

HB 663-FN - AS INTRODUCED

2015 SESSION

15-0693
10/09

HOUSE BILL

663-FN

AN ACT

requiring the implementation of a plan for the transfer of the fish and game department to the department of safety on or before July 1, 2017.

SPONSORS:

Rep. Burt, Hills 39; Rep. Rideout, Coos 7

COMMITTEE:

Fish and Game and Marine Resources

ANALYSIS

This bill requires the transfer of the fish and game department to the department of safety on or before July 1, 2017. The agencies shall develop a plan for the implementation of the transfer, subject to the approval of a legislative oversight commission, and for necessary legislation required to implement the transfer.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring the implementation of a plan for the transfer of the fish and game department to the department of safety on or before July 1, 2017.

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

1 1 Fish and Game; Transfer of Functions and Powers; July 1, 2017.

2 I. The fish and game department, established in RSA 206 and granted authority in title
3 XVIII, is hereby abolished. On the effective date of this section, all of its powers, duties, functions,
4 personnel, records, and property are hereby transferred to the department of safety.

5 II. The executive authority for administration of laws vested in the executive director of fish
6 and game and the fish and game commission prior to the effective date of this section are transferred
7 to the commissioner of safety.

8 III. All rules of the fish and game department which are effective on the effective date on
9 this section shall continue to be effective and enforced by the department of safety until such rules
10 are amended, repealed, readopted, or expired pursuant to RSA 541-A.

11 2 Implementation Plan. The commissioner of the department of safety and the executive
12 director of the fish and game department, with the approval of the legislative oversight commission
13 established in this act, shall develop an implementation plan for the assigning of duties transferred
14 by this act as is necessary and advisable. The commissioner and the executive director shall report
15 monthly to the legislative oversight commission established in this act on the status, schedules, and
16 proposals for further legislation to implement the provisions of this act.

17 3 Transition; Agency Reorganization. The transition from the fish and game department to the
18 department of safety shall be in accordance with the requirements of RSA 21-G:13 through 21-G:19
19 for the abolishment and transfer of executive department agencies. Prior to the transition date the
20 existing entities and the officials of those entities shall retain their full power and authority.

21 4 Funds and Accounts; Continuation of Authority. The purposes and uses of any fund, account,
22 or trust relating to the state fish and game laws, transferred pursuant to this act, shall be
23 maintained and continued without limitation or suspension, except where specifically amended by
24 law.

25 5 Legislative Oversight Commission Established.

26 I. There is established a legislative oversight commission on the implementation of the
27 abolishment and transfer of the fish and game department to the department of safety, and related
28 matters.

29 II. The members of the commission shall be as follows:

30 (a) Two members of the senate, appointed by the president of the senate.

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1 (b) Four members of the house of representatives, appointed by the speaker of the house
2 of representatives.

3 III. Members of the commission shall receive mileage at the legislative rate when attending
4 to the duties of the commission.

5 IV. The commission shall oversee the implementation of the abolishment and transfer of the
6 fish and game department to the department of safety. The commission may utilize the services of
7 the office of legislative services, the legislative budget assistant, and any other state agency in its
8 oversight of the implementation of this act.

9 V. The members of the legislative oversight commission shall elect a chairperson from
10 among the members. The first meeting of the commission shall be called by the first-named house
11 member. The first meeting of the commission shall be held within 45 days of the effective date of
12 this section. Four members of the commission shall constitute a quorum.

13 VI. The commission shall report its findings and any recommendations for proposed
14 legislation to the president of the senate, the speaker of the house of representatives, the senate
15 clerk, the house clerk, the governor, and the state library in an interim report on or before November
16 1, 2015, and in a final report on or before November 1, 2016.

17 6 Effective Date.

18 I. Section 1 of this act shall take effect July 1, 2017.

19 II. The remainder of this act shall take effect upon its passage.

HB 663-FN FISCAL NOTE

AN ACT requiring the implementation of a plan for the transfer of the fish and game department to the department of safety on or before July 1, 2017.

FISCAL IMPACT:

The Department of Safety, Fish and Game Department, and Department of Administrative Services state this bill, **as introduced**, will increase state expenditures by an indeterminable amount in FY 2016 and FY 2017, and have an indeterminable impact on state expenditures in FY 2018 and each year thereafter. There will be no fiscal impact on county and local expenditures, or state, county, and local revenue.

METHODOLOGY:

The Department of Safety (DOS), Fish and Game Department (F&G), and Department of Administrative Services (DAS) state this bill requires the transfer of the Fish and Game Department to the Department of Safety on or before July 1, 2017. The bill requires DOS and F&G to develop and implement a plan for said transfer, and establishes a legislative oversight commission to monitor and approve the development and implementation of the plan.

DOS states the development and implementation of the required plan would necessitate the employment of a project manager who would report to the commissioner. The project manager's responsibilities in the development and oversight of the implementation of the plan would include reviewing affected statutes and administrative rules; assessing possible consolidation of resources including human resources, property and assets, and information systems; determining the effects of the transfer on the various stakeholders; as well as any other matters that would require consideration related to the transfer process. The Department estimates the responsibilities of the project coordinator could be met utilizing a part time Administrator III position working 18.75 hour per week. DOS estimates an increase of state expenditures by approximately \$38,300 in FY 2016, \$33,300 in FY 2017, and \$34,900 in FY 2018. Both DOS and F&G state passage of the proposed legislation would also increase demands on the commissioner and the executive director and their associated staffs. The exact fiscal impact cannot be determined at this time.

The Department of Administrative Services is unable to determine the costs associated with the transfer proposed in this bill, or the impact of any potential cost savings that may be experienced.