

CONSENT CALENDAR

January 28, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Criminal Justice and Public Safety
to which was referred HB 1571-FN,**

**AN ACT increasing fines for littering and directing
revenues to the fish and game department. Having
considered the same, report the same with the following
resolution: RESOLVED, that it is INEXPEDIENT TO
LEGISLATE.**

Rep. Casey Conley

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Criminal Justice and Public Safety
Bill Number:	HB 1571-FN
Title:	increasing fines for littering and directing revenues to the fish and game department.
Date:	January 28, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill aims to increase penalties for littering by 20 percent and allocate new revenue raised from that increase to N.H. Fish and Game. The fine increase would yield only about \$5,000 per year, while costs associated with adapting the change would cost roughly \$75,000 total. Additionally, the majority was uncomfortable with a fine increase based on a percentage rather than a clear dollar amount as has long been the standard of the New Hampshire legislature. Based on these concerns, the majority believes the bill should be found inexpedient to legislate.

Vote 20-0.

Rep. Casey Conley
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Criminal Justice and Public Safety

HB 1571-FN, increasing fines for littering and directing revenues to the fish and game department.
INEXPEDIENT TO LEGISLATE.

Rep. Casey Conley for Criminal Justice and Public Safety. This bill aims to increase penalties for littering by 20 percent and allocate new revenue raised from that increase to N.H. Fish and Game. The fine increase would yield only about \$5,000 per year, while costs associated with adapting the change would cost roughly \$75,000 total. Additionally, the majority was uncomfortable with a fine increase based on a percentage rather than a clear dollar amount as has long been the standard of the New Hampshire legislature. Based on these concerns, the majority believes the bill should be found inexpedient to legislate. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 1571-FN

BILL TITLE: increasing fines for littering and directing revenues to the fish and game department.

DATE: February 7, 2022

LOB ROOM: 204

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Conley

Seconded by Rep. Burt

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Scott Wallace, Clerk



2022 SESSION

Criminal Justice and Public Safety

Bill #: 1571 Motion: ITL AM #: _____ Exec Session Date: 2-28-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Abbas, Daryl A. Chairman	20		
Roy, Terry Vice Chairman	1		
Welch, David A. <u>LANE</u>	2		
Burt, John A.	3		
Hopper, Gary S. <u>RHODES</u>	4		
Green, Dennis E.	5		
Wallace, Scott Clerk	6		
Testerman, Dave <u>SPILLANE</u>	7		
True, Chris	8		
Pratt, Kevin M.	9		
Marston, Dick	10		
Harriott-Gathright, Linda C.	11		
Pantelakos, Laura C.	12		
O'Hearne, Andrew S. <u>TELESKI</u>	13		
Bordenet, John	14		
Meuse, David	15		
Newman, Ray E.	16		
Bouldin, Amanda C.			1
Conley, Casey M.	17		
Klein-Knight, Nicole <u>S NEWMAN</u>	18		
Bradley, Amy	19		



1/10/2022 8:56:51 AM
Roll Call Committee Registers
Report

2022 SESSION

Criminal Justice and Public Safety

Bill #: HB 1571 Motion: FTL AM #: Exec Session Date: 2-28-22

TOTAL VOTE:

	20	0	1
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~HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 1571-FN

BILL TITLE: increasing fines for littering and directing revenues to the fish and game department.

DATE: January 28, 2022

LOB ROOM: 204 **Time Public Hearing Called to Order:** 10:33 a.m.

Time Adjourned: <<End

Time>>

Committee Members: Reps. Roy, Wallace, Burt, Green, True, Pratt, Harriott-Gathright, Pantelakos, Bordenet, Meuse, R. Newman, Conley and Bradley

Bill Sponsors:

Rep. Egan

Rep. Massimilla

Rep. Thompson

Rep. Dontonville

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Reps. **Lang**, **Rhodes**, **Telerski** and S. **Newman** were also in attendance as members of the Committee.

Rep. **Thompson** introduced the bill in support.

Rep. **Burt** asked how much money is collected now on littering, and where is it going now?

Atty. Richard **Head**, Government Affairs Coordinator, NH Judicial Branch attended the public for information and asked for amendment.

Rep. **Spillane** asked about large quantity dumpers refuse/hazmat. No answer from Atty. **Head**.

Rep. **True** asked about date of effect.

Rep. **Pantelakos** asked how much money comes in annually - 2020 ~ \$9,000. <\$5,000 /year new revenue under this bill.

Respectfully submitted,

Rep. Scott Wallace
Clerk

House Remote Testify

Criminal Justice and Public Safety Committee Testify List for Bill HB1571 on 2022-01-28

Support: 14 Oppose: 1 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
ploszaj, tom	Center Harbor, NH tom.ploszaj@gmail.com	An Elected Official	Myself	Oppose	No	No	1/21/2022 4:17 PM
Jensen, Matt	Kensington, NH Matty8781@yahoo.com	A Member of the Public	Myself	Support	No	No	1/23/2022 11:23 AM
Swan, Jon	Dalton, NH saveforestlake@yahoo.com	A Member of the Public	Save Forest Lake	Support	No	No	1/23/2022 11:29 AM
Aronson, Laura	MANCHESTER, NH laura@mlans.net	A Member of the Public	Myself	Support	No	No	1/24/2022 1:47 PM
Raven, Mary	Merrimack, NH marybeth.raven@gmail.com	A Member of the Public	Myself	Support	No	No	1/24/2022 7:43 PM
Aman, Katie	Hanover, NH kathryn.aman@gmail.com	A Member of the Public	Myself	Support	No	No	1/24/2022 8:35 PM
French, Robert	Littleton, NH ref.design@outlook.com	A Member of the Public	Myself	Support	No	No	1/25/2022 9:10 AM
Moore, Susan	Franconia, NH susan.moore.franconia@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2022 9:39 AM
Doucette, Roger	Whitefield, NH rogerddoucette@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2022 12:36 PM
doucette, sarah	Whitefield, NH sdoucette58@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2022 12:41 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2022 9:39 PM
Campbell, Kay	Epsom, NH kkcampbell43@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 9:39 AM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 9:51 AM

Fraysse, Michael	Epsom, NH mikefraysse@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 10:07 AM
Richardson, Diane	Springfield, NH Workingclasscanine@msn.com	A Member of the Public	Myself	Support	No	No	1/28/2022 7:55 AM

Littering

Prime Sponsor Testimony on HB1571
Jan 28, 2022

Thank you Chairman Abbas and Committee on Criminal Justice & Public Safety.

HB 1571 relative to increasing fines for littering and directing revenues to the Fish & Game depart, is bill that is important to our protecting our environment, supporting our valuable tourism economy, fortifying our conservation officers staffing and supporting our under-resourced fish and game department.

We can all agree that enforcing fines has value:

- 1- An increase in fine means we are taking matters very seriously
- 2- The threat of fines helps visitors want to keep our road and parks pristine
- 3- Bu forcing folks keep our highways, byways and attractions clean, it safeguards our tourism economy
- 4- We need to support the funding for the Fish & Game officers who catch poachers, monitors hunters, saves lost hikers, prides themselves on studying NH flora and fauna
- 5 -Support is shown in the percentage of the fine that is going to help hire CO's

How does harsh littering fines benefit our society and saves NH residents money?

- 1- It improves community feeling and economic impact, people want to populate attractions
- 2- A cleaner community draws tourists and their tourism dollars.
- 3- A fine is deterrent to those who can easily devolve from littering to illegal dumping
- 4- Litter pickup by DOT is costly, less litter, less labor and less cost

Thanks for considering a simple bill that can have tremendous impact.

The State of New Hampshire

ADMINISTRATIVE OFFICE OF THE COURTS

Dianne Martin
Director

1 Granite Place, Suite N400
Concord, NH 03301
(603) 271-2521
Fax: (603) 513-5454
eMail: aoc@courts.state.nh.us
TTY/TDD Relay: (800) 735-2964

January 23, 2022

The Honorable Daryl Abbas, Chair
House Criminal Justice and Public Safety Committee
Legislative Office Building, Room 204
Concord, New Hampshire 03301

RE: HB 1571 (increasing fines for littering and directing revenues to the fish and game department)
Hearing Date: January 28, 2022
Request for Amended Effective Date

Dear Chairman Abbas and members of the House Criminal Justice and Public Safety Committee:


I am writing to make you aware of a concern the Judicial Branch has with regard to the proposed effective date of House Bill 1571. The current draft has a proposed effective date of 60 days after its passage. Under RSA 14:9-a “[e]ach law affecting judicial practice and procedure, or establishing or eliminating criminal prohibitions, civil causes of action or remedies, or limitations of actions, shall take effect on the January 1 following passage.” Because this law would affect judicial practice and procedure, RSA 14:9-a provides that it should be effective no sooner than January 1, 2023.

The additional time is needed for the Judicial Branch to implement the collective changes that will be made to laws during this legislative session that impact criminal and civil cases. After each legislative session, the Judicial Branch must update the uniform charge table and the Judicial Branch’s Odyssey database, modify or create new forms, make necessary changes to the e-filing system, and notify and train judges and staff on the hundreds of changes that affect the court system. Implementation of these changes must accurately reflect the changes in law and be properly programed into the case management database and e-filing system. Given the number of changes that must be implemented, it takes several months to complete this effort.

The Judicial Branch respectfully requests that the bill be amended to change the effective date to January 1, 2023 which will allow the Judicial Branch sufficient time to implement all of the changes described in the bills that are passed in this session.

Thank you for your consideration of this request. Please do not hesitate to contact me if you have any questions.

Sincerely,



Richard W. Head
Government Affairs Coordinator
Email: rhead@courts.state.nh.us
Cell: 603-716-8235

House Bill 1571 (Increasing fines for littering and directing revenues to the fish and game department)

New Hampshire Judicial Branch request for Amendment: modify section 4 of the bill to change the effective date as follows:

4 Effective Date. This act shall take effect ~~60 days after its passage~~ January 1, 2023.

HB 1571-FN - AS INTRODUCED

2022 SESSION

22-2602

12/08

HOUSE BILL ***1571-FN***

AN ACT increasing fines for littering and directing revenues to the fish and game department.

SPONSORS: Rep. Egan, Graf. 2; Rep. Massimilla, Graf. 1; Rep. Thompson, Coos 1; Rep. Dontonville, Graf. 10

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill increases littering fines by 20 percent and dedicates the increased revenues to support conservation officers.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT increasing fines for littering and directing revenues to the fish and game department.

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

1 1 New Paragraph; Rules of the Road; Littering Penalty. Amend RSA 265:102 by inserting after
2 paragraph IV the following new paragraph:

3 V. Beginning January 1, 2022, the commissioner shall increase the fine for violations of this
4 section by 20 percent and credit 20 percent of all fines collected from violations of this section to the
5 account created in RSA 206:35-f.

6 2 New Paragraph; Litter Control Law; Littering Penalty. Amend RSA 163-B:4 by inserting after
7 paragraph II the following new paragraph:

8 III. Beginning January 1, 2022, the commissioner shall increase the fine for violations of
9 this section by 20 percent and credit 20 percent of all fines collected from violations of this section to
10 the account created in RSA 206:35-f.

11 3 New Section; Dedicated Littering Fines. Amend RSA 206 by inserting after section 35-e the
12 following new section:

13 206:35-f Dedicated Littering Fines. The state treasurer shall establish a separate account to
14 which shall be credited all moneys collected pursuant to RSA 163-B:4, III and RSA 265:102, V. The
15 moneys in said account shall be used to support conservation officers. Said funds shall be
16 nonlapsing and are to be expended for the purposes of this section as determined by the executive
17 director with the approval of the commission.

18 4 Effective Date. This act shall take effect 60 days after its passage.

HB 1571-FN- FISCAL NOTE
 AS INTRODUCED

AN ACT increasing fines for littering and directing revenues to the fish and game department.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Less Than \$5,000	Less Than \$5,000	Less Than \$5,000
Expenditures	\$75,000	Indeterminable, up to Revenue Collected	Indeterminable, up to Revenue Collected	Indeterminable, up to Revenue Collected
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill increases littering fines by 20 percent and dedicates the increased revenues to the Fish and Game Department to support conservation officers. According to the Department of Safety and Judicial Branch, based on recent littering fine collections, this change would increase revenue directed to the Fish and Game Department by less than \$5,000 per year. It is unknown how much in each year the Fish and Game Department may expend these funds.

To implement the changes in this bill, the Department of Safety estimates one-time system programming costs, to implement the changes in this bill, of approximately \$70,000, anticipated to be incurred in FY 2022. Similarly, the Judicial Branch expects one-time programming costs of approximately \$5,000.

AGENCIES CONTACTED:

Department of Safety, Fish and Game Department, and Judicial Branch