Bill as Introduced

HB 342 - AS AMENDED BY THE HOUSE

24Feb2021... 0136h

2021 SESSION

21-0348 04/05

HOUSE BILL 342

AN ACT relative to the taking of game by certain lever-action firearms and relative to the

number of rounds permitted in a firearm used to take deer.

SPONSORS: Rep. Spillane, Rock. 2; Rep. Pearl, Merr. 26; Rep. Roy, Rock. 32; Rep. Verville,

Rock. 2; Rep. Love, Rock. 6

COMMITTEE: Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill allows the taking of game with certain lever-action firearms. The bill also specifies that a firearm used to take deer shall not be loaded with more than 6 rounds of ammunition.

.....

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

21-0348 04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT

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relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to take deer.

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

- 1 Fish and Game; Lawful Methods of Taking. Amend RSA 207:3, I to read as follows:
- I. Wildlife shall be taken in the daytime between 1/2 hour before sunrise and 1/2 hour after sunset with a gun, firearm, muzzleloader, or air rifle, fired at arm's length, [ex] bow and arrow or crossbow, or a lever-action carbine chambered in .357, .44 Magnum, or .45 Colt in any area where hunting is restricted to handgun or pistol, unless otherwise specifically permitted. An air rifle may be used to take small game but shall not be used to take moose, bear, turkey, or deer. The executive director shall specify the method and manner of taking small game with an air rifle in rules adopted pursuant to RSA 541-A.
 - 2 Lawful Methods of Taking. Amend RSA 207:3, II to read as follows:
- II. A full automatic rifle shall not be used at any time nor shall a semi-automatic rifle be used to which is attached a magazine or clip holding more than [5] 6 cartridges, nor shall a full jacketed metal case bullet be used, either in its original form or any alteration thereof.
 - 3 Game Animals; Pistols Permitted. Amend RSA 208:3-d to read as follows:
- 208:3-d Pistols Permitted. Pistols permitted under RSA 208:3, 3-a, 3-b, and 3-c shall include a .357 Magnum, 10mm Automatic, .41 Remington, .44 Magnum, .45 Long Colt, .480 Ruger, and .50 Magnum, provided that a pistol used for taking deer under this section shall be loaded with no more than [5] 6 rounds of ammunition at any time.
- 4 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 12 HB 342 - FINAL VERSION

24Feb2021... 0136h

2021 SESSION

21-0348 04/05

HOUSE BILL

342

AN ACT

relative to the taking of game by certain lever-action firearms and relative to the

number of rounds permitted in a firearm used to take deer.

SPONSORS:

Rep. Spillane, Rock. 2; Rep. Pearl, Merr. 26; Rep. Roy, Rock. 32; Rep. Verville,

Rock. 2; Rep. Love, Rock. 6

COMMITTEE:

Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill allows the taking of game with certain lever-action firearms. The bill also specifies that a firearm used to take deer shall not be loaded with more than 6 rounds of ammunition.

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 12 HB 342 - FINAL VERSION

24Feb2021... 0136h

21-0348 04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT

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relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to take deer.

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

- 12:1 Fish and Game; Lawful Methods of Taking. Amend RSA 207:3, I to read as follows:
- I. Wildlife shall be taken in the daytime between 1/2 hour before sunrise and 1/2 hour after sunset with a gun, firearm, muzzleloader, or air rifle, fired at arm's length, [ex] bow and arrow or crossbow, or a lever-action carbine chambered in .357, .44 Magnum, or .45 Colt in any area where hunting is restricted to handgun or pistol, unless otherwise specifically permitted. An air rifle may be used to take small game but shall not be used to take moose, bear, turkey, or deer. The executive director shall specify the method and manner of taking small game with an air rifle in rules adopted pursuant to RSA 541-A.
 - 12:2 Lawful Methods of Taking. Amend RSA 207:3, II to read as follows:
- II. A full automatic rifle shall not be used at any time nor shall a semi-automatic rifle be used to which is attached a magazine or clip holding more than [5] 6 cartridges, nor shall a full jacketed metal case bullet be used, either in its original form or any alteration thereof.
 - 12:3 Game Animals; Pistols Permitted. Amend RSA 208:3-d to read as follows:
- 208:3-d Pistols Permitted. Pistols permitted under RSA 208:3, 3-a, 3-b, and 3-c shall include a .357 Magnum, 10mm Automatic, .41 Remington, .44 Magnum, .45 Long Colt, .480 Ruger, and .50 Magnum, provided that a pistol used for taking deer under this section shall be loaded with no more than [5] 6 rounds of ammunition at any time.
 - 12:4 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		03/22/20	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 take 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.		esting.			

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:

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: remotesenate@leg.state.nh.us 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. К. Миггау	Sen. Sherman	Sen. Watters	Sen. Bradley
HB 342			
Rep. Spillane	Rep. Pearl	Rep. Roy	Rep. Verville
Rep. Love			
HB 192			
Rep. J. MacDonald	Rep. Crawford	Rep. Avellani	Rep. Umberger
Rep. Deshaies			
HB 226			
Rep. Pearl	Rep. Lang	Rep. Moffett	
HB 193			
Rep. Suzanne Smith	Rep. Weston	Rep. Gordon	Rep. Gould
Sen. Giuda	Sen. Hennessey		

Griffin Roberge 271-3042

<u>Kevin A. Avard</u> Chairman

Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

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 take deer.

Hearing Date: M

March 22, 2021.

Time Opened:

1:48 p.m.

Time Closed:

1:56 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 allows the taking of game with certain lever-action firearms. The bill also specifies that a firearm used to take deer shall not be loaded with more than 6 rounds of ammunition.

Sponsors:

Rep. Spillane

Rep. Pearl

Rep. Roy

Rep. Verville

Rep. Love

Who supports the bill: Representative John Burt, Hillsborough - District 39; Ronald Garnett; Joe Hannon, Gun Owners of New Hampshire; Representative Timothy Lang, Belknap - District 4; Jeanine Notter, Hillsborough - District 21; Paul Sanderson, NH Fish and Game Department; Representative James Spillane, Rockingham - District 2.

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

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative James Spillane Rockingham – District 2

- HB 342 was recommended "ought to pass with amendment" by the House Fish and Game and Marine Resources Committee by a vote of 20-0 and was placed on the House consent calendar. The full House supported by committee's recommendation by a voice vote.
- There are areas in NH where individuals can hunt with only a shotgun or a pistol as listed in RSA 208:3, 3-a, 3-b, and 3-c. There is no dispute that a rifle is more accurate than a pistol or shotgun a rifle allows a hunter to better aim their shot and avoid stray bullets. Section 1 would allow for the use of a lever-action carbine chambered in .357, .44 Magnum, or a .45 Colt in any area where hunting is restricted to a handgun or pistol. These three calibers are already permitted to use in pistols in the areas listed in RSA 208:3, 3-1, 3-b, and 3-c.
- Sections 2 and 3 would increase the number of cartridges and rounds in all firearms used for hunting. Current statute has a five cartridge/round limit. HB 342 would increase that number to six. These changes would create consistency in state statute and align with the proposed changes in HB 192 (2021).
- Senator Watters summarized that HB 342 is essentially updating state statute to keep up with modern firearms.

o Representative Spillane said Senator Watters was correct.

Representative Timothy Lang

Belknap – District 4

- Shooting a lever-action carbine is safer to use for taking an animal in compact areas than a pistol, making HB 342 a safety bill. A lever-action carbine's ballistic capabilities are also consistent with currently allowed firearms.
- HB 342's Sections 2 and 3 align with changes in HB 192 and address an enforcement issue for the NH Fish and Game Department (NHFG).

Joe Hannon

Vice President, Gun Owners of New Hampshire

• Reiterated Representative Spillane and Representative Lang's testimony.

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 HB342 on 2021-03-22

Support: 7 Oppose: 4 Neutral: 0 Total to Testify: 3

<u>Name</u>	Email Address	Phone	<u>Title</u>	Representing	Position	Testifing	Signed Up
Lang, Timothy	tlang@thelangs.us	603.566.9802	An Elected Official	Chair House Fish&Game	Support	Yes	3/19/2021 7:45 AM
Hannon, Joe	joehannon4nh@gmail.com	603.418.5531	A Member of the Public	GO-NH	Support	Yes	3/22/2021 12:14 PM
Spillane, James	james@jamesspillane.org	603.463.5623	An Elected Official	Rockingham 2 - Bill Sponsor	Support	Yes	3/22/2021 7:37 AM
garnett, ronald	soup31314@yahoo.com	603.236.1637	A Member of the Public	Myself	Support	No	3/20/2021 3:05 PM
Hope, Lucinda	lmhope46@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	3/21/2021 1:04 PM
DeMark, Richard	demarknh114@gmail.com	603.520.5582	A Member of the Public	Myself	Oppose	No	3/22/2021 7:18 AM
Burt, Rep John	John.Burt@leg.state.nh.us	603-6240-508	An Elected Official	Goffstown, Weare and Deering	Support	No	3/22/2021 8:14 AM
Notter, Jeanine	jeanine.notter@leg.state.nh.us	603.423.0408	An Elected Official	Myself	Support	No	3/22/2021 8:20 AM
Larson, Ruth	ruthlarson@msn.com	Not Given	A Member of the Public	Myself	Oppose	No	3/20/2021 8:24 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 8:55 AM

Testimony

Griffin Roberge

From:

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

Sent:

Thursday, March 18, 2021 2:56 PM

To: Cc: Griffin Roberge 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: req2@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

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill# 48 342_ Hearing Date: 03/22/2021 Executive Session Date: 03/22/2021 Vote: 5-0 Motion of: 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 Made by Second Committee Member Present Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray
Sen. Watters Sen. Perkins Kwoka Motion of:___ Vote: Committee Member Present Made by Second Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka Motion of: Vote: Present Committee Member Made by Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka Reported out by: __ Giuda 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 342

AN ACT

relative to the taking of game by certain leveraction firearms and relative to the number of rounds permitted in a firearm used to take deer.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF:

5-0

Senator Bob Giuda For the Committee

House Bill 342 allows for the use of a lever-action carbine chambered in .357, .44 Magnum, or a .45 Colt to be used in specific areas of the state as listed in RSA 208:3, 3-a, 3-b, and 3-c. Using a lever-action carbine increases overall hunting safety in these compact areas of the state. The bill also increases the number of rounds in all firearms used for hunting. This change creates uniformity in Fish and Game statute, simplifies NH Fish and Game Department enforcement, and aligns with other changes in House Bill 192. The Department supports this legislation.

Griffin Roberge 271-3042

FOR THE CONSENT CALENDAR

ENERGY AND NATURAL RESOURCES

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 take deer.

Ought to Pass, Vote 5-0.

Senator Bob Giuda for the committee.

House Bill 342 allows for the use of a lever-action carbine chambered in .357, .44 Magnum, or a .45 Colt to be used in specific areas of the state as listed in RSA 208:3, 3-a, 3-b, and 3-c. Using a lever-action carbine increases overall hunting safety in these compact areas of the state. The bill also increases the number of rounds in all firearms used for hunting. This change creates uniformity in Fish and Game statute, simplifies NH Fish and Game Department enforcement, and aligns with other changes in House Bill 192. The Department supports this legislation.

General Court of New Hampshire - Bill Status System

Docket of HB342

Docket Abbreviations

Bill Title: (New Title) relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to take deer.

Official Docket of HB342.:

Date	Body	Description
1/9/2021	Н	Introduced (in recess of) 01/06/2021 and referred to Fish and Game and Marine Resources HJ 2 P. 44
1/21/2021	H	Public Hearing: 02/01/2021 10:00 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	<u>Subcommittee</u> Work Session: 02/01/2021 01:30 pm Remote info same as above
2/8/2021	Н	Committee Report: Ought to Pass with Amendment #2021-0136h (Vote 20-0; CC) HC 12 P. 7
2/24/2021	Н	Amendment #2021-0136h: AA VV 02/24/2021 HJ 3 P. 9
2/24/2021	Н	Ought to Pass with Amendment 2021-0136h: 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 Hearing: 03/22/2021, 01:15 pm; Links to join the hearing can be found in the Senate Calendar; SC 16
3/25/2021	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 12; Eff: 06/22/2021

NH House NH Senate	
	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: Hb 342	Senate Committee: 2777
Please include all documents in the order listed beloincluded with an "X" beside	w and indicate the documents which have been
× Final docket found on Bill Status	
Bill Hearing Documents: (Legislative Aides)	
→ Bill version as it came to the committee	
X All Calendar Notices	
X Hearing Sign-up sheet(s)	
•	submissions handed in at the public hearing
× Hearing Report	
N/A Revised/Amended Fiscal Notes provided by	the Senate Clerk's Office
Committee Action Documents: [Legislative Aid	les)
All amendments considered in committee (including	; those not adopted):
N/A - amendment # ame	
amendment # ame	
× Executive Session Sheet	
× Committee Report	
Floor Action Documents: (Clerk's Office)	
All floor amendments considered by the body during	session (only if they are offered to the senate);
amendment # ame	-
amendment # ame	•
Post Floor Action: (if applicable) (Clerk's Office	····
Committee of Conference Report (if signed o by the committee of conference):	ff by all members. Include any new language proposed
Enrolled Bill Amendment(s)	
Governor's Veto Message	
All available versions of the bill: (Clerk's Office	gl.
as amended by the senate	as amended by the house
final version	
Completed Committee Report File Delivered to	o the Senate Clerk's Office By:
Committee Aide	
Committee wide	Date
A	