# Bill as Introduced

## HB 192 - AS INTRODUCED

# 2021 SESSION

21-0352 04/10

HOUSE BILL

192

AN ACT

relative to pistols permitted for the taking of deer.

SPONSORS:

Rep. J. MacDonald, Carr. 6; Rep. Crawford, Carr. 4; Rep. Avellani, Carr. 5; Rep.

Umberger, Carr. 2; Rep. Deshaies, Carr. 6

COMMITTEE:

Fish and Game and Marine Resources

#### **ANALYSIS**

This bill adds additional pistols permitted for the taking of deer.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

#### STATE OF NEW HAMPSHIRE

## In the Year of Our Lord Two Thousand Twenty One

AN ACT

relative to pistols permitted for the taking of deer.

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

- 1 Deer; Pistols Permitted. Amend RSA 208:3-d to read as follows:
- 2 208:3-d Pistols Permitted. Pistols permitted under RSA 208:3, 3-a, 3-b, and 3-c shall include a
- 3 .357 Magnum, 10mm Automatic, .41 Remington, .44 Magnum, .45 Long Colt, .480 Ruger, [-and] .50
- 4 Magnum, .45 ACP (Automatic Colt Pistol), .460 Rowland, .45 Super, .50 AE (Action Express),
- 5 .357 SIG Sauer, .327 Federal Magnum, and .400 Corbon, provided that a pistol used for taking
- 6 deer under this section shall be loaded with no more than [5] 6 rounds of ammunition at any time.
- 7 2 Effective Date. This act shall take effect 60 days after its passage.

# CHAPTER 6 HB 192 - FINAL VERSION

#### 2021 SESSION

21-0352 04/10

HOUSE BILL

192

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Rep. J. MacDonald, Carr. 6; Rep. Crawford, Carr. 4; Rep. Avellani, Carr. 5; Rep.

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21-0352 04/10

#### STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

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

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- 4 Magnum, .45 ACP (Automatic Colt Pistol), .460 Rowland, .45 Super, .50 AE (Action Express),
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  - 6:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: April 23, 2021 Effective Date: June 22, 2021

# Committee Minutes

# SENATE CALENDAR NOTICE Energy and Natural Resources

Sen Kevin Avard, Chair Sen Bob Giuda, Vice Chair Sen James Gray, Member Sen David Watters, Member Sen Rebecca Perkins Kwoka, Member

Date: March 16, 2021

#### **HEARINGS**

Monday		03/22/2021	
(Day)		(Date)	
Energy and Natural Resources		REMOTE 000	1:00 p.m.
(Name of Committee)		(Place)	(Time)
1:00 p.m.	HB 529-FN	relative to cruelty to a wild animal, fish, or wild bird.	
1:15 p.m.	HB 342	relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to tak deer.	
1:30 p.m.	HB 192	relative to pistols permitted for the taking of deer.	
1:45 p.m.	HB 226	relative to the repeal of laws on produce safety.	
2:00 p.m.	HB 193	relative to penalties for improper timber harvesting.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

- 1. Link to Zoom Webinar: https://www.zoom.us/j/96840968683
- 2. To listen via telephone: Dial(for higher quality, dial a number based on your current location):
- 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
- 3. Or iPhone one-tap: US: +19292056099,,96840968683# or +13017158592,,96840968683#
- 4. Webinar ID: 968 4096 8683
- 5. To view/listen to this hearing on YouTube, use this link:

https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:

 $\underline{http://gencourt.state.nh.us/remotecommittee/senate.aspx}$ 

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: <a href="mailto:remotesenate@leg.state.nh.us">remotesenate@leg.state.nh.us</a> or call (603-271-6931).

### **EXECUTIVE SESSION MAY FOLLOW**

#### Sponsors: HB 529-FN

Rep. Read Rep. Spillane

Rep. Toll Rep. Abrami Rep. Gay Rep. DeSimone Rep. Danielson Rep. Wall

Rep. K. Murray <b>HB 342</b>	Sen. Sherman	Sen. Watters	Sen. Bradley
Rep. Spillane Rep. Love	Rep. Pearl	Rep. Roy	Rep. Verville
HB 192			
Rep. J. MacDonald Rep. Deshaies	Rep. Crawford	Rep. Avellani	Rep. Umberger
HB 226 Rep. Pearl	Rep. Lang	Rep. Moffett	
HB 193	<b>5</b>		n a 11
Rep. Suzanne Smith Sen. Giudā	Rep. Weston Sen. Hennessey	Rep. Gordon	Rep. Gould

Griffin Roberge 271-3042

Kevin A. Avard Chairman

# Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

HB 192, relative to pistols permitted for the taking of deer.

**Hearing Date:** 

March 22, 2021.

Time Opened:

1:56 p.m.

Time Closed:

2:00 p.m.

Members of the Committee Present: Senators Avard, Giuda, Gray, Watters and Perkins

Kwoka.

Members of the Committee Absent: None.

Bill Analysis:

This bill adds additional pistols permitted for the taking of deer.

Sponsors:

Rep. J. MacDonald

Rep. Crawford

Rep. Avellani

Rep. Umberger

Rep. Deshaies

Who supports the bill: Representative Timothy Lang, Belknap - District 7; Representative John MacDonald, Carroll - District 6; William Macduff, Wolfeboro, NH; Joe Hannon, Gun Owners of New Hampshire; Bill Roy; Ronald Garnett; Paul Sanderson, NH Fish and Game Department.

Who opposes the bill: Robin Vogt; Ruth Larson; Richard DeMark; Lucinda Hope.

Who is neutral on the bill: None.

# Summary of testimony presented in support:

## Representative John MacDonald

Carroll - District 6

- Back in October 2019, a constituent had contacted the NH Fish and Game Department (NHFG) expressing their concerns about the difference between a .45 Long Colt and .45 ACP (Automatic Colt Pistol). NHFG explained that the types of calibers that can be used in pistols for taking deer in specific municipalities as outlined in RSAs 208:3, 3-a, 3-b, and 3-c were codified in state statute under RSA 208:3-d. Any changes to the types of calibers that can be used would require legislative review and approval.
- HB 192 amends RSA 208:3-d to add additional pistol calibers for the taking of deer. These new calibers include the .45 ACP (Automatic Colt Pistol), .460 Rowland, .45 Super, .50 AE (Action Express), .357 SIG Sauer, .327 Federal Magnum, and .400 Corbon.
- The House Fish and Game and Marine Resources Committee recommended the bill "ought to pass" by a vote of 17-3 and was placed on the House consent calendar. The full House approved the committee's recommendation by a voice vote.

# Representative Timothy Lang

Belknap - District 4

 HB 192 is a housekeeping bill that modernizes RSA 208:3-d to include newer and more common calibers for the taking of deer. • HB 192 also allows a pistol under RSA 208:3-d to be loaded with six rounds rather than five rounds. This change makes RSA 208:3-d consistent with the number of rounds that can be loaded into other types of firearms allowed for the taking of wildlife under HB 342's (2021) proposed changes to RSA 207:3. Having five rounds created an enforcement issue for the NHFG as it made accidental criminals out of some hunters; a hunter could have six rounds in a pistol for personal protection while hunting, but could only have five rounds in that same pistol if used for hunting.

#### Joe Hannon

Vice President, Gun Owners of New Hampshire

- HB 192 gives hunters more choice in the type of pistol he or she uses while taking deer.
- Altering the number of rounds in a pistol under RSA 208:3-d will simplify NHFG enforcement.

# Summary of testimony presented in opposition: None.

# Neutral Information Presented: None.

GJR

Date Hearing Report completed: March 22, 2021.

# Speakers

# **Senate Remote Testify**

# Energy and Natural Resources Committee Testify List for Bill HB192 on 2021-03-22

Support: 7 Oppose: 4 Neutral: 0 Total to Testify: 4

<u>Name</u>	Email Address	Phone	<u>Title</u>	Representing	<b>Position</b>	<b>Testifing</b>	Signed Up
Lang, Timothy	tlang@thelangs.us	603.566.9802	An Elected Official	Chair House Fish&Game	Support	Yes	3/19/2021 7:46 AM
MacDonald, Representative John	johnmacdonald@leg.state.nh	603.387.5255	An Elected Official	Myself	Support	Yes	3/20/2021 5:03 PM
Macduff, William	macduff.will@gmail.com	603.833.1964	A Member of the Public	Myself	Support	Yes	3/20/2021 5:42 PM
Hannon, Joe	jochannon4nh@gmail.com	603.418.5531	A Member of the Public	GO-NH	Support	Yes	3/22/2021 12:15 PM
ROY, BILL	wmroy@comcast.net	16033155829	A Member of the Public	Myself	Support	No	3/22/2021 7:45 AM
garnett, ronald	soup31314@yahoo.com	603.236.1637	A Member of the Public	Myself	Support	No	3/20/2021 3:08 PM
Hope, Lucinda	lmhope46@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	3/21/2021 1:06 PM
DeMark, Richard	demarknh114@gmail.com	603.520.5582	A Member of the Public	Myself	Oppose	No	3/22/2021 7:19 AM
Larson, Ruth	ruthlarson@msn.com	Not Given	A Member of the Public	Myself	Oppose	No	3/20/2021 8:25 PM
Sanderson, Paul	paul.sanderson@wildlife.nh.gov	603.828.8600	State Agency Staff	NH Fish and Game Department	Support	No	3/18/2021 2:52 PM
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Oppose	No	3/18/2021 8:56 AM

# Testimony

# **Griffin Roberge**

From: Sanderson, Paul < Paul.G.Sanderson@wildlife.nh.gov>

Sent: Thursday, March 18, 2021 2:56 PM

To: Griffin Roberge
Cc: Jordan, Kevin J

**Subject:** Joint testimony for HB 192 and 342

Attachments: Testimony HB 192\_342 Senate 3-22-21.docx

Griffin, here is our testimony on the two bills, as they are related. I did not sign up to testify myself. If the committee has questions, Colonel Jordan is the best person to answer on these 2 bills. He and I will both be on the meeting for that purpose.

Paul G. Sanderson Legal Coordinator NH Fish and Game



# New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500

(603) 271-3421

FAX (603) 271-1438

www.WildNH.com e-mail: info@wildlife.nh.gov TDD Access: Relay NH 1-800-735-2964

## New Hampshire Fish and Game Department Senate Energy and Natural Resources Committee March 22, 2021

Testimony on HB 192, relative to pistols permitted for the taking of deer and HB 342, relative to the taking of game by certain lever-action firearms

We write to express the position of the New Hampshire Fish and Game Commission and the New Hampshire Fish and Game Department to support the passage of these bills as passed by the House of Representatives.

HB 192 seeks to amend RSA 208:3-d to add additional models of pistols that may be used for the taking of deer in certain towns in the state that are listed in RSA 208:3-a through RSA 208:3-c. The Department has determined that for the purposes of our laws, the specific firearms listed are not of concern, as they are consistent in their ballistic capabilities with the currently allowed firearms.

The bill also seeks a change to allow the pistol to be loaded with 6 rounds rather than the 5 rounds allowed under current law. We support this proposed change, as it now will be more consistent with the number of rounds that can be loaded into other types of firearms allowed for the purpose of take of wildlife under RSA 207:3, as the same is proposed to be amended by HB 342 as passed by the House.

We offer joint testimony here on HB 342, since the policy decision made in HB 192 impacts RSA 207:3. That bill proposes to add certain lever action carbines to the list of firearms approved for the taking of wildlife. As with the pistols noted in HB 192, the Department has determined that the specific firearms listed are not of concern under our laws, as they are consistent in their ballistic capabilities with the currently allowed firearms.

Because these two bills are now consistent as to the number of rounds of ammunition that can be loaded into the allowed firearms while hunting, we support the bills, and recommend that this committee report them as "ought to pass".

Respectfully submitted,

Paul G. Sanderson NH Fish and Game Department 603-271-1136.

REGION 1

629B Main Street Lancaster, NH 03584-3612 (603) 788-3164 FAX (603) 788-4823 email: reg1@wildlife.nh.gov **REGION 2** 

PO Box 417 New Hampton, NH 03256 (603) 744-5470 FAX (603) 744-6302 email: reg2@wildlife.nh.gov **REGION 3** 

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

**REGION 4** 

15 Ash Brook Court Keene, NH 03431 (603) 352-9669 FAX (603) 352-8798 email: reg4@wildlife.nh.gov

# **Griffin Roberge**

From: William Macduff <macduff.will@gmail.com>

**Sent:** Sunday, March 21, 2021 8:35 PM

**To:** Griffin Roberge **Subject:** HB 192 Testimony

Attachments: Macduff\_William\_HB192\_Testimony\_01Feb2021.docx

Good evening,

I will be working at the time of the hearing for HB 192 tomorrow and will be unable to speak during the Zoom meeting.

I hope my attached written testimony can stand in place for my verbal testimony.

Please let me know if you have any questions or comments.

Thanks,

William Macduff (603)833-1964 macduff.will@gmail.com William Macduff

Macduff.will@gmail.com

PO Box 13

Wolfeboro, NH 03894

(603)833-1964

Good morning committee members,

My name is William Macduff and I am a hunter living in Carroll County. As part of the hunting community I have been able to participate in several small discussions with fellow hunters and it is our belief that the current list of approved pistol calibers for hunting whitetail deer in the state of New Hampshire can be improved upon. This current list would benefit from the addition of the following modern calibers: .45 ACP (Automatic Colt Pistol), .460 Rowland, .45 Super, .50 AE (Action Express), .357 Sig Sauer, .327 Federal Magnum, and .400 Corbon. Through my research I have found that all the above pistol calibers have a higher muzzle velocity (feet per second) and deliver more muzzle energy (ft lb of force) than .45 Colt, which is already on the list of approved calibers. In my written testimony I forgot to include that I am also asking for a change the amount of rounds that a hunter can have loaded in a handgun while hunting. The current limit is five and I am requesting that it be changed to six. I believe this change would be beneficial because many revolvers accept 6 rounds in their cylinder. I personally would be disappointed in myself if I only had 5 rounds in my revolver and tried to shoot a deer on an empty chamber. I believe that allowing these changes would make it easier for a new generation of hunters to find a passion in the New England hunting heritage. I am open to any questions, concerns, and discussion regarding this list of calibers I am looking to have approved.

# Voting Sheets

# Senate Energy & Natural Resources Committee

# EXECUTIVE SESSION RECORD

2021-2022 Session

Bill# #8192 Hearing Date: 03/22/201 Executive Session Date: 03/22/2021 Motion of: \_\_\_\_\_\_ Vote: \_\_\_\_ 5 - D Committee Member Present Made by Second Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters
Sen. Perkins Kwoka Motion of: Consent Vote: 5-0 Committee Member Present Made by Second Sen. Avard, Chair Sen. Gray
Sen. Watters
Sen. Perkins Kwoka Sen. Giuda, Vice Chair Sen. Perkins Kwoka Motion of:\_\_\_\_\_ Vote: Made by Second Committee Member Present Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray
Sen. Watters
Sen. Perkins Kwoka Motion of: Vote: Present Made by Second Committee Member

Sen. Avard, Chair

Sen. Giuda, Vice Chair Committee Member Sen. Gray
Sen. Watters
Sen. Perkins Kwoka Reported out by: 6ray Notes:\_\_\_\_

# Committee Report

# STATE OF NEW HAMPSHIRE

# SENATE

# REPORT OF THE COMMITTEE FOR THE CONSENT CALENDAR

Monday, March 22, 2021

THE COMMITTEE ON Energy and Natural Resources

to which was referred HB 192

AN ACT

relative to pistols permitted for the taking of deer.

Having considered the same, the committee recommends that the Bill

**OUGHT TO PASS** 

BY A VOTE OF: 5-0

Senator James Gray For the Committee

House Bill 192 updates the calibers in RSA 208:3-d to include newer and more commonly used calibers that can be used for the taking of deer in specific municipalities as listed in RSA 208:3, 3-a, 3-b, and 3-c. The bill also standardizes the number of rounds allowed in that firearm to six rounds. This change simplifies NH Fish and Game Department enforcement and is consistent with other changes moving forward in House Bill 342.

Griffin Roberge 271-3042

#### FOR THE CONSENT CALENDAR

# ENERGY AND NATURAL RESOURCES

HB 192, relative to pistols permitted for the taking of deer. Ought to Pass, Vote 5-0. Senator James Gray for the committee.

House Bill 192 updates the calibers in RSA 208:3-d to include newer and more commonly used calibers that can be used for the taking of deer in specific municipalities as listed in RSA 208:3, 3-a, 3-b, and 3-c. The bill also standardizes the number of rounds allowed in that firearm to six rounds. This change simplifies NH Fish and Game Department enforcement and is consistent with other changes moving forward in House Bill 342.

# General Court of New Hampshire - Bill Status System

# **Docket of HB192**

**Docket Abbreviations** 

Bill Title: relative to pistols permitted for the taking of deer.

# Official Docket of HB192.:

Date	Body	Description
1/4/2021	Н	Introduced (in recess of) 01/06/2021 and referred to Fish and Game and Marine Resources HJ 2 P. 38
1/21/2021	Н	Public Hearing: 02/01/2021 09:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94410519799 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
1/21/2021	Н	Subcommittee Work Session: 02/01/2021 01:30 pm Remote info same as above
2/8/2021	Н	Committee Report: Ought to Pass (Vote 17-3; CC) HC 12 P. 7
2/24/2021	Н	Ought to Pass: MA VV 02/24/2021 HJ 3 P. 9
3/4/2021	S	Introduced 03/04/2021 and Referred to Energy and Natural Resources; SJ 7
3/17/2021	S	Remote <b>Hearing:</b> 03/22/2021, 01:30 pm; Links to join the hearing can be found in the Senate Calendar; <b>SC 16</b>
3/23/2021	S	Committee Report: Ought to Pass, 04/01/2021; Vote 5-0; CC; SC 17
4/1/2021	S	Ought to Pass: RC 23Y-1N, MA; OT3rdg; 04/01/2021; SJ 10
4/12/2021	S	Enrolled RC 24Y-0N, MA, (In recess of 04/08/2021); SJ 12
4/12/2021	Н	Enrolled (in recess of) 04/09/2021 HJ 7 P. 99
4/26/2021	Н	Signed by Governor Sununu 04/23/2021; Chapter 6; Eff: 06/22/2021

NH House	NH Senate

# Other Referrals

# Senate Inventory Checklist for Archives

Bill Number: 78 142	Senate Committee:
Please include all documents in the order listed be included with an "X" beside	low and indicate the documents which have been
Y Final docket found on Bill Status	
Bill Hearing Documents: {Legislative Aides}	
Bill version as it came to the committee	
<u>⊁</u> All Calendar Notices	
X Hearing Sign-up sheet(s)	
Y Prepared testimony, presentations, & other	r submissions handed in at the public hearing
🔀 Hearing Report	
N/A Revised/Amended Fiscal Notes provided by	y the Senate Clerk's Office
Committee Action Documents: (Legislative A	ides)
All amendments considered in committee (including	
<u> </u>	nendment#
amendment # ar	nendment#
X Executive Session Sheet	
X Committee Report	
Floor Action Documents: (Clerk's Office)	
All floor amendments considered by the body duris	ng session (only if they are offered to the senate):
amendment # ar	nendment#
amendment # ar	nendment#
Post Floor Action: (if applicable) (Clerk's Off	ice)
Committee of Conference Report (if signed by the committee of conference):	off by all members. Include any new language proposed
Enrolled Bill Amendment(s)	
Governor's Veto Message	
All available versions of the bill: {Clerk's Offi	
as amended by the senate	as amended by the house
final version	
Completed Committee Report File Delivered	to the Senate Clerk's Office By:
Committee Aide	Date
$\sim$	
Senate Clerk's Office	