

Bill as Introduced

HB 529-FN - AS INTRODUCED

2021 SESSION

21-0591
04/10

HOUSE BILL

529-FN

AN ACT

relative to cruelty to a wild animal, fish, or wild bird.

SPONSORS:

Rep. Read, Rock. 17; Rep. Toll, Ches. 16; Rep. Gay, Rock. 8; Rep. Danielson, Hills. 7; Rep. Spillane, Rock. 2; Rep. Abrami, Rock. 19; Rep. DeSimone, Rock. 14; Rep. Wall, Straf. 6; Rep. K. Murray, Rock. 24; Sen. Sherman, Dist 24; Sen. Watters, Dist 4; Sen. Bradley, Dist 3

COMMITTEE:

Fish and Game and Marine Resources

ANALYSIS

This bill establishes an enhanced criminal penalty for cruelty to any wild animal, fish, or wild bird.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to cruelty to a wild animal, fish, or wild bird.

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

1 1 New Section; Fish and Game Commission; Cruelty to Wild Animals, Fish, or Wild Birds.

2 Amend RSA 206 by inserting after section 19-a the following new section:

3 206:19-b Cruelty to Wild Animals, Fish, or Wild Birds; Enhanced Penalty.

4 I.(a) Any person who purposely beats, cruelly whips, tortures or mutilates any wild animal,
5 fish or wild bird as defined in RSA 207:1, or purposely causes any wild animal, fish, or wild bird to
6 be beaten, cruelly whipped, tortured or mutilated shall be guilty of a class B felony.

7 (b) Any person who negligently beats, cruelly whips, tortures or mutilates any wild
8 animal, fish or wild bird as defined in RSA 207:1, or negligently causes any wild animal, fish or wild
9 bird to be beaten, cruelly whipped, tortured or mutilated shall be guilty of a misdemeanor.

10 II. It shall be an affirmative defense to prosecution and an actor shall be exempt from
11 enhanced penalties under this section for any manner of taking, open season time limits, permitted
12 scientific investigations or wildlife management practices lawful under title XVIII or administrative
13 rules adopted pursuant to RSA 541-A, whether or not the actor holds a current and valid license
14 issued by the department.

15 2 Effective Date. This act shall take effect January 1, 2022.

LBA
21-0591
1/8/21

**HB 529-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to cruelty to a wild animal, fish, or wild bird.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill establishes criminal penalties relative to cruelty to wild animals, fish, or wild birds. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2021	FY 2022
Violation Level Offense	\$53	\$53
Class B Misdemeanor	\$55	\$55
Class A Misdemeanor	\$78	\$78
Simple Criminal Case	\$309	\$309
Routine Criminal Felony Case	\$494	\$494
Appeals	Varies	Varies
It should be noted that average case cost estimates for FY 2021 and FY 2022 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor.		
Judicial Council		
Public Defender Program	Has contract with State to	Has contract with State to

	provide services.	provide services.
Contract Attorney – Felony	\$825/Case	\$825/Case
Contract Attorney – Misdemeanor	\$300/Case	\$300/Case
Assigned Counsel – Felony	\$60/Hour up to \$4,100	\$60/Hour up to \$4,100
Assigned Counsel – Misdemeanor	\$60/Hour up to \$1,400	\$60/Hour up to \$1,400
It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).		
Department of Corrections		
FY 2020 Average Cost of Incarcerating an Individual	\$47,691	\$47,691
FY 2020 Annual Marginal Cost of a General Population Inmate	\$6,407	\$6,407
FY 2020 Average Cost of Supervising an Individual on Parole/Probation	\$584	\$584
NH Association of Counties		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$105 to \$120	\$105 to \$120

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department would likely absorb the cost within its existing budget. If the Department needs to prosecute significantly more cases or handle more appeals, then costs may increase by an indeterminable amount.

AGENCIES CONTACTED:

Judicial Branch, Department of Justice, Department of Corrections, Judicial Council, and New Hampshire Association of Counties

CHAPTER 156
HB 529-FN - FINAL VERSION

2021 SESSION

21-0591
04/10

HOUSE BILL **529-FN**

AN ACT relative to cruelty to a wild animal, fish, or wild bird.

SPONSORS: Rep. Read, Rock. 17; Rep. Toll, Ches. 16; Rep. Gay, Rock. 8; Rep. Danielson, Hills. 7; Rep. Spillane, Rock. 2; Rep. Abrami, Rock. 19; Rep. DeSimone, Rock. 14; Rep. Wall, Straf. 6; Rep. K. Murray, Rock. 24; Sen. Sherman, Dist 24; Sen. Watters, Dist 4; Sen. Bradley, Dist 3

COMMITTEE: Fish and Game and Marine Resources

ANALYSIS

This bill establishes an enhanced criminal penalty for cruelty to any wild animal, fish, or wild bird.

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.

CHAPTER 156
HB 529-FN - FINAL VERSION

21-0591
04/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to cruelty to a wild animal, fish, or wild bird.

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

1 156:1 New Section; Fish and Game Commission; Cruelty to Wild Animals, Fish, or Wild Birds.

2 Amend RSA 206 by inserting after section 19-a the following new section:

3 206:19-b Cruelty to Wild Animals, Fish, or Wild Birds; Enhanced Penalty.

4 I.(a) Any person who purposely beats, cruelly whips, tortures or mutilates any wild animal,
5 fish or wild bird as defined in RSA 207:1, or purposely causes any wild animal, fish, or wild bird to
6 be beaten, cruelly whipped, tortured or mutilated shall be guilty of a class B felony.

7 (b) Any person who negligently beats, cruelly whips, tortures or mutilates any wild
8 animal, fish or wild bird as defined in RSA 207:1, or negligently causes any wild animal, fish or wild
9 bird to be beaten, cruelly whipped, tortured or mutilated shall be guilty of a misdemeanor.

10 II. It shall be an affirmative defense to prosecution and an actor shall be exempt from
11 enhanced penalties under this section for any manner of taking, open season time limits, permitted
12 scientific investigations or wildlife management practices lawful under title XVIII or administrative
13 rules adopted pursuant to RSA 541-A, whether or not the actor holds a current and valid license
14 issued by the department.

15 156:2 Effective Date. This act shall take effect January 1, 2022.

Approved: July 28, 2021

Effective Date: January 01, 2022

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
(Name of Committee)		1:00 p.m.
		(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.

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](https://www.zoom.us/j/96840968683)
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. K. Murray

HB 342

Rep. Spillane

Rep. Love

HB 192

Rep. J. MacDonald

Rep. Deshaies

HB 226

Rep. Pearl

HB 193

Rep. Suzanne Smith

Sen. Giuda

Sen. Sherman

Rep. Pearl

Rep. Crawford

Rep. Lang

Rep. Weston

Sen. Hennessey

Sen. Watters

Rep. Roy

Rep. Avellani

Rep. Moffett

Rep. Gordon

Sen. Bradley

Rep. Verville

Rep. Umberger

Rep. Gould

Griffin Roberge 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird.

Hearing Date: March 22, 2021.

Time Opened: 1:04 p.m.

Time Closed: 1:48 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 establishes an enhanced criminal penalty for cruelty to any wild animal, fish, or wild bird.

Sponsors:

Rep. Read

Rep. Toll

Rep. Gay

Rep. Danielson

Rep. Spillane

Rep. Abrami

Rep. DeSimone

Rep. Wall

Rep. K. Murray

Sen. Sherman

Sen. Watters

Sen. Bradley

Who supports the bill: Kelly Arsenault; Marilyn Bartnicki; Barbara Beierl; Kimberely Benoit; Sherry Bezanson; Shirley Bhutto; Darlene Blair; Jen Boisvert; Stephanie Bowser; Stephen Bradley; Robert Burns; Allen Cahill; Kay Campbell; Elise Caplan; Christine Cerella; Susan Chase; Representative John Cloutier, Sullivan - District 10; Wayne Colby; Sandy Cole; Susan Connolly; Rosemary Conroy; Catherine Corkery, NH Sierra Club; Richard Cornelius; Sofia Cunha-Vasconcelos; Andrew D'Amico; Marty Davis; Richard DeMark; Denis Dionne; Linda Dionne; Kathryn Doyle; Maralyn Doyle; Kurt Ehrenburg, Humane Society of the United States; Anne Emerson; Kathie Fife; Andrew Finlayson; Patricia Finos; Nicole Fordey; Suzanne Fournier; Michelle Fransen-Conroy; Linda Freeman; Pam Freilich; David Fritts; Ronald Garnett; Bonnie Getz; Mary Girard; Cynthia Glenn; James Glover; Michele Goss; Rosemary Goussios; Mary Gary; Nancy Lee Grenier; Lisa Hall; Christopher Hamilton; Lindsay Hamrick; John Harrigan; Stephanie Harris, Animal Legal Defense Fund; Lydia Hawkes; Laura Healey; Eileen Healy; Anne Holliday; Lucinda Hope; Laura Hummel; Michael Hummel; John Hurley; Margaret Hurley; Ruth Isaks; David Jonas; Stephanie Keane; Derek Killam; Representative Timothy Lang, Belknap - District 2; Ruth Larson; Julie Loosigian; Barbara Lovett; Colby Maria; Kelly Marinel; Susan McDowell; Augie McLaird; Basil McLaird; Bradley McLaird; Duncan McLaird; Jeff McLaird; Rebecca McLaird; Sue McLaird; Pamela Michael; Virginia Lee Miller; Trois Moore; Karen Moran; Denise Muccioli; Emily Murphy; Kate Nelligan; Lillian Nelligan; Joan O'Brien; Thomas O'Brien; Elisa O'Neill; Teresa Paradis; D.M. Parks; Marybeth Patterson; Clifford Peters; Nancy Pollard; Katherine Porter; Patricia Pratt; Michael Quilici; Linda Rauter; Representative Ellen Read, Rockingham - District 17; Natalie Reid; Scottie Robinson; Starr Royce; Paul Sanderson, NH Fish and Game Department; Margo Santoro; Gina Scrofano; Leaf Seligman; Carol Sipe; Laura Slitt; Virginia Smith; Kristina Snyder; Rhonda Stacy-Coyle; Bob Switzer; Mami Tam; Helen Tam-Semmens; Barry Taylor; Susan Thompson; McCagg Tory; Clarissa

Uttley; Rich Van de Poll; Robin Vogt; BJ Wahl; Senator David Watters, NH Senate District 4; Molly Williams; Jennifer Wolf; Katrina Yurenka; Barbara Zaenglein; Eric Zaenglein; Jerilee Zezula.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative Ellen Read
Rockingham – District 17

- HB 529-FN is a reintroduction of HB 1606-FN (2020). HB 1606-FN was first referred to the House Fish and Game and Marine Resources Committee, which recommended the bill “ought to pass with amendment” by a vote of 9-7. The full House supported the committee’s recommendation by a division vote of 214-137. The House Criminal Justice and Public Safety Committee reviewed HB 1606-FN, which later recommended the bill “ought to pass” by a vote of 20-0 and placed the bill on the House consent calendar. However, the bill was tabled and died in the House due to the suspension of legislative activity because of the COVID-19 pandemic.
- HB 529-FN establishes criminal penalties for purposeful or negligent acts of cruelty to wildlife. The language has been refined over the past few years with cooperation from the NH Fish and Game Department (NHFG). The bill is workable for NHFG and offers the highest level of protection for NH’s hunting, angling, and trapping communities.
- HB 529-FN fills a recognized gap in NH’s Fish and Game laws. It is currently a crime under RSA 644:8 (Cruelty to Animals) to engage in defined acts of cruelty to a domestic animal or wild animal in captivity, with conviction leading to enhanced criminal penalties. These enhanced penalties are not imposed for the same acts toward a wild animal not in captivity. HB 529-FN extends those same penalties that exist under RSA 644:8 to wildlife.
- HB 529-FN defines between purposeful cruelty and negligent cruelty to wildlife. Any negligent cruelty must be proven as a gross deviation from what a reasonable person would do.
- HB 529-FN also includes an affirmative defense provision that exempts an individual from HB 529-FN’s penalties for any manner of taking, open season time limits, permitted scientific investigations or wildlife management practices lawful under title XVIII or administrative rules adopted pursuant to RSA 541-A, whether or not that individual holds a current or valid license issued by NHFG. The provision offers strong legal protection for NH’s hunting community and addresses many of the “what if” scenarios posed by policy makers on HB 529-FN.
- NH is only one of three states that has no state statute that has no criminal statute for cruelty to wildlife.
- Representative Read noted that she was motivated to introduce HB 529-FN due to cases of animal cruelty. Those who engage in acts of animal cruelty may go onto other cruel behavior toward human beings. She referenced Terry Rasmussen as an individual who abused wildlife and later became a serial killer.
- Senator Giuda asked for a clarification of the use of the term “enhanced penalties” on line 11.
 - Representative Read noted that “enhanced penalties” referenced the new sections in RSA 206:19-b that HB 529-FN created for cruelty to wildlife. Any individual engaging in lawful behavior under title XVIII, which is NHFG’s statute, would be exempt from HB 529-FN’s penalties. She also noted that NHFG may be able to answer the question in greater detail.
- Senator Avard noted that young people fishing for the first time may be scared and accidentally kill the fish on the hook. He asked if that child would be engaging in an act of cruelty under HB 529-FN.
 - Representative Read said that HB 529-FN had two provisions that would prevent that individual from being charged with cruelty: 1) that individual was fishing, which is a lawful activity under title XVIII and would be exempt from any enhanced penalty, and 2) even if such activity rose to a negligent offense, negligence can only be proven if that individual engaged in behavior that represented a gross deviation from what a reasonable person would do.
- Senator Avard said that some kids like to play with crabs at the beach. He asked if that behavior would be considered cruel.
 - Representative Read said HB 529-FN defined cruelty to wild animals as any person who beats, cruelty whips, tortures or mutilates any wild animal, fish or wild bird. A child playing with a crab

would have to be engaging in that specific behavior to meet those definitions. 47 other states have provisions like those in HB 529-FN. There is no state charging an 8-year old playing with starfish. Representative Read trusted law enforcement to not go after a young child playing with a starfish.

Representative Timothy Lang

Belknap – District 4

- HB 529-FN was recommended “ought to pass” by the House Fish and Game and Marine Resources Committee on a 19-1 vote and was placed on the House consent calendar. The full House supported the committee’s recommendation on a voice vote. HB 529-FN would have been referred to the House Criminal Justice and Public Safety Committee due to its reference to “enhanced penalties.” However, that committee considered HB 1606-FN in 2020 and decided to waive HB 529-FN’s referral.
- Representative Lang noted he voted against HB 1606-FN in 2020 as a member of the House Fish and Game and Marine Resource Committee. However, due to the affirmative defense language on lines 10-14, Representative Lang supported HB 529-FN as it offers strong legal protection for hunters and fishermen.
- There were some concerns that HB 529-FN may apply to a person engaged in normal agricultural operations with equipment in a field who may accidentally cause serious injuries to a wild animal. NHFG agreed that such a person should not be subject to enhanced penalties. Normal operation of machinery is not consistent with a state of “purposely” or “negligently” causing harm to an animal, and HB 529-FN would provide a defense to prosecution for that sort of injury.

Kurt Ehrenberg – provided written testimony

NH State Director, State Affairs, The Humane Society of the United States

- HB 529-FN offers strong legal protections for those who engage in lawful behavior under title XVIII.
- HB 529-FN is an important public safety measure. Violence does not exist in a vacuum. Statistics demonstrate that animal abusers are also human abusers.

Paul Sanderson

Legal Coordinator, NH Fish and Game Department

- Reiterated Representative Read and Representative Lang’s testimony.
- Senator Avard was surprised by how low the fines were as listed in HB 529-FN’s fiscal note.
 - Mr. Sanderson said the fines were part of a uniform fee schedule that may need to be revised to make the fees more current.
- Senator Avard asked how long it had been since NHFG fees were updated.
 - Mr. Sanderson said he could not recall, but believed the fees were last revised ten years ago.
- Senator Avard asked if there was any way to revise NHFG fees in the future.
 - Mr. Sanderson said all NHFG offenses are prosecuted through the court system. Offenses could include a monetary fine or a loss of license privileges, which is a general penalty under RSA 206:19-a. NHFG can handle some of the offenses on an administrative basis, but NHFG does not have those processes in place. NHFG could process offenses administratively in the future.
- Senator Watters asked if the fines as outlined in the fiscal note were detailing the Judicial Branch’s costs in processing the offenses. It appeared the fiscal note was outlining the potential costs to the Judicial Branch, not the expected revenue.
 - Mr. Sanderson said Senator Watters could be correct. He did not have available information on the uniform fine schedule to offer a detailed answer.
- Senator Watters asked if it would be fair to say that HB 529-FN is extending the same language and protections under RSA 644:8 to wild animals not in captivity while also excluding any lawful taking under title XVIII.
 - Mr. Sanderson agreed with Senator Watters. The exclusion of any lawful taking was inserted in HB 529-FN to ensure that any lawful hunting, angling, trapping activities were not penalized.
- Senator Watters asked if NHFG was aware of any closely related law enforcement scenarios involving young children as described by Senator Avard.
 - Mr. Sanderson said Colonel Kevin Jordan could speak to Senator Watters’ question, but juvenile laws under RSAs 169-C and 169-D would be applicable to animal abuse scenarios. 16 or 17-year-olds may be charged as adults, but only on egregious and repeated behavior. Younger children may be treated as a juvenile under RSAs 169-C and 169-D if a child was being intentionally cruel to an animal.

Colonel Kevin Jordan

Law Enforcement Division, NH Fish and Game Department

- The Judicial Branch has been very good taking the recommendations of a prosecutor, who has the discretion to seek enhanced penalties on an egregious offense.
- NHFG is willing to work with policy makers in the future to bring offenses into NHFG on an administrative basis, which will save the Judicial Branch money and enhance NHFG fines.
- HB 529-FN is well-crafted and balanced – it protects those who deserve protection as opposed to someone who purposefully sets out and engages in cruel behavior against animals. HB 529-FN proposed changes would have been helpful in going after a group of high school students from Kennett High School in North Conway who abused a wild duck in September 2019. NH has operated for some time without the changes proposed in HB 529-FN, but HB 529-FN would allow more felony level charges against cruel behavior rather than a fine.
- NHFG has a good history in using its criminal statute in egregious and serious cases.

*Gina Scrofano – provided written testimony
Salem, NH*

- Reiterated previous testimony in support of HB 529-FN.

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 HB529 on 2021-03-22

Support: 134 Oppose: 0 Neutral: 0 Total to Testify: 7

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Lang, Timothy	tlang@thelangs.us	603.566.9802	An Elected Official	Chair House Fish&Game	Support	Yes	3/19/2021 7:44 AM
Sanderson, Paul	paul.sanderson@wildlife.nh.gov	603.828.8600	State Agency Staff	NH Fish and Game Department	Support	Yes	3/18/2021 2:49 PM
Corkery, Catherine	catherine.corkery@sierraclub.org	603.224.8222	A Lobbyist	NH Sierra Club	Support	Yes	3/19/2021 9:41 AM
Read, Ellen	ellen4nh@gmail.com	352-978-7692	An Elected Official	Rockingham 17	Support	Yes	3/22/2021 7:25 AM
Ehrenberg, Kurt	kehrenberg@humanesociety.org	603.312.5988	A Lobbyist	Humane Society of the United States	Support	Yes	3/18/2021 5:01 PM
Slitt, Laura	lslitt@roadrunner.com	603.374.5006	A Member of the Public	Myself	Support	Yes	3/22/2021 7:14 AM
Scrofano, Gina	GScrofano@live.com	Not Given	A Member of the Public	Myself	Support	Yes	3/22/2021 1:02 PM
Dionne, Linda	lindld@comcast.net	16032298677	A Member of the Public	Voices of Wildlife in NH	Support	No	3/18/2021 12:00 PM
DeMark, Richard	demarknh114@gmail.com	603.520.5582	A Member of the Public	Myself	Support	No	3/22/2021 7:18 AM
Muccioli, Denise	naughtyrotty42@msn.com	603.438.2562	A Member of the Public	Myself	Support	No	3/18/2021 6:01 PM
Connolly, Susan	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 7:51 PM
Quilici, Michael	Mquilici@gmail.com	978 473 2019	A Member of the Public	Myself	Support	No	3/18/2021 7:55 PM
Keane, Stephanie	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 11:04 AM
Fransen-Conroy, Michelle	mshellfc@comcast.net	603-581-4880	A Member of the Public	Myself	Support	No	3/20/2021 9:16 PM
GLENN, CYNTHIA	Not Given	603.521.8214	A Member of the Public	Myself	Support	No	3/21/2021 7:47 AM
Cole, Sandy	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/21/2021 9:44 AM
Harrigan, John	campguyhooligan@gmail.com	237-4445 or	A Member of the Public	Myself	Support	No	3/21/2021 2:05 PM
Harris, Stephanie	sharris@aldf.org	Not Given	A Lobbyist	The Animal Legal Defense Fund	Support	No	3/22/2021 12:37 PM
Gray, Mary	aliceup@yahoo.com	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 12:51 PM
Hamrick, Lindsay	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 10:37 AM
Bartnicki, Marilyn	mjbartnicki@icloud.com	603-512-0576	A Member of the Public	Myself	Support	No	3/19/2021 10:45 AM
GOUSSIOS, ROSEMARY	RGOUSSIOS@GMAIL.COM	603.465.6906	A Member of the Public	Myself	Support	No	3/19/2021 6:07 PM
Hcalcy, Laura	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 6:58 PM
Peters, Clifford	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 5:54 AM
Stacy-Coyle, Rhonda	RSCOYLE@yahoo.com	978.761.0558	A Member of the Public	Myself	Support	No	3/20/2021 8:39 AM
Getz, Bonnie	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 9:32 AM

Benoit, Kimberley	kimjbenoit12@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 1:11 PM
Bhutto, Shirley	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/21/2021 9:04 AM
Fordey, Nicole	nikkif610@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/21/2021 4:50 PM
Reid, Natalie	Not Given	Not Given	A Member of the Public	Myself and my household	Support	No	3/21/2021 5:03 PM
Porter, Katherine	maddox22@netscape.net	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 7:49 AM
michael, pamela	tangotafee@live.com	603.801.0196	A Member of the Public	Myself	Support	No	3/18/2021 7:28 PM
Taylor, Barry	docvet1@yahoo.com	603.393.8570	A Member of the Public	Myself	Support	No	3/18/2021 7:29 PM
Campbell, Kay	kkcampbell43@yahoo.com	603-818-3919	A Member of the Public	Myself	Support	No	3/18/2021 8:23 PM
Watters, Senator David	david.watters@leg.state.nh.us	603-271-2104	An Elected Official	Myself (SD 4)	Support	No	3/19/2021 8:22 AM
Tory, McCagg	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 8:43 AM
Freilich, Pam	pam@gmavt.net	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 8:49 AM
Santoro, Margo	margosan99@aol.com	603.446.2223	A Member of the Public	Myself	Support	No	3/19/2021 11:37 AM
Paradis, Teresa L	tehorse@aol.com	603.340.5263	A Member of the Public	Myself	Support	No	3/19/2021 5:33 PM
Moran, Karen	karenmoran@tds.net	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 10:50 AM
Arsenault, Kelly	prone2012@gmail.com	603.770.6056	A Member of the Public	Myself	Support	No	3/20/2021 12:21 PM
garnett, ronald	soup31314@yahoo.com	603.236.1637	A Member of the Public	Myself	Support	No	3/20/2021 3:07 PM
Hope, Lucinda	lmhope46@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/21/2021 1:03 PM
Zaenglein, Barbara	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 7:12 AM
Zaenglein, Eric	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 7:13 AM
Bezanson, Sherry	sherry.bezanson@gmail.com	603.235.4027	A Member of the Public	Myself	Support	No	3/18/2021 3:10 PM
Yurenka, Katrina	kyurenka@gmail.com	603.532.5983	A Member of the Public	Myself	Support	No	3/18/2021 3:10 PM
Seligman, Leaf	leaf1231@gmail.com	603.213.1589	A Member of the Public	Myself	Support	No	3/18/2021 3:12 PM
Wahl, BJ	bjwahl@gmail.com	603.847.3170	A Member of the Public	Myself	Support	No	3/18/2021 3:15 PM
Switzer, Bob	macswitz@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 3:16 PM
Hurley, Margaret	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 3:23 PM
McDowell, Susan	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 3:26 PM
O'Brien, Joan	joanlobrien@yahoo.com	978.758.2967	A Member of the Public	Myself	Support	No	3/18/2021 3:35 PM
Murphy, Emily	ecmurphy2003@yahoo.com	603.740.4432	A Member of the Public	Myself	Support	No	3/18/2021 3:42 PM
Sipe, Carol	Casipe08@yahoo.com	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 3:45 PM
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Support	No	3/18/2021 8:56 AM
Conroy, Rosemary	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 4:51 PM
Van de Poll, Rick	rickvdp@gmail.com	603.677.2473	A Member of the Public	Myself	Support	No	3/18/2021 4:57 PM
Lovett, Barbara	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 5:06 PM
Finlayson, Andrew	Not Given	603.878.3483	A Member of the Public	Myself	Support	No	3/18/2021 5:18 PM
Burns, Robert	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 5:38 PM
doyle, maralyn	maralynruth@hotmail.com	603.938.5582	A Member of the Public	Myself	Support	No	3/18/2021 6:16 PM
Glover, James	Glover31188@yahoo.com	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 6:41 PM

Killam, Derek	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 6:45 PM
Doyle, Kathryn	kathryn.doyle@nh.gov	603.219.4177	A Member of the Public	Myself	Support	No	3/18/2021 7:00 PM
Cloutier, John	jocloutier@comcast.net	16034773690	An Elccted Official	Myself	Support	No	3/18/2021 7:13 PM
Snyder, Kristina	khsnyder22@yahoo.com	603.887.0339	A Member of the Public	Myself	Support	No	3/18/2021 8:36 PM
Rauter, Linda	lcr80@tds.net	603.798.5776	A Member of the Public	Myself	Support	No	3/18/2021 9:14 PM
Williams, Molly	mysticgarden@gmail.com	603.748.5190	A Member of the Public	Myself	Support	No	3/19/2021 12:34 PM
Dionne, Denis	dens57belair@yahoo.com	xxx.xxx.xxxx	A Member of the Public	Myself	Support	No	3/19/2021 12:50 PM
Finos, Patricia	pattifinos@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 2:13 PM
Fritts, David	davefritts68@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 2:14 PM
Chase, Susan	SRFCHASE@GMAIL.COM	603.735.5135	A Member of the Public	Myself	Support	No	3/19/2021 2:15 PM
Hamilton, Christopher	chamilton@co.strafford.nh.us	603-516-4141	A Member of the Public	Myself	Support	No	3/19/2021 2:40 PM
Thompson, Susan	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 3:18 PM
Smith, Virginia	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 3:24 PM
Parks, D.M.	dparks43@aol.com	603.695.3832	A Member of the Public	Myself	Support	No	3/19/2021 3:27 PM
UTTLEY, CLARISSA	CMUTTLEY@PLYMOUTH.EDU	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 5:08 PM
Girard, Mary	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 5:09 PM
Fournier, Suzanne	animalfriendlysolutions@comcast.net	(603) 673-73	A Member of the Public	Myself	Support	No	3/19/2021 5:39 PM
Boisvert, Jén	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 5:41 PM
Warshell, Elaine	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 6:47 PM
Maria, Colby	mcolby213@gmail.com	603.428.3307	A Member of the Public	Myself	Support	No	3/19/2021 7:20 PM
Colby, Wayne	Wcolby1947@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 7:21 PM
Cahill, ALLEN	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 7:23 PM
Zezula, Jerilee	zezula2@comcast.net	603.767.6856	A Member of the Public	Myself	Support	No	3/19/2021 8:00 PM
goss, michele	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 10:40 PM
Jonas, David	davjonas@gmail.com	603-547-3432	A Member of the Public	Myself	Support	No	3/20/2021 2:20 AM
Hawkes, Lydia	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 7:57 AM
Miller, Virginia Lee	smsharps@comcast.net	603.924.4265	A Member of the Public	Myself	Support	No	3/20/2021 8:24 AM
Cunha-Vasconcelos, Sofia	Sofia.cunhavasconcelos@gmail.com	617.642.1083	A Member of the Public	Myself	Support	No	3/20/2021 9:03 AM
Freeman, Linda	graywolfsp@yahoo.com	603.672.2614	A Member of the Public	Myself	Support	No	3/20/2021 9:44 AM
Ceella, christine	cceella@gmail.com	603-254-6464	A Member of the Public	Myself	Support	No	3/19/2021 4:47 AM
Healy, Eileen	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 10:18 AM
Loosigian, Julie	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 11:24 AM
Royce, Starr	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 5:25 PM
Marinel, Kelly	kmarinel@nhspca.org	603.773.5724	A Member of the Public	Myself	Support	No	3/20/2021 9:48 AM
Robinson, Scottie	msrobinson@metrocast.net	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 10:05 AM

Moore, Trois	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 10:16 AM
CORNELIUS, RICHARD	dickcornelius@gmail.COM	603.357.4905	A Member of the Public	Myself	Support	No	3/20/2021 10:19 AM
Isaks, Ruth	ruth_tanner@uml.edu	603.475.4677	A Member of the Public	Myself	Support	No	3/20/2021 10:43 AM
Greiner, NancyLee	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 5:19 PM
Hurley, John	jrhurjd@aol.com	603.287.8913	A Member of the Public	Myself	Support	No	3/20/2021 7:42 PM
Larson, Ruth	ruthlarson@msn.com	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 8:24 PM
Tam-Semmens, Helen	HTAMSEMMEENS@GMAIL.COM	603.446.7848	A Member of the Public	Myself	Support	No	3/20/2021 8:57 PM
Patterson, Marybeth	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 6:19 PM
Beierl, Barbara	barbara-beierl@comcast.net	603.891.1158	A Member of the Public	Myself	Support	No	3/19/2021 6:19 PM
O'Brien, Thomas	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 6:20 PM
Nelligan, Kate	kate.nelligan@comcast.net	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 7:04 PM
Nelligan, Lillian	lilliannelligan@gmail.com	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 7:06 PM
Bradley, Stephen	steve@headwiremedia.com	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 7:06 PM
Caplan, Elise	Not Given	603-843-7040	A Member of the Public	Myself	Support	No	3/21/2021 5:52 PM
McLaird, Jeff	jeff.mclaird@nokia.com	603-957-0814	A Member of the Public	Myself	Support	No	3/22/2021 6:24 AM
McLaird, Rebecca	Not Given	603.343.1008	A Member of the Public	Myself	Support	No	3/22/2021 6:26 AM
McLaird, Bradley	Not Given	603.343.1008	A Member of the Public	Myself	Support	No	3/22/2021 6:27 AM
McLaird, Duncan	dmclaird@gmail.com	603.343.1008	A Member of the Public	Myself	Support	No	3/22/2021 6:28 AM
McLaird, Sue	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 6:28 AM
Holliday, Anne	anne@annehollidaycpa.com	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 6:30 AM
McLaird, Basil	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 6:31 AM
McLaird, Augie	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 6:31 AM
Bowser, Stephanie	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 10:43 AM
Emerson, Anne	ademerson4180@gmail.com	603.783.4403	A Member of the Public	Myself	Support	No	3/22/2021 10:51 AM
ONEILL, Elisa	Econeill@comcast.net	603.674.3866	A Member of the Public	Myself	Support	No	3/18/2021 3:04 PM
Wolf, Miss Jennifer	Jennifer.wolf78@gmail.com	16034658888	A Member of the Public	Myself	Support	No	3/18/2021 3:56 PM
Hummel, michael	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 5:30 PM
Hummel, Laura	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/18/2021 5:31 PM
Blair, Darlene	darleneball3@gmail.com	603.543.0388	A Member of the Public	Myself	Support	No	3/18/2021 7:37 PM
DAmico, Andrew	damico@myfairpoint.net	603.763.9646	A Member of the Public	Myself	Support	No	3/19/2021 11:18 AM
Hall, Lisa	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/19/2021 7:31 PM
Pratt, Patricia	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/20/2021 7:15 AM
Tam, Mimi	mimiktam@gmail.com	603.672.3991	A Member of the Public	Myself	Support	No	3/20/2021 9:11 PM
Pollard, Nancy	pollardnancy@yahoo.com	603.352.7468	A Member of the Public	Myself	Support	No	3/21/2021 10:19 AM
Fife, Kathie	Not Given	Not Given	A Member of the Public	Myself	Support	No	3/22/2021 1:19 PM
Davis, Marty	martydavis@myfairpoint.net	603.543.1719	A Member of the Public	Myself	Support	No	3/18/2021 4:43 PM

Testimony

Griffin Roberge

From: Sanderson, Paul <Paul.G.Sanderson@wildlife.nh.gov>
Sent: Thursday, March 18, 2021 2:52 PM
To: Griffin Roberge
Cc: Jordan, Kevin J
Subject: Fish & Game testimony in support of HB 529
Attachments: Testimony HB 529_Sen 3-22-21.docx

Both I and Colonel Jordan will be on the meeting to deal with any questions.

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

Testimony on HB 529, relative to cruelty to a wild animal, fish, or wild bird

We write to express the position of the New Hampshire Fish and Game Commission and the New Hampshire Fish and Game Department in support of this bill as passed by the House. The language is identical to HB 1606 of the 2020 session, which then passed the House and was referred to the Criminal Justice and Public Safety Committee. A second vote in the House was not held due to COVID, and the bill died with the end of the 2020 session. The language represents the culmination of a great deal of work by the sponsor, the department, and many interested parties over a period of years to come to language that achieves an improvement in Fish and Game law.

The intent of the bill is to fill a recognized gap in our Fish and Game laws. It is currently a crime under Criminal Code RSA 644:8 to engage in defined acts of cruelty to a domestic animal or wild animal in captivity, with conviction leading to enhanced criminal penalties. The same enhanced penalties are not imposed for the same acts toward a wild animal not in captivity. At the same time, the Department does not want to allow such a proposed statute to have the unintended effect of enhancing penalties for the take of such animals in a manner that is consistent with existing Fish and Game laws and administrative rules regulating hunting, fishing, and trapping, whether or not the person has a valid New Hampshire hunting, fishing, or trapping license issued to them. That is, the sponsor, interested parties and the department wished to close this gap by a carefully worded provision that would only be applicable to serious conduct and situations which clearly fell outside of practices used by ethical hunters, anglers, and trappers in the field, and which would not serve to outlaw the lawful conduct of hunting, fishing, or trapping.

This proposed change is a criminal statute, and enhanced penalties could not be imposed unless a court determines that all of the elements of the offense have been proven beyond a reasonable doubt. One of those elements is the state of mind of the person charged, which in this proposal is either "purposely" or "negligently". We have been advised of a concern that a person engaged in normal agricultural operations with equipment in a field might accidentally cause serious injuries to a wild animal, and that such conduct should not be subject to enhanced penalties. We agree, and feel that the proposed language already deals with that factual situation. Normal operation of machinery is not consistent with a state of mind of "purposely" or "negligently" causing harm to an animal, and thus this statute would provide a defense to prosecution for that sort of injury.

Thus, the Department respectfully requests that the bill be reported as "Ought to Pass". We would be happy to answer any questions from members of the Committee.

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: Legault, Denise I <Denise_Legault@uml.edu>
Sent: Thursday, March 18, 2021 5:27 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: HB 529

Please pass HB529- It's the humane thing to consider Thanks, Denise Legault,Atkinson,NH

Griffin Roberge

From: Kathie Fife <kathie@kathiefife.com>
Sent: Friday, March 19, 2021 3:45 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Cc: Jeb Bradley; Tom Sherman; Ellen Read-Contact; Patrick Abrami; Debra DeSimone; David Danielson; Betty Gay; Kate Murray; electamandanh@gmail.com; Janet Wall
Subject: Wildlife Cruelty Bill: NH HB529-FN - Cruelty to Wild Animals, Fish, or Wild Birds; Enhanced Penalty

Dear Representatives,

I'm writing to ask for your support of the Wildlife Cruelty Bill: NH HB529-FN - Cruelty to Wild Animals, Fish, or Wild Birds; Enhanced Penalty.

I have professional education and a 20 year career in botany, environmental conservation and wildlife behavior. I also do volunteer work advocating for better education and public awareness about ticks, Lyme disease, and testing and clinical diagnosis of tick borne diseases. I wrote bills and testified at the State House. My Lyme bill was signed into law last November. I am a patient member of the NH Lyme Study Commission appointed by Governor Sununu.

I currently research, write, and share information about Lyme, ticks, diseases, and the connection with wildlife, habitats, and land management. It is well documented that specific species of plants and wildlife help control tick populations by preying on rodents that carry ticks and Lyme, such as coyotes, foxes, bobcats, and opossums consume 5,000 ticks a season simply by being meticulous groomers.

It is beyond horrific to read about and see on social media what humans do to wildlife based on their fear and for the thrill of killing (they are not responsible hunters, but cruel killers). I won't get into gory detail — I think you all have that sense what is happening out there. Live trapping, for example, is a terribly cruel tactic used by misinformed people with absolutely no compassion for life to torture and harass wildlife.

This bill is a compromise. I don't think it does nearly enough, but it is a step in the right direction.

Education is always the best strategy to reduce harmful practices. I would like to see more public awareness, with State agencies working with local organizations. When society understands the importance the role of native plants and wildlife species on human health, ecosystems and the health of our State and the planet, society will begin to respect life, and our role in, it in a new perspective.

Thank you for your time. I hope I can count on your support.

Kathie Fife
Canterbury NH
783-9334

Griffin Roberge

From: Elaine Warshell <ewarshell@gmail.com>
Sent: Friday, March 19, 2021 7:25 PM
To: Griffin Roberge
Subject: HB 529

Dear Members of the Senate Energy and Natural Resources Committee,

As a NH voter, I respectfully ask that you Support HB 529 which establishes criminal penalties for egregious acts of cruelty to wild animals, fish, and wild birds.

I am sure that you are aware that NH is one of only 5 states that does not protect wild animals from the extreme forms of cruelty set forth in this Bill. Not only is animal cruelty both morally and socially unacceptable, it is well established that people who commit cruelty to animals are also likely to commit acts of violence against people. This bill is well written to give an affirmative defense to lawful sportsmen and researchers, although it is hard for me to see how any such person would do the things outlawed here.

I live in Moultonborough and was saddened and disgusted a few years ago to read about a high school football team from Conway that was at a training camp in Moultonborough. They lured a duck to shore and then beat and tortured it until finally one member of the team killed it to put it out of its misery. They thought that it was funny. Letters to the editor of the Conway Sun were pretty clear about how totally unacceptable and sick local folks thought that behavior was. It is too bad that we need laws like this to stop folks from acting this way but we do.

I have been following this bill and was delighted that the the NH House Fish and Game and Marine Resources Committee and the full NH House voted to pass HB 529. Please give it your support too. Thank you.

Elaine Warshell
Moultonborough

Griffin Roberge

From: Kurt Ehrenberg <kehrenberg@humanesociety.org>
Sent: Saturday, March 20, 2021 4:07 PM
To: Griffin Roberge
Subject: HB 529-Humane Society of US Testimony
Attachments: HB 529 Sen E&NR Testimony 3-22-21.docx

Dear Chairman Avard, Energy and Natural Resources Committee members and Mr. Roberge,

Please find attached the testimony of The Humane Society of the United States in favor of HB 529-FN, Relative to Cruelty to a Wild Animal, Fish, or Wild Bird.

I plan to attend the Committee hearing scheduled for Monday March 22, 1pm.

Please feel free to contact me as necessary.

Thank you,
Kurt Ehrenberg

Kurt Ehrenberg
New Hampshire State Director, State Affairs

kehrenberg@humanesociety.org
C 603 312 5988
humanesociety.org



Fight for all animals. The Humane Society of the United States is the nation's most effective animal protection organization, fighting for all animals for more than 65 years. To support our work, please make a [monthly donation](#), give in [another way](#) or [volunteer](#).





TO: Senate Committee on Energy and Natural Resources
FROM: Kurt Ehrenberg, New Hampshire State Director
BILL: HB 529-FN, Relative to Cruelty to a Wild Animal, Fish, or Wild Bird
POSITION: Support
DATE: March 22, 2021

Dear Chairman Avard, Vice Chairman Guida, Senators Grey, Perkins Kwoka and Watters,

On behalf of the Humane Society of the United States and our New Hampshire supporters, we urge the Senate Energy and Natural Resources Committee to support House Bill 529.

Wild animals are the victims of senseless acts of cruelty across the United States, including in New England, such as being set on fire, intentionally run over by vehicles, and bludgeoned to death. But current New Hampshire law remains silent on such heinous, deliberate acts. While such malicious torture of a domestic animal like a dog or horse, a farm animal, or a captive wild animal will result in felony cruelty charges, there are no repercussions if someone commits this same act to a family of wild raccoons who live in your backyard. But when it comes to such extreme acts of violence, there is no biological, ecological, or ethical justification for excluding wild animals from that circle of protection. HB 529 would close that loophole with a modest, common-sense update to Title XVIII, New Hampshire's Fish and Game code, by making it unlawful to purposefully beat, cruelly whip, torture, or mutilate a wild animal—the same prohibition that already exists for other species in the state.

Most states—including those with strong hunting traditions like neighboring Maine and Vermont—provide protection to wildlife from deliberate cruelty without impacting lawful hunting practices. To ensure that is also the case in New Hampshire, HB 529 includes an exemption for any activity—including any manner of taking, open season time limits, permitted scientific investigations, or wildlife management practices—that is authorized or permitted under state statute or administrative rules.

While it is important to protect wild animals for their sake and for the benefits they bring to our lives and our economy, there are also serious public safety reasons to support this bill. Violence does not exist in a vacuum—animal abusers are also people abusers. A study conducted from 2001 to 2004 by the Chicago Police Department found that 65 percent of those arrested for crimes against animals had also been arrested for battery against another person.¹ And a study titled “The Care of Pets Within Child Abusing Families” found that 88 percent of homes being investigated for physical child abuse also had histories of animal abuse.²

¹ “Statistical Summary of Offenders Charged with Crimes against Companion Animals, July 2001 – July 2004,” by Sergeant Brian Degenhardt, Special Operations Section, Animal Abuse Control Team, Chicago Police Department.

² DeViney, E., Dickert, J., & Lockwood, R. (1983). The care of pets within child abusing families. *International Journal for the Study of Animal Problems*, 4(4), 321-329.



Committing acts of cruelty is a strong early predictor that an individual will go on to commit violence against humans. Of 36 convicted multiple murderers interviewed by the FBI's Behavioral Science Unit, 46 percent admitted to torturing animals as adolescents.³ The connection between animal and human violence is so strong that the FBI is now tracking crimes against animals alongside crimes like burglary and murder. Allowing law enforcement to investigate wildlife cruelty cases will give officers an additional tool to help prevent and detect crime and apprehend dangerous individuals.

Violence against animals, whether they are in our homes or in the wild, has far-reaching consequences. Yet New Hampshire is one of only a few states—alongside Iowa, Nebraska, Tennessee, and Texas—that still does not include a prohibition of deliberate acts of cruelty toward wildlife in their statutes or administrative code. In order to safeguard both New Hampshire's native wildlife and its citizens, we ask that you change that by supporting HB 529.

Thank you for your time and consideration of this important legislation.

Kurt Ehrenberg
New Hampshire State Director
kehrenberg@humanesociety.org

³ Lockwood, R., & Church, A. (1996, Fall). "Deadly serious: An FBI perspective on animal cruelty." Humane Society News, 27-30 reprinted in the Congressional Register, 142(141), Oct. 3, 1996.

Griffin Roberge

From: Joan O'Brien <joanlobrien@yahoo.com>
Sent: Saturday, March 20, 2021 4:31 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Cc: Joan OBrien
Subject: Please support HB 529 on Monday

Dear Chairman Avard & Members of the Energy and Natural Resources Committee:

On Monday, please vote in support of Senate Bill 529 to establish an enhanced criminal penalty for cruelty to any wild animal, fish, or wild bird.

This bill received widespread support during the 2019/2020 legislative session and was on its way to passage before the pandemic caused a standstill in Concord.

From the House Calendar (No. 12, p. 7):

HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird. OUGHT TO PASS. Rep. Jonathan Smith for Fish and Game and Marine Resources. This bill creates criminal penalties for acts of purposeful or neglectful cruelty to wildlife. With this bill, Fish and Game Conservation Officers will be able to clearly and efficiently protect wildlife from acts of cruelty, while at the same time protecting the rights of individuals engaged in hunting, fishing, trapping, or nuisance animal management. The Fish and Game Department was wholly in support of the bill and believes it will be an invaluable tool for law enforcement to protect New Hampshire's wildlife.

Thank you!

Joan O'Brien
Amherst, NH

Griffin Roberge

From: Helen Tam-Semmens <htamsemmens@gmail.com>
Sent: Saturday, March 20, 2021 9:36 PM
To: Griffin Roberge
Subject: Support HB529 - on cruelty to wild animals

It is well-documented that cruelty to animals leads to cruelty and violence to humans in later life. This bill is necessary to set offenders in the right direction before more serious problems occur.

Moreover, serving in my town's Conservation Commission, as well as being an avid outdoors woman, I cringe to think that the birds and other wild animals that we all enjoy and swear to protect could be subject to torture by some sick individuals without consequence.

I urge your Committee to support this important bill.

Sincerely,
Helen Tam-Semmens
Stoddard, NH
603-446-7848

Griffin Roberge

From: Gina Scrofano <GScrofano@live.com>
Sent: Sunday, March 21, 2021 12:22 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: Support HB 529-FN - Written Testimony
Attachments: HB 529-FN_Testimony_Gina Scrofano_Senate Energy_03.21.21.pdf

Dear Chair Avard and members of the Senate Energy and Natural Resources Committee,

Please find my attached written testimony in support of HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird. Please feel free to reach out with any questions or concerns you may have.

Respectfully,

Gina Scrofano

Dedicated NH Constituent
GScrofano@live.com

Testimony By: Gina Scrofano
Presented To: Senate Energy and Natural Resources
In Support of: HB 529-FN
Date: March 21, 2021

Dear Chair Avard and members of the Senate Energy and Natural Resources Committee,

I strongly support HB 529-FN for the following reasons:

1. **NH state law acknowledges that "native wildlife constitutes an invaluable natural resource with ecological, scientific, educational, historical, recreational, economic, and aesthetic values to the citizens of New Hampshire" and "It shall be the policy of the state to maintain and manage this resource for future generations." (RSA 212-B:2, II, III)**

The State does not only have a scientific, ethical, and moral responsibility to protect and conserve these valued species for our citizens and future generations, but also a lawful responsibility.

2. **HB 529-FN rectifies a loophole that allows purposeful and egregious acts of violence against NH's wildlife under existing law.**

NH is home to more than 420 species (RSA 212-B:2, I). Current animal cruelty code (RSA 644:8) applies to domestic animals (e.g., horses, livestock), household pets (e.g., dogs, cats, ferrets), and wildlife in captivity only (wildlife in zoos, sanctuaries, etc.). The Endangered Species Conservation Act safeguards 51 endangered or threatened species (RSA 212:A; fis 1000). The NH Fish and Game laws and rules provide certain protections for 60 game species under hunting, trapping, and fishing seasons (RSA 212-B:2, Title XVIII; fit 300). This leaves over three hundred of NH's valued wildlife species vulnerable to malicious beating, torture, and mutilation under the law. And while those 51 endangered species and 60 game species are provided certain protections under laws, season rules and regulations, those 'protections' are limited.

Wildlife Cruelty Case Example 1:

In 2017, a live shark was brutally dragged behind a boat at high speeds by three individuals in Florida. An image after the incident showed the shark's body was almost completely torn in-half. All three individuals were charged with felony animal cruelty,ⁱ as the state of FL has laws that protect 'any animal,' which in its definition includes all wildlife, whether or not endangered, in captivity, or freely roaming the landscape (FLA. STAT. § 828.02; 828.12). When that case scenario was presented to the NH Fish and Game, not one individual could point to an applicable NH law; meaning, they would not have been able to charge those individuals with animal cruelty if that incident occurred in NH, which is a possibility being on the east coast.

Wildlife Cruelty Case Example 2:

In 2019, a group of football players from Kennett High School (North Conway, NH) lured a duck - which is a regulated game species - out of the water, severely beat the duck with a broomstick, and strangled the duck to death. While that case involved juveniles, even if it hadn't, the NH Fish and Game confirmed the only applicable penalty, was unlawful take, which is a violation under existing law and comes with a mere monetary fine.ⁱⁱ

Wildlife Cruelty Case Example 3:

In contrast to that lack of ability to seek suitable prosecution for such a violent and malicious act, in October of last year, two men were charged for allegedly beating several porcupines to death with a

baton, in Rockland, Maine. They were both charged with aggravated felony cruelty.^{III} It is noteworthy, that while having implemented a law that allowed for felony-level penalties in that case (17 M.R.S. §1011; § 1031), citizens in Maine have continued active involvement in hunting, fishing, and trapping activities, which HB 529-FN also proposes, with its placement within the NH Fish and Game Code (Title XVIII) and its exemption and affirmative defense for those existing lawful activities (HB 529-FN, as introduced, I, II).

- 3. The purposeful beating, cruel whipping, torture, or mutilation of domestic animals and captive wildlife (in zoos, sanctuaries, etc.) is a felony-level offense under existing NH law (RSA 644:8, III-a). A specific law should be in place illegalizing such violence against 'free-roaming' wildlife as well, rather than the current requirement of searching for coincidental applicable laws for suitable prosecution - efforts which are nearly, if not always, futile based on the limitations of existing laws and regulations, game species included.**

There are utterly no protections for wildlife that are not captive in a zoo, sanctuary or the like, or that are not considered endangered, threatened, or game-species. The taking, possession, sale, or transfer, etc., of any species determined endangered under the NH Endangered Species Conservation Act, without a permit from the executive director of the NH Fish and Game, is a only misdemeanor-level offense, regardless of the manner of 'taking' (RSA 212-A). The appropriate criminal prosecution for malicious cruelty to game-species is also challenging, due to a lack of a specific law illegalizing such actions.

For example, moose are one of the most valued and restricted game species in NH, with a permitted season via a limited lottery system - 50 total permits were granted in 2019.^{IV} Despite those restrictions, a Moose could suffer blatant, purposeful torture with no suitable consequences under existing law.

Unlawful take of a moose is a violation (a monetary fine only) unless conducted during a closed season, which is a misdemeanor (RSA 208:1-a; 208:21).

Granted, there are other potentially applicable laws protecting moose from cruelty. For instance, possession of a moose carcass or any part of a moose carcass without a moose tag or registration seal is a violation for a first offense and a misdemeanor for any subsequent offense (RSA 208:9). It is noteworthy that that law does not apply to any other species other than deer. Hunting while intoxicated is a misdemeanor, and aggravated hunting while intoxicated is a felony. However, those laws require the person's involvement with an incident resulting in serious bodily injury as the result of that person's discharge of a weapon. The person's actions must also be considered hunting, and the law is currently interpreted as bodily injury to another person, rather than an animal (RSA 214:20 - 214:20-b).

Hunting moose at night (1/2 hour after sunset - 1/2 hour before sunrise) is also unlawful with a misdemeanor-level penalty (RSA 208:8). However, in addition to the fact that this law applies to game species only, it is also inapplicable to species that may be lawfully hunted at night, such as raccoons (Fis 303.03; RSA 210:2).

Furthermore, if a criminal maliciously beats or tortures a moose, or any wild species, law enforcement should not have to search for a coincidental applicable law for the suitable prosecution of such a heinous crime. While also limited, current cruelty law at least finds the purposeful beating, cruel whipping, torture, or mutilation of domestic animals or wildlife in captivity a felony-level offense (RSA 644:8, III-a).

Chief Robert Cormier, 2016 President of NH Chiefs of Police, testified to the House Fish and Game and Marine Resources Committee during a public hearing on January 24, 2017. When referring to calls from residents reporting wildlife cruelty, he stated, "...right now there is nothing I can do about it, and it's - it's a hard answer to give to those people that call us."^V

- Evidence of a link between animal cruelty and human violence became so compelling that the FBI began tracking such cases nationally and categorizing them as 'a crime against society' in 2016.^{vi} Research shows that between 47% and 99% of animal abusers have convictions for other crimes, including sexual abuse, homicide, assault, firearms offenses, and arson - with animal abuse being a better predictor of those crimes. Appropriate penalties for cruelty to wildlife will allow for suitable prosecution, while also giving law enforcement a tool to identify those who have an increased chance of harming people, and potentially prevent such harm.**

Beating, torturing or mutilating an animal involves a disregard of the value of other living beings and often a desensitization to suffering, or the desire to cause such suffering. One who commits such an act of violence against an animal is more likely to harm a person.

David Goldstein, Franklin Chief of Police testified during the aforementioned public hearing on January 24, 2017. He shared that in a study of 36 convicted multiple murderers, 47% of them admitted to committing acts of animal torture.^{vii}

A 2001-2004 study by the Chicago Police Department revealed that of those arrested for animal crimes, 65% had also been arrested for battery against another person.^{viii}

In 2002, an animal research study found that 100% of people who committed sexual homicide reported that they had abused animals, 99% of animal abusers had convictions for other crimes, and 61.5% of animal abusers had also assaulted a human, with 17% having committed sexual abuse, and 8% having arson convictions. The study also showed that Animal abuse was a better predictor of sexual assault than previous convictions for homicide, arson, or firearms offenses.^{ix}

A Baltimore County prosecutor, Adam Lippe, who handles cruelty cases, was quoted stating, "In animal abuse, you have total power over the animal. If you're willing to exert that in a cruel, malicious and vicious way, then you're likely to do that to people, too, who don't have power, like children and vulnerable adults. It's an issue of a lack of empathy."^x

In 2016 when the FBI announced their tracking of animal cruelty cases, John Thompson, the Executive Director of National Sheriffs' Association was quoted urging 'people to shed the mindset that animal cruelty is a crime only against animals.' He stated, "It's a crime against society. By paying attention to [these crimes], we are benefiting all of society."^{xi}

- HB 529-FN explicitly exempts, "any manner of taking, open season time limits, permitted scientific investigations or wildlife management practices lawful under title XVIII or administrative rules adopted pursuant to RSA 541-A, whether or not the actor holds a current and valid license issued by the department." That includes all laws and administrative rules pertaining to hunting, trapping, hounding, baiting, fishing, the type of bait use (including for fishing) as well as the following laws allowing residents to protect themselves, family, property, domestic animals, and crops:**

RSA 207:26 (Title XVIII): Allows any person to pursue, wound or kill, on land owned or occupied by such person, any unprotected bird or wild animal which the person finds in the act of doing actual and substantial damage to poultry, crops, domestic animals, or the person's property, and may authorize a family member, employee, or other person requested to do so under the provision of a depredation permit issued by the executive director pursuant to RSA 207:22-c, III.

RSA 207:22-C III.a (Title XVIII): Grants the executive director of the NH Fish and Game the authority to issue depredation permits to kill animals causing damage to commercial crops or which pose a threat to human health and safety.

RSA 210:24-b (Title XVIII): Grants the NH Fish and Game authority over how nuisance animals are handled in NH.

Additionally, RSA 644:16: Allows residents to use poison for the destruction of rats or other vermin in their own homes or upon their crops.

Any manner of taking/dispatching that is considered lawful under existing Fish and Game code and administrative rules would be considered lawful under the language of HB 529-FN, because of the exemption and affirmative defense within the bill as introduced (HB 529-FN, II).

6. **Forty-five states in our nation currently have wildlife cruelty laws similar to, or exactly like those proposed in HB 529-FN, including those that very actively partake in hunting, fishing, and trapping activity, such as the aforementioned example in Maine (17 M.R.S. §1011; § 1031; §1032).**

7. **HB 529-FN was passed by the House Fish and Game and Marine Resources Committee and full House this year. The House referral was waived by the Chair of the House Criminal Justice Committee in February, as HB 1606-FN (AM 2020-0373h), with language identical to HB 529-FN, passed that Committee unanimously last year. (The pandemic prevented review from the Senate at that time). The intent of HB 529-FN was additionally proven to have immense support by stakeholders and residents alike, with the majority testifying in support on a similar bill (HB 381-FN, 2017), and not one citizen, state agency, or stakeholder testifying in opposition to the intent to protect wildlife from egregious cruelties.**

In addition to HB 1606-FN, which passed the House last year, two wildlife cruelty bills similar to HB 529-FN have been introduced into the NH State Legislature; HB 381-FN in 2017, and HB 1412-FN in 2018. During public testimony for both bills, not one individual testified in opposition to the intent, which was identical to the intent of HB 1606-FN and HB 529-FN.^{xii}

Among those testifying in 2018, Paul Sanderson, Legislative Rules Coordinator of the NH Fish and Game, who opposed the language of the bill, but not the intent, specifically stated, "...we support the intent."^{xiii} It is noteworthy that Paul Sanderson testified in support of HB 1606-FN in 2020 and HB 529-FN this year, following his recommended language revisions.

Paul DeBow, then president and a current director of the NH Trappers Assoc., also agreed with the intent of the bill stating, "We certainly don't want people mutilating and being cruel to animals, absolutely not..."^{xiv}

Representative Cathryn Harvey (Cheshire -Dist. 1) former chair of the House Fish and Game and Marine Resources Committee stated, "If there were several people that got up and said they disagreed with the intent of the bill then I would maybe go along with ITL [Inexpedient to Legislate], but that hasn't been the case." ... "I think we need to give people a chance to work on the bill since they all agree on the end result of what they want."^{xv}

The fact that a room full of individuals from all different perspectives came together and agreed on the intent of the bill is a testament to the support and importance of this issue. The NH Legislature has the responsibility and duty to represent their constituents adequately, and safeguard our State's wildlife and citizens, and HB 529-FN as introduced does that - particularly considering the bill's inclusion of language revisions that resolves previous concerns.

8. **The language of HB 529-FN resolves the primary concerns expressed by opposition regarding the language of similar wildlife cruelty bills proposed in the past (HB 381-FN, 2017; HB 1412-FN, 2018)**

During public testimony, the executive sessions of the House Fish and Game and Marine Resources Committee, as well as statements made on the House floor, the opposition expressed two concerns regarding the language of HB 381-FN in 2017, and of HB 1412-FN in 2018 - which have been resolved with the language of HB 529-FN.

The proposed law is within Title XVIII, Fish and Game code

HB 381-FN and HB 1412-FN were both proposed as revisions to the animal cruelty code, RSA 644:8, with an exclusion of any activity expressly authorized within Title XVIII. However, the opposition believed that the exclusion was insufficient and that the law should be placed directly within Title XVIII.^{XVI} The language of HB 569-FN revises RSA 206:19-b, placing it within Title XVIII, while including an exemption and affirmative defense for all lawful activity within Title XVIII and the administrative rules of the NH Fish and Game, providing the utmost protection for sportsmen and women.

HB 529-FN does not include the term 'non-captive wildlife' which the opposition found confusing
Current animal cruelty code (RSA 644:8) provides protections for wildlife in captivity only, being wildlife in zoos, sanctuaries, etc. As a proposed revision of that cruelty code, the language of both HB 381-FN and HB 1412-FN included the term, 'non-captive wildlife' to extend certain existing protections to 'free-roaming' wild species.^{XV} The Opposition found the term confusing, and expressed that it should not be used. HB 529-FN does not use the term 'non-captive wildlife,' rather the phrase, 'wild animal, fish, or wild bird, as defined in RSA 207:1.'

Both of these solutions were drafted by Col. Jordan from the Law Enforcement Division, and Paul Sanderson, the Legislative Rules Coordinator, of the NH Fish and Game.

9. **The NH state motto, "Live Free or Die," was not intended to grant freedom to commit malicious acts of violence against our valued wildlife. HB 529-FN protects animals and residents from malicious violence, while preserving the rights of citizens to protect themselves and their property, as well as sportsmen and women.**

The NH state motto has been used in opposition to wildlife cruelty laws, asserting it would lead to citizens being stripped of their freedom and rights to hunt, fish, trap, and bait. However, not only is all lawful hunting, trapping, and fishing activity exempt from HB 529-FN, but it is highly unlikely that maliciously beating, torturing, or mutilating wildlife was the intent of the NH state motto.

During the public hearing for wildlife cruelty bill HB 381-FN on January 24, 2017, Maria Colby, a licensed wildlife rehabilitator from Wings of the Dawn Bird Sanctuary, testified that she witnessed an injured skunk that been placed in trap and fireworks were set off in the trap, in Claremont NH.^{XVII} In other states, individuals that commit such acts of violence could be charged with a felony. Unfortunately, that is not the case in NH.

It's undoubtedly agreeable that no one has the right to set fireworks off on or commit such acts of cruelty against any of New Hampshire's wild species. The only right HB 529-FN removes, is the current right that criminals have under existing law to commit horrendous acts of violence against the wildlife of the Granite State without suitable consequences, and sometimes, with no penalty at all.

Thank you for your consideration (resources below signature),



Gina Scrofano
New Hampshire constituent

- I. Carli Teproff, 'Notorious shark-dragging video results in three Florida men facing animal cruelty charges,' Miami Herald, Dec. 12, 2017, <https://www.miamiherald.com/news/state/florida/article189456164.html>, last visited Jan. 2021
- II. John Koziol, 'School stands by punishment of Kennett High players who killed duck,' Union Leader, Sept. 10, 2019, https://www.unionleader.com/news/local/school-stands-by-punishment-of-kennett-high-players-who-killed/article_1a951a76-e122-55d6-871c-8ae13bf3aecb.html, Last visited Jan. 2021;
- III. Sara Shepherd, 'Two former Rockland police officers charged with felony animal cruelty to appear in January court,' Penobscot Bay Pilot, Dec. 15, 2020, <https://www.penbaypilot.com/article/two-former-rockland-police-officers-charged-felony-animal-cruelty-appear-january-cour/141692>, Last visited Jan. 2021
- IV. Fis 301.07-.09;
(48 lottery permits, plus 1 for the Wildlife Heritage Foundation of NH, and 1 for the Wildlife Federation Dream Hunt program), NH Fish and Game Department, '2019 NH Wildlife Harvest Summary,' 2020, <https://www.wildlife.state.nh.us/hunting/documents/2019-harvest-summary.pdf>, Last visited Jan 2021
- V. Audio recording of public hearing for HB 381-FN, House Fish and Game and Marine Resources Committee, LOB Room 307, Jan. 24, 2017
- VI. FBI, 'Tracking Animal Cruelty, FBI Collecting Data on Crimes Against Animals,' Feb. 1, 2016, <https://www.fbi.gov/news/stories/-tracking-animal-cruelty>, last visited Jan. 2021;
Alison Knezevich, 'FBI to start tracking animal cruelty in 2016,' The Baltimore Sun, Nov. 27, 2015, <https://www.baltimoresun.com/maryland/bs-md-fbi-animal-cruelty-20151126-story.html>, Last visited Jan. 2021
- VII. Audio recording of public hearing for HB 381-FN, House Fish and Game and Marine Resources Committee, LOB Room 307, Jan. 24, 2017;
Cohen, W., Congressional Register, 142(141), Oct. 3, 1996
- VIII. Degenhardt, B., 'Statistical Summary of Offenders Charged with Crimes against Companion Animals, July 2001-July 2005' Chicago Police Department, 2005
- IX. Clarke, J. P., 'New South Wales police animal cruelty research project,' Sydney, Australia: New South Wales Police Service, 2002
- X. Alison Knezevich, 'FBI to start tracking animal cruelty in 2016,' The Baltimore Sun, Nov. 27, 2015, <https://www.baltimoresun.com/maryland/bs-md-fbi-animal-cruelty-20151126-story.html>, Last visited Jan. 2021
- XI. FBI, 'Tracking Animal Cruelty, FBI Collecting Data on Crimes Against Animals,' Feb. 1, 2016, <https://www.fbi.gov/news/stories/-tracking-animal-cruelty>, last visited Jan. 2021;
- XII. Audio recording of public hearing for HB 381-FN, House Fish and Game and Marine Resources Committee, LOB Room 307, Jan. 24, 2017
- XIII. Ibid.
- XIV. Ibid.
- XV. Ibid.
- XVI. Audio recording of public hearing for HB 381-FN, House Fish and Game and Marine Resources Committee, LOB Room 307, Jan. 24, 2017;
Audio recording of executive session for HB 1412-FN, House Fish and Game and Marine Resources Committee, LOB Room 307, Jan. 23, 2018, <https://youtu.be/Omo1nEYY1so>, Last visited Jan. 2021;
House vote, HB 1412-FN, February 8, 2018, <https://youtu.be/1rQxftBBTXg>, Last visited Jan. 2021
- XVII. Audio recording of public hearing for HB 381-FN, House Fish and Game and Marine Resources Committee, LOB Room 307, Jan. 24, 2017

Griffin Roberge

From: Jemi Broussard <jemibroussard@gmail.com>
Sent: Monday, March 22, 2021 3:56 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: Support for Wildlife Cruelty Bill: NH HB529-FN - Cruelty to Wild Animals, Fish, or Wild Birds; Enhanced Penalty.

Dear Environmental and Natural Resources Committee Members,

I am writing because I understand you will be considering approval of a Wildlife Cruelty bill this morning and I wanted to express my support.

My family has always included hunters and fisherman for generations, and has worked to preserve land for habitat and hunting grounds, but always with a proper respect for NH wildlife, and never taking more than we could consume, plus practicing catch & release in lakes and ponds.

I assume this bill was written in response to a real problem that has been detected, and is considered necessary to punish inappropriate actions, and to make it easier for law enforcement to punish egregious cases of abuse.

I hope you will enact this remedy.

Gratefully,

Jemi Broussard
233 South St
Concord, NH 03301
603-224-0413

Sent from my iPhone

Griffin Roberge

From: Kurt Ehrenberg <kehrenberg@humanesociety.org>
Sent: Monday, March 22, 2021 6:33 AM
To: Griffin Roberge
Subject: HB-529 Humane Society of US support Documents (2 pages)
Attachments: NH HB 529 Fact Sheet.docx; Research-Summary National Link Coalition.pdf

Dear Mr. Roberge,

Please provide these materials along with our previously submitted testimony to Chairman Avard and members of the Energy and Natural Resources Committee for the hearing on HB 529.

Feel free to call anytime.

Thank You,
Kurt

Kurt Ehrenberg
New Hampshire State Director, State Affairs

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C 603 312 5988
humanesociety.org



Fight for all animals. The Humane Society of the United States is the nation's most effective animal protection organization, fighting for all animals for more than 65 years. To support our work, please make a [monthly donation](#), give in [another way](#) or [volunteer](#).





Support HB 529 to Protect New Hampshire Wildlife from Cruelty

Strengthens our Fish and Game code to protect wild animals from purposeful or reckless cruelty.

New Hampshire is one of only five states (including Iowa, Nebraska, Tennessee and Texas) that does not protect its free-roaming wild animals from cruelty.

Under our current animal protection statute, a person who maliciously tortures, beats, or mutilates a non-captive wild animal cannot be charged with animal cruelty. If the same acts were committed against a dog, horse, farm animal, or other domestic or captive wild animal, the guilty person could be convicted of a felony. This is simply not right; being intentionally set on fire, purposefully run over by a vehicle, or bludgeoned to death—all acts that have been committed against wild animals in other states, including in Maine and New York—hurts no less for a raccoon than for a family cat.

Sensible penalties for acts of deliberate cruelty

House Bill 529, sponsored by Representative Ellen Read (D-Newmarket), will strengthen our laws by protecting New Hampshire's wildlife from intentional cruelty and making our communities safer. This bill amends the state's Fish and Game code to include a class B felony charge for a person who purposely beats, cruelly whips, tortures, or mutilates any wild animal, fish, or wild bird, and a class B misdemeanor charge for a person who

recklessly beats, cruelly whips, tortures, or mutilates any wild animal, fish, or wild bird.

Protecting both animals and people

Animal abuse has been consistently linked with other violent criminal behaviors. In fact, the FBI is now tracking crimes against animals alongside felony crimes like arson and murder because it is a strong early predictor of human violence. Studies have shown that a statistically significant greater proportion of violent offenders have committed acts of animal cruelty compared to nonviolent offenders.¹ In a New Jersey study, 88% of families with physical child abuse also had histories of animal abuse.² Research also finds that 43% of school shooters have histories of abusing animals.³ Protecting animals from purposeful violence protects communities.

Does not interfere with lawful hunting

States with strong hunting traditions, including all our neighbors in New England, protect wild animals from cruelty without impacting lawful hunting practices. Similarly, **HB 529 will not apply to any manner of taking, open season time limits, permitted scientific investigations, or wildlife management practices lawful under New Hampshire Fish and Game statute or administrative rules.**

"If somebody is harming an animal, there is a good chance they also are hurting a human."

John Thompson, Deputy Executive Director of the National Sheriffs' Association, February 1, 2016.

For more information contact Kurt Ehrenberg at kehrenberg@humanesociety.org

¹ S.R. Kellert & A.R. Felthous: "Childhood cruelty toward animals among criminals and noncriminals." *Human Relations*, 38, 1113–1129, 1985.

² Frank R. Ascione: "Animal Abuse and Youth Violence." U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention, *Juvenile Justice Bulletin*, September 2001.

³ Arnold Arluke: "How reliably does animal torture predict a future school shooter?" *The Washington Post*, February 21, 2018.



**THE HUMANE SOCIETY
OF THE UNITED STATES**

Facts About **The Link**[®] Between Violence to People and Violence to Animals

What Does the Research Show?

Philosophers and educators have been describing the connections between animal abuse and interpersonal violence since the 14th century. In recent years, a growing body of scientific research has confirmed this conventional wisdom. The research is prompting changes in public policy and organizational programming, and is opening new vistas in collaborative approaches to curtailing family violence in its many forms.

The Link and Violent Crimes

Law enforcement agencies and courts worldwide are recognizing that people who commit acts of serious animal abuse frequently have previous histories of, or future tendencies toward, violent crimes against humans.

Children's acts of animal abuse are some of the strongest and earliest diagnostic indicators of conduct disorder, often beginning as young as age six and a half (Ascione, 2001).

The FBI identifies animal cruelty as one of several juvenile behaviors associated with increasingly violent behavior. The FBI uses reports of animal cruelty in analyzing the threat potential of suspected and known criminals (Lockwood & Church, 1996).

In a Massachusetts study, 70% of animal abusers had criminal records including crimes involving violence, property, drugs, or disorderly behavior (Arluke & Luke, 1997).

Half of school shooters have histories of animal cruelty (Verlinden, Herson, & Thomas, 2000).

Of search warrants executed for animal abuse or dogfighting investigations, 35% resulted in seizure of either narcotics or guns. Of 22 offenders arrested for animal abuse violations, 18 had prior arrests for battery, weapons, or drug charges and 5 had subsequent arrests for felony offenses (Chicago Crime Commission, 2004).

Thirty-one percent of inner-city teens in Chicago have attended a dogfight (Cleveland, 2006).

Adults who keep vicious dogs are more likely to have been arrested for violent crimes and drug- and property-related offenses (Barnes, Boat, Putnam, Dates, & Mahlman, 2006).

A Canadian police review of crime records found that 70% of people charged with cruelty to animals also had other reported incidents of violent behavior, including homicide (Boat & Knight, 2000).

In an Australian study, 61.5% of convicted animal abuse offenders had also committed an assault, 17% had committed sexual abuse, and 8% had arson convictions. Animal abuse was a better predictor of sexual assault than were previous convictions for homicide, arson, or firearms offenses. Animal cruelty offenders committed an average of four different types of criminal offenses. All sexual homicide offenders reported having been cruel to animals. Sexual assault, domestic violence, and firearms offenses featured prominently in cruelty offenders' criminal histories (Clarke, 2002).

In a study of incarcerated aggressive criminals in South Africa, 63% had deliberately inflicted harm on an animal as a child, and 29% had witnessed a parent or other family member being cruel to animals (Schiff, Louw, & Ascione, 1999).



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Facts About **The Link**[®] Between Violence to People and Violence to Animals

The Link and Domestic Violence

Because women are often emotionally close to, and have primary responsibility for, household animals, they are particularly vulnerable to batterers who would exploit this bond to exert power and coercion. Millions of battered women are trapped in abusive homes because there is no one to care for animals that cannot accompany them to safety. Children in these households are at risk of witnessing and perpetrating this violence as well.

More than 48% of Americans consider their animals as “companions” and almost 50% consider them as “members of the family” (American Veterinary Medical Association, 2007).

Thirteen percent of intentional animal abuse cases involved domestic violence (Humane Society of the United States, 2001).

Twelve independent studies have reported that between 18% and 48% of battered women delay leaving abusive situations out of fear for the safety of their animals (Ascione, 2007).

Over 71% of battered women reported that their batterers had harmed, killed or threatened animals. More than 75% of these incidents occurred in the presence of the women and/or children to coerce, control and humiliate them. More than 13% of the children admitted that they had hurt pets, and 7.9% admitted to having hurt or killed animals. However, 50% of the children said that they had protected their pet by directly intervening (Ascione, Weber, & Wood, 1997).

Thirty-two percent of battered women reported that their children had hurt or killed animals (Ascione, 1998).

In a Wisconsin study, 68% of battered women reported their animals had been the target of violence. Of these incidents, 87% occurred in the presence of the women to intimidate and control them, and 75% occurred in the presence of children (Quinlisk, 1999).

In a Texas study, batterers who harm animals were found to be more dangerous and to use more forms of violence and controlling behaviors than batterers who do not abuse pets (Simmons & Lehmann, 2007).

Children exposed to domestic violence were found to be three times more likely to be cruel to animals than children in nonviolent households (Currie, 2006).

Forty-eight percent of battered women reported that animal abuse had occurred “often” during the past 12 months. An additional 30% reported that the abuse occurred “almost always” (Carlisle-Frank & Flanagan, 2006).

The Link and Child Maltreatment

Children who harm animals or witness acts of violence against animals are at increased risk of developing antisocial behaviors and of becoming victims of child maltreatment. Conversely, children who are victims of maltreatment are at increased risk of harming animals.

Pets are part of childhood. Almost 68% of households with children under age 6 and more than 74% of households with children over age 6 have pets (American Veterinary Medical Association, 2007). A child in America is more likely to grow up with a pet than with a father (Melson, 2001).

Seven percent of intentional animal abuse cases involved child abuse and neglect (Humane Society of the United States, 2001).





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In a New Jersey study, at least one person in 60% of pet-owning families being investigated for child abuse and neglect had abused animals. At least one person in 88% of pet-owning families being investigated for physical child abuse had abused animals. In one third of the families, the children had abused the animals, using them as scapegoats for their anger. The rate of dog bites and attacks in these homes was 69%, compared with 6% in a control group (DeViney, Dickert, & Lockwood, 1983).

Sexually abused children were five times more likely to abuse animals than were children who were not sexually abused (Ascione, Friedrich, Heath, & Hayashi, 2003).

Twenty percent of children who sexually abused other children also had histories of sexually abusing animals. In most cases, the acts were carefully planned, with pets targeted, isolated, groomed, and abused — much like child victims of sexual abuse (Duffield, Hassiotis, & Vizard, 1998).



In one survey, 91% of abused children institutionalized for delinquency and emotional disturbances said they had had special pets, and 99% showed very positive feelings toward these pets. However, these youths reported that abusive adults had frequently punished or intimidated them by killing, harming, or removing their pets (Robin, ten Bensel, Quigley, & Anderson, 1984).

In a British study of animal cruelty cases, 82% of the families investigated by the RSPCA were also known to social services departments and 61% were known to probation departments. These families were largely described as having children at risk (Hutton, 1983).

The Link and Elder Abuse

Senior citizens are at particular risk of hoarding excess numbers of animals in unhealthy environments. Signs of animal neglect are an early warning sign of a senior's self-neglect or need of assistance. Seniors' emotional attachments to their pets make them vulnerable to those who would exploit this bond to exert control over an older victim.

Ninety-two percent of adult protective services caseworkers encountered animal neglect among clients who were unable to care for themselves. Seventy-five percent noted their clients' concern for their pets' welfare affected decisions about accepting interventions or other services. Forty-five percent of adult protective services caseworkers have encountered intentional animal abuse or neglect (Humane Society of the United States & State of Wisconsin Department of Health and Family Services, 2003).

A significant percentage of people who hoard or collect animals are older women (Pet-Abuse.Com, 2007). Their inability to adequately care for large numbers of animals puts them at risk of self-neglect, eviction, and health issues, and often indicates a need for mental health and social services interventions (Patronek, Loar, & Nathanson, 2006).

In the absence of children or other loved ones, animal companions may be particularly significant others for isolated seniors: the loss of these animals when a senior is forced to move to subsidized housing or assisted living facilities can be traumatic. Abusive children may attempt to intimidate elders, retaliate against them, or control their assets by harming, threatening, or removing their pets (Arkow, 2007).

Thirty-five percent of adult protective services caseworkers reported that their clients talk about pets being threatened, injured, killed, or denied care (Boat & Knight, 2000).

Facts About **The Link**[®] Between Violence to People and Violence to Animals

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AMERICAN HUMANE

Protecting Children & Animals Since 1877

Griffin Roberge

From: LSLITT@roadrunner.com
Sent: Monday, March 22, 2021 7:25 AM
To: Griffin Roberge
Subject: I SUPPORT HB 529

Dear Committee Members,

I support any and all efforts to protect wild animals in their depleted wild spaces. When we protect animals and make their environments safer, we also protect public health and safety since our environments are inextricably intertwined, interdependent.

New Hampshire should be a safe place for animals. Protecting animals from harm is what ethical, humane, just societies do.

All evidence of the human/animal violence link are being carefully researched as we see the impact everywhere. I have studied, "THERIOCIDES" the killing of animals, for years as the precursor for violence to humans and this bill is one step to evolving towards a more safe society for children and animals.

Wild creatures honor my land in Bartlett, NH. Seeing bear, moose, deer, skunks, raccoons, and other species is a privilege. After all, we are ALL part of CREATION. The tragedy of human trespass and environmental degradation impacting all creatures MUST be seen and abated so what is left of the wild spaces and creatures is protected. Support this bill.

It's the very least we should do.

Laura Slitt
Bartlett, NH
603-374-5006

Griffin Roberge

From: Weldon Bosworth <wbosworth@outlook.com>
Sent: Monday, March 22, 2021 7:49 AM
To: Kevin Avar; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: House Bill 529

Dear Senators,

Please vote for House Bill 529 to pass. This is a no-brainer and anyone with an ounce of feeling for any animal, either wild or domestic, would want their legacy to include a vote against this bill.

Sincerely,
Weldon Bosworth
Gilford

Griffin Roberge

From: Stephanie Harris <sharris@aldf.org>
Sent: Monday, March 22, 2021 12:46 PM
To: Griffin Roberge
Subject: Support for HB 529 - An Act Relative To Cruelty To A Wild Animal, Fish, or Wild Bird
Attachments: SUPPORT for HB 529 from Animal Legal Defense Fund 2021-03-22.pdf

Good afternoon, Griffin,

Please find attached a letter of support for *An Act Relative To Cruelty To A Wild Animal, Fish, or Wild Bird* (HB 529), submitted on behalf of the Animal Legal Defense Fund and our supporters in New Hampshire.

Thank you for your time.

Stephanie

—

Stephanie J. Harris (she/her/hers) | Senior Legislative Affairs Manager
Animal Legal Defense Fund | aldf.org
sharris@aldf.org | 617-955-7500



**ANIMAL LEGAL
DEFENSE FUND**

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DEFENSE FUND** EST
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March 22, 2021

Senator Kevin Avar, Chair
Senator Bob Giuda, Vice Chair
Senate Energy and Natural Resources Committee
New Hampshire General Court, SH Room 103
107 North Main Street, Concord, NH 03301

Re: Support for *An Act relative to cruelty to a wild animal, fish, or wild bird* (HB 529)

Chair Avar, Vice Chair Giuda, and honorable members of the Senate Energy and Natural Resources Committee,

On behalf of the Animal Legal Defense Fund and our supporters in New Hampshire, thank you for this opportunity to submit a letter of support for *An Act relative to cruelty to a wild animal, fish, or wild bird* (HB 529). We thank Representative Ellen Read for introducing this important legislation along with Representatives Toll, Gay, Danielson, Spillane, Abrami, DeSimone, Wall, and Murray, and Senators Sherman, Watters, and Bradley, and the Committee for your consideration.

The Animal Legal Defense Fund is the nation's preeminent legal advocacy organization for animals. Our mission is to protect the lives and advance the interests of animals through the legal system. As a core component of that mission, we advocate to improve the efficacy of laws that protect animals from cruelty.

Our annual state ranking (aldf.org/staterankings), released last month, recognizes New Hampshire as 14th among the nation's states in terms of animal protection laws. This top-tier positioning reflects the General Court's ongoing commitment to animal protection. However, we note that the state exempts wild-living or free-roaming wild animals from your animal cruelty statute (N.H. REV. STAT. ANN. § 644:8(III)(a),(V)). To that end, we write today in support of legislation to close this loophole in the New Hampshire's animal cruelty statute.

Today, only five states exempt wild animals from their animal cruelty law: Iowa, Nebraska, New Hampshire, Tennessee, and Texas.

We respectfully urge the advancement of HB 529, which will establish criminal penalties for egregious acts of cruelty to wild animals, fish, and wild. The bill includes exemptions for lawful hunting and fishing activities.

HB 529 will effectively protect wild animals from intentional cruelty. ALDF supports this bill's passage.

Thank you for your time and consideration.

Sincerely,

Stephanie Harris

--

Stephanie J. Harris | Senior Legislative Affairs Manager
Animal Legal Defense Fund | aldf.org
sharris@aldf.org | 617-955-7500

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # *HB 529-FN*

Hearing Date: 03/22/2021

Executive Session Date: 03/22/2021

Motion of: OTA Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Perkins Kwoka

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 529-FN**

AN ACT relative to cruelty to a wild animal, fish, or wild
bird.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Rebecca Perkins Kwoka
For the Committee

It is currently a crime under RSA 644:8 to engage in defined acts of cruelty to a domestic animal or wild animal in captivity, with conviction leading to enhanced criminal penalties. However, the same enhanced criminal penalties are not imposed for the same acts toward a wild animal not in captivity. House Bill 529-FN fills a recognized gap in NH's Fish and Game laws and extends those same penalties that exist under RSA 644:8 to wildlife. This bill gives NH Fish and Game Conservation Officers the ability to protect wildlife from acts of cruelty. Importantly, the bill offers legal protections for those engaged in hunting, fishing, trapping, and other lawful activities under title XVIII and administrative rule. The NH Fish and Game Department is in support of this legislation.

Griffin Roberge 271-3042

FOR THE CONSENT CALENDAR

ENERGY AND NATURAL RESOURCES

HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird.

Ought to Pass, Vote 5-0.

Senator Rebecca Perkins Kwoka for the committee.

It is currently a crime under RSA 644:8 to engage in defined acts of cruelty to a domestic animal or wild animal in captivity, with conviction leading to enhanced criminal penalties. However, the same enhanced criminal penalties are not imposed for the same acts toward a wild animal not in captivity. House Bill 529-FN fills a recognized gap in NH's Fish and Game laws and extends those same penalties that exist under RSA 644:8 to wildlife. This bill gives NH Fish and Game Conservation Officers the ability to protect wildlife from acts of cruelty. Importantly, the bill offers legal protections for those engaged in hunting, fishing, trapping, and other lawful activities under title XVIII and administrative rule. The NH Fish and Game Department is in support of this legislation.

Docket of HB529

Docket Abbreviations

Bill Title: relative to cruelty to a wild animal, fish, or wild bird.*Official Docket of HB529.:*

Date	Body	Description
1/12/2021	H	Introduced (in recess of) 01/06/2021 and referred to Fish and Game and Marine Resources HJ 2 P. 52
1/21/2021	H	Public Hearing: 02/01/2021 09:00 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	H	Subcommittee Work Session: 02/01/2021 01:30 pm Remote info same as above
2/8/2021	H	Committee Report: Ought to Pass (Vote 19-1; CC) HC 12 P. 7
2/24/2021	H	Ought to Pass: MA VV 02/24/2021 HJ 3 P. 10
2/24/2021	H	Referred to Criminal Justice and Public Safety 02/24/2021 HJ 3 P. 10
2/24/2021	H	Referral Waived by Committee Chair per House Rule 47(f) 02/24/2021 HJ 3 P. 72
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, 01:00 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	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 99
7/29/2021	H	Signed by Governor Sununu 07/28/2021; Chapter 156; Eff: 01/01/2022

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 529-FN

Senate Committee: ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other 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 Aides)

All amendments considered in committee (including those not adopted):

N/A - amendment # _____ - amendment # _____

_____ - amendment # _____ - amendment # _____

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 # _____ - amendment # _____

_____ - amendment # _____ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

_____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

_____ Enrolled Bill Amendment(s)

_____ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

_____ 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

Senate Clerk's Office AK