 years of age, but such person while hunting with a muzzleloading firearm
17 shall be accompanied by a properly licensed person who is 18 years of age or over and must also
18 comply with all provisions of this chapter. The license shall entitle the holder to hunt deer with a
19 single shot muzzleloading firearm.

20 186:8 Fish and Game; Special Deer Permits. Amend RSA 208:5-b to read as follows:

21 208:5-b Special Deer Permits. The executive director may issue special deer permits to a person
22 licensed with the applicable license to hunt issued under RSA 214, ~~[or]~~ RSA 208:5, or ~~[5-a]~~
23 **RSA 208:5-a.**

24 The executive director shall adopt rules pursuant to RSA 541-A relative to fixing the number and sex
25 limitations for wild deer and any other conditions governing the location, method, and manner of
26 taking as well as the issuance and fee for special deer permits. ~~[The executive director may charge a~~
27 ~~fee not to exceed \$15 for all applications for special deer permits.]~~

28 186:9 Fish and Game; Black Bears. Amend RSA 208:24, II to read as follows:

29 II. No person shall take wild black bears in this state without first procuring a bear license
30 and tag in addition to the applicable license to hunt issued pursuant to RSA 214 or RSA 208:5. The
31 cost of the bear license and tag, **for both residents and nonresidents,** shall be ~~[\$15 for residents~~
32 ~~and \$47 for non-residents]~~ **set by the executive director pursuant to RSA 206:10, I.**

33 186:10 Fish and Game; Fishing Tournaments. Amend RSA 211:16-b to read as follows:

34 211:16-b Fishing Tournaments.

35 I. No person shall promote or operate any fishing tournament in the waters under the
36 jurisdiction of this state without first procuring a special permit from the executive director to do so.

CHAPTER 186
HB 212 – FINAL VERSION
- Page 4 -

1 ~~[The fee for a permit issued under this section is \$25.]~~

2 II. The executive director shall adopt rules, pursuant to RSA 541-A, relative to definitions,
3 **fees**, conditions, requirements for waivers, including waivers of the fee, qualifications, and all other
4 criteria relating to the operation of a fishing tournament on any waters of the state.

5 186:11 Fish and Game; Lobster and Crab. Amend RSA 211:18, III-a to read as follows:

6 III-a. The ~~[following fees shall apply to lobster and crab license]~~ **executive director shall**
7 **set the fee pursuant to RSA 206:10, I for the following lobster and crab license types** issued
8 under this section:

9 (a) Resident commercial lobster and crab license~~[-\$300].~~

10 (b) Nonresident commercial lobster and crab license~~[-\$600].~~

11 (c) Resident limited commercial lobster and crab license~~[-\$175].~~

12 (d) Nonresident limited commercial lobster and crab license~~[-\$350].~~

13 (e) Resident part-time commercial lobster and crab license~~[-\$103].~~

14 (f) Nonresident part-time commercial lobster and crab license~~[-\$350].~~

15 (g) Recreational lobster and crab license~~[-\$35].~~

16 186:12 Fish and Game; Lobster Helper's License. Amend RSA 211:20 to read as follows:

17 211:20 Helper's License. Any person licensed under the provisions of RSA 211:18 may get a
18 helper's license which entitles the person to have the help of a person in the taking of lobsters or
19 crabs. The helper's license may be transferred to any one helper employed by the licensee, but may
20 not be transferred to a person who previously had a lobster license which is under suspension. A
21 helper may assist, set, or haul pots or traps or any other device used in the taking of lobsters and
22 crabs only in the presence of and aboard the boat of a person licensed under the provisions of
23 RSA 211:18, and who holds a valid helper's license. ~~[The fee for a helper's license is \$10.]~~ The
24 executive director shall adopt rules pursuant to RSA 541-A relative to the **fee for a helper's license**
25 **and the** terms and restrictions of a helper's license to comply with lobster trap limits established
26 under the Atlantic States Marine Fisheries Commission management plan for American lobster
27 relative to reduced fishing effort.

28 186:13 Fish and Game; Lobster Retail Dealer. RSA 211:39, II through IV are repealed and
29 reenacted to read as follows:

30 II. The executive director shall set the fee pursuant to RSA 206:10, I, for retail dealer
31 licenses issued under this section.

32 186:14 Fish and Game; Nonresident Commercial Salt Water License. Amend RSA 211:49-a, II
33 to read as follows:

34 II. The fee for an annual license shall be ~~[\$500]~~ **set by the executive director pursuant to**
35 **RSA 206:10, I.** The license shall be for the operator of the boat, vessel, flotation device, or gear, and
36 helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops

CHAPTER 186
HB 212 – FINAL VERSION
- Page 5 -

1 by diving.

2 186:15 Fish and Game; Nonresident Wholesaler License. Amend RSA 211:49-aa, I, to read as
3 follows:

4 I. Any person, firm, or corporation who does not qualify as a resident under RSA 207:1 or
5 RSA 211:43 and who is engaged in a wholesale trade in any marine species shall first procure a valid
6 license from the executive director to do so in this state. The license shall entitle the licensee to buy,
7 sell, process, and transport any marine species in wholesale trade within the state and to ship any
8 marine species within and outside the state. A separate extra facility license shall be required for
9 each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A
10 nonresident wholesale license shall not be required by a person properly licensed pursuant to
11 RSA 211:49-a. The [~~fee~~] **fees** for an annual license [~~shall be \$200 and \$75~~] **and** for each extra facility
12 license **shall be set by the executive director pursuant to RSA 206:10, I**. A copy of the license
13 shall be carried in each vehicle and displayed at all facilities.

14 186:16 Fish and Game; Resident Commercial Salt Water License. Amend RSA 211:49-b, II to
15 read as follows:

16 II. The fee for such annual license shall be [~~\$50~~] **set by the executive director pursuant to**
17 **RSA 206:10, I**. The license shall be for the operator of the boat, vessel, flotation device, or gear, and
18 helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops
19 by diving.

20 186:17 Fish and Game; Resident Wholesaler License. Amend RSA 211:49-c, I to read as follows:

21 I. Any person, firm, or corporation engaged in a wholesale trade in any marine species shall
22 first procure from the executive director a license to do so. Said license shall entitle the licensee to
23 buy, sell, process, and transport any marine species in wholesale trade within the state and to ship
24 any marine species within and outside the state. A separate extra facility license shall be required
25 for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale.
26 A resident wholesaler license shall not be required by a person properly licensed pursuant to
27 RSA 211:49-b. The [~~fee~~] **fees** for an annual license [~~shall be \$100 and \$50~~] **and** for each extra facility
28 license **shall be set by the executive director pursuant to RSA 206:10, I**. A copy of the license
29 shall be carried in each vehicle and displayed at all facilities.

30 186:18 Fish and Game; Landing License. Amend RSA 211:49-d to read as follows:

31 211:49-d Landing License; Lobster and Crabs. Any person who is not licensed under
32 RSA 211:18, RSA 211:49-a, or RSA 211:49-b and wishes to transport in state waters lobsters and
33 crabs taken outside the jurisdiction of the state via ship, vessel, or similar craft in state waters for
34 the purposes of landing the lobsters and crabs in the state must first procure a landing license. This
35 shall allow the licensee to sell lobster and crab landed under such person's license. The fee for [~~an~~]
36 annual [~~license~~] **licenses** [~~shall be \$50 for a resident and \$500 for any persons who does not qualify~~]

CHAPTER 186
HB 212 – FINAL VERSION
- Page 6 -

1 ~~as a residents under RSA 207:1]~~ **for residents and nonresidents shall be set by the executive**
2 **director pursuant to RSA 206:10, I.**

3 186:19 Fish and Game; Commercial Shrimp License. Amend RSA 211:49-e, II and III to read as
4 follows:

5 II. The [~~fee~~] **fees** for the northern shrimp [~~license~~] **resident and nonresident licenses**
6 shall be [~~\$100 for residents~~] **set by the executive director pursuant to RSA 206:10, I.**

7 III. [~~The fee for the northern shrimp license shall be \$500 for nonresidents.~~] A nonresident
8 shall not be eligible to obtain a commercial shrimp license unless the state in which such person is a
9 resident provides a reciprocal licensing privilege for residents of this state.

10 186:20 Fish and Game; Oyster License. Amend RSA 211:62-a to read as follows:

11 211:62-a License for Taking. No person shall at any time take oysters unless the person is a
12 resident of the state and has been duly licensed as provided in this section. Any resident of this
13 state shall, upon application to the executive director of the fish and game department, be granted a
14 license to take oysters upon payment of a fee [~~of \$29~~] **set by the executive director pursuant to**
15 **RSA 206:10, I.** Such license shall be issued for the current calendar year. The executive director of
16 the fish and game department shall make readily available such licenses as are covered by this
17 section through its regular outlets. A person who furnishes to another person or permits another
18 person to have or use the person's oyster license or the license of any other person, or changes or
19 alters such license or uses a license issued to another person, or makes a false statement in an
20 application to obtain said license shall be subjected to the penalty under RSA 211:64.

21 186:21 Fish and Game; Clams in Coastal Waters. Amend RSA 211:62-d to read as follows:

22 211:62-d Clams in Coastal Waters. No one other than an individual natural person who is a
23 bona fide resident of the state, and who has obtained a [~~\$300~~] commercial clamming license, may at
24 any time commercially harvest or take the following from ocean waters within the jurisdiction of the
25 state, black clams (*Cyprina islandica*), sea clams (*Spisula solidissima*), and razor clams (*Enis*
26 *directus*). No such person authorized by this section to take such clams may take more than 500
27 bushels of unshucked clams daily. **The fee for a commercial clamming license shall be set by**
28 **the executive director pursuant to RSA 206:10, I.**

29 186:22 Fish and Game; Recreational Taking of Clams. Amend RSA 211:64-b to read as follows:

30 211:64-b License for Recreational Taking of Clams. No person shall at any time take clams for
31 such person's own use unless the person is a resident of the state and has been duly licensed as
32 provided in this section. Any person 6 years of age or older shall, upon application to the executive
33 director of the fish and game department, be granted a license to take clams for recreational
34 purposes upon payment of a fee [~~of \$29~~] **set by the executive director pursuant to RSA 206:10, I.**
35 Such license shall be issued for the current calendar year. A resident of the state may take up to one
36 quart of clamworms during any one day for such person's own use without a license. A person who

CHAPTER 186
HB 212 – FINAL VERSION
- Page 7 -

1 furnishes to another person or permits another person to have or use the person's recreational clam
2 license or the license of any other person, or changes or alters such license or uses a license issued to
3 another person, or makes a false statement in an application to obtain said license shall be subjected
4 to the penalty under RSA 211:64.

5 186:23 Fish and Game; Sale of Venison. Amend RSA 212:30-d, III to read as follows:

6 III. Resident and nonresident wholesalers who wish to sell imported venison in this state as
7 permitted in paragraph I shall procure a wholesaler's license from the department of fish and game
8 to do so, the fee for which shall be ~~[\$50]~~ **set by the executive director pursuant to RSA 206:10, I.**
9 Said license shall expire on December 31 of each calendar year. Wholesalers shall provide bills of
10 sale in duplicate, one copy of which shall be given to the retail seller, and the other copy of which
11 shall be retained as a file copy by the wholesaler and shall be available for inspection by any agent of
12 the executive director.

13 186:24 Fish and Game; License Fees. Amend RSA 214:8 to read as follows:

14 214:8 Form; **Fees.**

15 I. The executive director shall prepare licenses, game tags, permits, stamps, and such other
16 forms as determined necessary to comply with all licensing requirements of title XVIII. Such license,
17 when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of
18 eyes, and residence of the licensee and such other information, including affidavits, as may be
19 requested by the executive director. The license, to be valid, shall be countersigned by the licensee
20 on the face of the license in the space provided.

21 **II. The executive director shall set fees for the various license types described in**
22 **RSA 214:9 pursuant to RSA 206:10, I.**

23 **186:25** Fish and Game; License Applications and Fees. Amend RSA 214:9 to read as follows:

24 214:9 Application~~[- Fees]~~. ~~[The]~~ **To obtain any of the following licenses, an** applicant shall
25 fill out and subscribe ~~[to]~~ **on** a blank to be furnished by the executive director and pay the agent the
26 ~~[following]~~ **license** fees, **established under RSA 214:8, II,** and the agent fee as provided in
27 RSA 214-A:4:

28 I. ~~[If the applicant is a resident of this state and wishes to hunt, \$21, and the agent shall~~
29 ~~thereupon issue a]~~ Resident hunting license, which shall entitle the licensee to hunt, shoot, kill, or
30 take, except by the use of traps, and to transport wild birds and wild animals under the restrictions
31 of this title.

32 II. ~~[If the applicant is a resident of this state and wishes to fish, \$33, and the agent shall~~
33 ~~thereupon issue a]~~ Resident fishing license, which shall entitle the licensee to kill, take, and
34 transport all species of freshwater fish, under the restrictions of this title.

35 II-a. [Repealed.]

36 II-b. ~~[If the applicant is a resident of this state and wishes to fish for one day, \$8, and the~~

CHAPTER 186
HB 212 – FINAL VERSION
- Page 8 -

1 ~~agent shall thereupon issue a~~] One-day resident fishing license, which shall entitle the licensee to
2 kill, take, and transport all species of freshwater fish, for said time only, under the restrictions of
3 this title.

4 III. ~~[If the applicant is a resident of this state and wishes to hunt and fish, \$44, and the~~
5 ~~agent shall thereupon issue a~~] Resident hunting and fishing license, which shall entitle the licensee
6 to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all
7 species of freshwater fish under the restrictions of this title.

8 IV. ~~[If the applicant is a resident of this state and wishes to take fur bearing animals and~~
9 ~~coyote by the use of traps, \$27.50, and the department shall thereupon issue a~~] **Resident** trapping
10 license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps
11 and sell and transport them under the restrictions of this title.

12 V. ~~[If the applicant is a resident under 16 years of age and wishes to take fur bearing~~
13 ~~animals and coyote by the use of traps when not accompanied by a licensed trapper 18 years of age~~
14 ~~or over, \$5.50, and the agent shall thereupon issue a~~] Resident minor's trapping license, which shall
15 entitle the licensee **under 16 years of age** to take fur-bearing animals and coyote by the use of
16 traps and sell and transport them under the restrictions of this title.

17 VI. ~~[If the applicant is a nonresident, 16 years of age or older, and wishes to hunt, \$102, and~~
18 ~~the agent shall thereupon issue a~~] Nonresident hunting license, which shall entitle the licensee to
19 hunt, shoot, kill, and take, except by the use of traps, and to transport wild birds and wild animals
20 under the restrictions of this title.

21 VI-a. ~~[If the applicant is a nonresident and wishes to hunt and fish, \$139, and the agent~~
22 ~~shall thereupon issue a~~] Nonresident hunting and fishing license, which shall entitle the licensee to
23 hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all
24 species of freshwater fish under the restrictions of this title.

25 VII. [Repealed.]

26 VII-a. ~~[If the applicant is a nonresident and wishes to take small game as defined in~~
27 ~~RSA 207:1, XXVI, \$52, and the agent shall thereupon issue a~~] Nonresident small game license, which
28 shall entitle the licensee to hunt, shoot, or take small game **as defined in RSA 207:1, XXVI**;
29 provided, however, this license shall not authorize the taking of fur-bearing animals as defined in
30 RSA 207:1, VIII.

31 VII-b. [If the applicant is a nonresident and wishes to take small game as defined in
32 RSA 207:1, XXVI, for 3 consecutive days, \$24, and the agent shall thereupon issue a] 3-day
33 nonresident small game license, which shall entitle the licensee to hunt, shoot, or take small game
34 **as defined in RSA 207:1, XXVI, for 3 consecutive days**; provided, however, this license shall not
35 authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

CHAPTER 186
HB 212 – FINAL VERSION
- Page 9 -

1 VIII. [If the applicant is a nonresident, 16 years of age or older, and wishes to take any
2 species of freshwater fish, \$51, and the agent shall thereupon issue a] Nonresident fishing license,
3 which shall entitle the licensee to kill, take, and transport all species of freshwater fish under the
4 restrictions of this title[, provided that:

5 (a) ~~[Repealed.]~~

6 (b) ~~If the applicant wishes to take said fish for 7 consecutive days, \$33, and the agent~~
7 ~~shall thereupon issue a 7 day nonresident fishing license for said time only under the restrictions of~~
8 ~~this title;~~

9 (c) ~~If the applicant wishes to take said fish for 3 consecutive days, \$26, and the agent~~
10 ~~shall thereupon issue a 3-day nonresident fishing license for said time only under the restrictions of~~
11 ~~this title; and~~

12 (d) ~~[Repealed.]~~

13 (e) ~~If the applicant wishes to take said fish for one day, \$13, and the agent shall~~
14 ~~thereupon issue a one day nonresident fishing license for said time only under the restrictions of this~~
15 ~~title].~~

16 VIII-a. ~~[Repealed.]~~

17 VIII-b. ~~[Repealed.]~~

18 ***VIII-c. 7-day nonresident fishing license, which shall entitle the licensee to kill,***
19 ***take, and transport all species of freshwater fish, for 7 consecutive days, under the***
20 ***restrictions of this title.***

21 ***VIII-d. 3-day nonresident fishing license, which shall entitle the licensee to kill,***
22 ***take, and transport all species of freshwater fish, for 3 consecutive days, under the***
23 ***restrictions of this title.***

24 ***VIII-e. One-day nonresident fishing license, which shall entitle the licensee to kill,***
25 ***take, and transport all species of freshwater fish, for one day, under the restrictions of this***
26 ***title.***

27 IX. ~~[If the applicant is a nonresident and wishes to take fur-bearing animals and coyotes by~~
28 ~~the use of traps, the nonresident shall pay \$300.] ***Nonresident trapping license, which shall***
29 ***entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and***
30 ***transport them under the restrictions of this title.*** If the applicant's state or province does not
31 permit nonresident trappers, said applicant shall be denied a nonresident license in this state.~~

32 X.(a) ~~[If the applicant wishes to hunt pheasants, the agent shall thereupon issue a]~~
33 Pheasant license or stamp, which shall entitle the licensee to hunt, shoot, kill, and take, except by
34 the use of traps, pheasants during the open season.

35 (b) The fee for such license or stamp shall be ~~[determined by the executive director~~
36 ~~pursuant to RSA 541-A]~~ ***set by the executive director pursuant to RSA 206:10, I.***

CHAPTER 186
HB 212 – FINAL VERSION
- Page 10 -

1 XI. [~~If the applicant is a resident and wishes to hunt wild turkeys, \$15, and if the applicant~~
2 ~~is a nonresident and wishes to hunt wild turkeys, \$30, and the fish and game department shall~~
3 ~~thereupon issue a wild turkey license or permit~~] **Resident wild turkey license**, which shall entitle
4 the licensee to hunt, shoot, kill, and take turkey, except by the use of traps.

5 **XI-a. Nonresident wild turkey license, which shall entitle the licensee to hunt,**
6 **shoot, kill, and take turkey, except by the use of traps.**

7 XII. [~~If the applicant wishes to hunt migratory waterfowl, \$4.00, and the agent shall~~
8 ~~thereupon issue a state~~] Migratory waterfowl license, which shall entitle the licensee to hunt, shoot,
9 kill, and take migratory waterfowl during such time and in such manner and numbers as may be
10 allowed under RSA 209:6.

11 XIII.(a) Any recognized summer camp or educational facility operated within the state may
12 apply to the executive director of the fish and game department for a group fishing license that may
13 be utilized by individual campers or students while participating in camp or school approved
14 activities. The fee for the license [~~shall be \$25, and~~], the definitions, requirements for participation,
15 and criteria for obtaining the license shall be determined by the executive director pursuant to rules
16 adopted under RSA 541-A.

17 (b) [Repealed.]

18 XIV. [Repealed.]

19 XV. If the applicant wishes to take wild animals, excluding fish and marine species, or wild
20 birds, [~~\$2.50~~] **a fee set by the executive director pursuant to RSA 206:10, I**, and the agent shall
21 thereupon issue a wildlife habitat stamp or license as provided in RSA 214:1-f. For any year in
22 which a stamp is issued, the agent shall be entitled to retain [~~\$.50~~] **a portion** of the [~~\$2.50~~] fee **as**
23 **set by the executive director pursuant to RSA 206:10, I** for each wildlife habitat stamp sold and
24 all stamps sold at the department headquarters or any subagency thereof shall retain the same
25 [~~\$.50~~] **portion of the** fee which, notwithstanding RSA 214:1-f, V, shall be credited to the general fish
26 and game fund. Notwithstanding any other provision of law, there shall be no agent fee for a wildlife
27 habitat license issued pursuant to RSA 214:1-f.

28 XVI.(a) [If the applicant is 16 years of age or older and wishes to take, possess, or transport
29 finfish from coastal and estuarine waters under the restrictions of this title, the applicant shall pay
30 the fee according to the schedule in subparagraph (e), and the agent shall thereupon issue a]
31 Recreational saltwater license, which shall entitle the licensee, **16 years of age or older**, to take,
32 possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title,
33 provided that any person participating in a recreational saltwater fishing opportunity on a for-hire
34 vessel, which is licensed under subparagraph (b), shall be exempt from the license requirement of
35 this subparagraph.

36 (b) A resident or nonresident owner or operator of a for-hire vessel who wishes to provide

CHAPTER 186
HB 212 – FINAL VERSION
- Page 11 -

1 recreational saltwater fishing opportunities for persons taking finfish from coastal and estuarine
2 waters, shall pay a fee, **set by the executive director pursuant to RSA 206:10, I**, for each charter
3 boat and each party boat [~~according to the schedule in subparagraph (e)~~], which shall entitle the
4 owner or operator of the licensed for-hire vessel to take, possess, or transport finfish from coastal and
5 estuarine waters, under the restrictions of this title.

6 (c) A nonresident holding a valid recreational saltwater license or a for-hire charter or
7 party boat saltwater license from Maine or Massachusetts, shall be allowed to take, possess, or
8 transport finfish from New Hampshire coastal and estuarine waters, provided that the state in
9 which such person purchased a recreational saltwater license or in which the for-hire vessel is
10 registered allows an angler with a New Hampshire recreational saltwater license or a saltwater for-
11 hire vessel with a for-hire license from New Hampshire to recreationally take, possess, or transport
12 finfish in that state’s coastal and estuarine waters.

13 (d) In this paragraph:

14 (1) “Coastal and estuarine waters” means all waters within the rise and fall of the
15 tide, and water below any fishway or dam which is normally the dividing line between tide water
16 and fresh water, or below any tidal bound which has been legally established in streams flowing into
17 the sea under the jurisdiction of the state.

18 (2) “For-hire vessel” means a party boat, charter boat, dive boat, head boat, or other
19 boat hired by persons to engage in recreational saltwater fishing opportunities.

20 (3) “Recreational saltwater fishing” means taking of any marine finfish, by any
21 means for personal use only and which are not sold.

22 (4) “Charter boat” means a vessel less than 100 gross tons (90.8 metric tons) that
23 meets the requirements of the U.S. Coast Guard to carry 6 or fewer passengers for hire.

24 (5) “Party boat” or “head boat” means a vessel that holds a valid Certificate of
25 Inspection issued by the U.S. Coast Guard to carry passengers for hire.

26 (e) [~~The following fees shall apply:~~

27 (1) ~~\$10 for resident and nonresident individuals.~~

28 (2) ~~\$50 for charter boats and other for-hire vessels, except party boats.~~

29 (3) ~~\$100 for party boats.~~

30 (f) The executive director shall adopt rules under RSA 541-A on the further definitions,
31 criteria, and requirements for obtaining the licenses under this paragraph.

32 186:26 Fish and Game; Fur Buyers. Amend RSA 214:25 to read as follows:

33 214:25 Applications; Fees. The applicant, whether a resident or nonresident, shall fill out and
34 sign a blank to be furnished by the executive director and pay [~~the applicable~~] a license fee **set by**
35 **the executive director pursuant to RSA 206:10, I**. The executive director shall thereupon issue a
36 fur buyer’s license which shall entitle the licensee to buy and sell the furs and skins of deer, coyotes,

CHAPTER 186
HB 212 – FINAL VERSION
- Page 12 -

1 and fur-bearing animals lawfully taken, and to sell and transport the same, under the restrictions of
2 this title. The executive director shall grant such licenses for the entire state upon the payment of
3 ~~[a] the applicable license fee [of \$50 for residents or upon the payment of a fee of \$150 for~~
4 ~~nonresidents].~~

5 186:27 Fish and Game; Taxidermy. Amend RSA 214:29-a to read as follows:

6 214:29-a Taxidermy. The executive director may grant licenses which may be revoked or
7 suspended at any time to any person desiring to practice taxidermy, as defined under general
8 provisions, RSA 207:1, XXVII-a. ~~[The fee for a taxidermy permit shall be \$50, and]~~ The executive
9 director shall adopt rules under RSA 541-A relative to the **fee for a taxidermy permit, and the**
10 conditions, qualifications, and other criteria under which a taxidermy permit shall be granted.

11 186:28 Fish and Game; Freshwater Bait. Amend RSA 214:34 to read as follows:

12 214:34 Licenses Required.

13 I. No person shall take **with the intent to sell**, sell, or offer to sell live fish **or aquatic**
14 **invertebrates** for bait without first procuring a license to do so.

15 II. The applicant shall complete the prescribed application form furnished by the executive
16 director and pay the ~~[following]~~ appropriate **license** fee in addition to the \$1 agent's fee as provided
17 in RSA 214-A:4[~~;~~

18 (a) ~~If the applicant is a retailer, he shall pay a fee of \$25.~~

19 (b) ~~If a resident applicant wishes to sell at retail and wholesale, he shall pay a fee of \$75.~~

20 (c) ~~If a nonresident applicant wishes to sell at retail, he shall pay a fee of \$50.~~

21 (d) ~~If a nonresident applicant wishes to sell at wholesale, he shall pay a fee of \$150.~~

22 **III. Fees for the following license types shall be set by the executive director**
23 **pursuant to RSA 206:10, I:**

24 (a) **Retail.**

25 (b) **Resident retail and wholesale.**

26 (c) **Nonresident retail.**

27 (d) **Nonresident wholesale.**

28 **186:29** Fish and Game; Importing Bait. Amend RSA 214:34-d to read as follows:

29 214:34-d Permit to Import. No fish of any description shall be brought into this state for use as
30 bait without first procuring a permit from the executive director. Such permit shall be valid for no
31 longer than one year but no additional permit shall be required within that period of time to import
32 the same species of fish from the same source of supply. Five days' notification of each intent to
33 import shall be filed with the executive director. ~~[The fee for each such permit is \$9.50.]~~ **The**
34 **executive director shall set the fee for such permits pursuant to RSA 206:10, I.**

35 **186:30** Fish and Game; Guide License. RSA 215:4 is repealed and reenacted to read as follows:

36 215:4 Fee for License. The executive director shall set the fees for resident and nonresident

CHAPTER 186
HB 212 – FINAL VERSION
- Page 13 -

1 licenses to guide under this chapter pursuant to RSA 206:10, I.

2 186:31 Fish and Game; Guides. Amend RSA 215:5, II to read as follows:

3 II. ***Notwithstanding RSA 215:4***, every resident 65 years of age or older who has been a
4 licensed guide in this state for 5 or more years may obtain a license as a guide to fish or to hunt [~~not~~
5 ~~by payment of the fees prescribed in RSA 215:4, I and II but rather~~] by payment of only the cost of
6 issuing said license as determined by the executive director.

7 186:32 Fish and Game Department; Licenses for Persons Over 65. RSA 214:7-a is repealed and
8 reenacted to read as follows:

9 214:7-a Persons Over 68 Years of Age.

10 I. Any resident of this state who is 68 years of age or over may make application each year,
11 to any authorized agent of the state for the sale of freshwater fishing, hunting, or trapping licenses,
12 for a special license to fish in freshwaters and hunt or trap, under the restrictions of this title. Such
13 license may permit the use of a muzzleloading firearm and bow and arrow. The executive director
14 shall set the annual fee for the special license established in this section by rule pursuant to
15 RSA 206:10, I. Said fee shall not exceed 50 percent of the regular resident license fee for fishing in
16 freshwaters, hunting, or trapping. The license shall be marked in such manner as the executive
17 director may designate.

18 II. Those individuals holding a special license under this section as of June 30, 2015 shall be
19 exempt from the requirement to apply for said license annually. The special license held by these
20 individuals shall remain effective for the remainder of each individual's life, as long as the individual
21 remains a resident of the state, unless suspended or revoked by the executive director.

22 186:33 New Section; Fish and Game Department; Environmental Review Fees. Amend RSA 206
23 by inserting after section 33-e the following new section:

24 206:33-f Environmental Review Fees.

25 I. The executive director may charge a fee for the review of proposed projects which may
26 adversely impact wildlife, including threatened or endangered species of wildlife, if such review is
27 requested by a project developer, either public or private, regardless of whether such request is
28 received before or after an application is submitted to any permitting agency.

29 II. The fees established by this section shall be designed to recover a reasonable portion of
30 the costs of:

31 (a) Reviewing, assessing, and monitoring the impacts to wildlife of a proposed project;

32 (b) Reviewing and assessing research, sampling, or modeling protocols to be
33 implemented either prior to or after the completion of a project; and

34 (c) Formulating recommendations designed to avoid, minimize, and/or mitigate any
35 potential adverse impacts of a project on wildlife.

36 III. Fees shall be fixed in a schedule prepared and revised as necessary by the executive

CHAPTER 186
HB 212 – FINAL VERSION
- Page 14 -

1 director, and established in rules adopted pursuant to RSA 541-A. Such schedule may differentiate
2 among different classes of projects based on the intensity of the requisite review by the department.

3 IV. All moneys received under this section shall be deposited into the fish and game fund
4 established under RSA 206:33 and used solely for the purposes set forth in RSA 206:34-a.

5 V. Receipt of the fees established by this section shall be a prerequisite for any
6 environmental review undertaken by the department. Any permit or certificate dependent on the
7 environmental review undertaken by the department shall be invalid until the fees assessed under
8 this section are paid in full.

9 186:34 Effective Date.

10 I. Section 1 of this act shall take effect January 1, 2016.

11 II. The remainder of this act shall take effect July 1, 2015.

12
13 Approved: June 30, 2015

14 Effective Date: I. Section 1 shall take effect January 1, 2016.

15 II. Remainder shall take effect July 1, 2015.