

HB 1201-FN - AS INTRODUCED

2022 SESSION

22-2286

04/08

HOUSE BILL ***1201-FN***

AN ACT relative to damage by bears.

SPONSORS: Rep. Turcotte, Straf. 4; Rep. Hough, Belk. 3; Rep. Ankarberg, Straf. 10; Rep. Kaczynski, Straf. 22

COMMITTEE: Fish and Game and Marine Resources

ANALYSIS

This bill repeals the reimbursement for losses caused due to damage by bears.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

22-2286

04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to damage by bears.

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

1 Wildlife Damage Control; Limitations for Persons Posting Property. Amend RSA 207:22-a to read as follows:

[~~F~~] Any person whose land is posted pursuant to RSA 635:4 to prohibit hunting shall forfeit the right to participate in the wildlife damage control program established pursuant to RSA 207:22-c, [~~or to receive payment pursuant to RSA 207:23-a,~~] except that this limitation shall not apply in the following circumstances:

[~~(a)~~] ***I.*** To a person who posts only the person's land lying within 100 yards of a dwelling or other farm or outbuildings contiguous to the person's dwelling and used regularly by the person, or the person's family or tenant.

[~~(b)~~] ***II.*** To any person whose land is posted for the protection of crops only during the closed season for the type of game birds or animals for which the person seeks assistance from the wildlife damage control program.

[~~(c)~~] ***III.*** To any person who posts such person's land "Hunting by Permission Only", provided that the names and addresses of the hunters who have received permission to hunt that land in that year shall be furnished when requested by the executive director, and that in the judgment of the executive director, the history of hunter access and hunter density represents a good-faith effort by the landowner to allow hunting.

~~[H. Any person who has received payment pursuant to RSA 207:23-a shall forfeit the right to receive payment in a future year or growing season unless such person implements measures to prevent or mitigate future conflicts with bear that have been recommended in writing by the executive director or the executive director's agent.]~~

2 Claims Against the State; Jurisdiction. Amend RSA 541-B:9, II to read as follows:

II. The board shall have original and exclusive jurisdiction to investigate, conduct hearings and make decisions, and render or deny awards on all claims under this chapter not exceeding \$5,000 against any agency, except those claims arising under workers' compensation, unemployment compensation, eminent domain proceedings, RSA 110-B:73, ~~[RSA 207:23-a,]~~ RSA 228:29, and RSA 491:8.

3 Repeal. RSA 207:23-a, relative to damage by bears, is repealed.

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

LBA
22-2286
10/25/21

**HB 1201-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to damage by bears.

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	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General Game Fund	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other - Fish and

METHODOLOGY:

This bill would repeal the Fish and Game Department’s reimbursement program for bear damage to agricultural products and livestock. While it is difficult to predict future bear damage related reimbursement requests, the Department has provided that since 2011, annual damage payments have averaged \$27,379 (ranged from \$9,082 to \$80,767 annually). This program is a charge against the state general fund.

The Department further states that the removal of the damage reimbursement program would likely cause more farmers to utilize lethal controls to prevent bear damage and increase requests for agricultural depredation permits. This could impact Department operations in that it may increase the likelihood of unauthorized take, resulting in increased enforcement efforts and violations.

AGENCIES CONTACTED:

Fish and Game Department

