

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number

Rule Number

**Fis 301.01, Fis 301.03-.04,  
Fis 301.05-.06, Fis 301.09,  
Fis 302.01-.012, Fis 304.03-.05,  
Fis 307.02, Fis 307.05,  
Fis 308.05, Fis 308.07,  
Fis 1102.06, Fis 1102.12,  
Fis 1110.03**

1. Agency Name & Address:

**NH Fish and Game Department  
11 Hazen Drive  
Concord, NH 03301**

2. RSA Authority:

**RSA 206:10, I; RSA 206:23-c,  
II; RSA 207:3-d, I;  
RSA 207:22-c, III(a);  
RSA 208:1-a, I and II;  
RSA 208:2; RSA 208:5-b;  
RSA 208:7-a; RSA 208:15-b;  
RSA 208:15-h; RSA 208:22, I  
and III; RSA 208:24, III;  
RSA 209:12-a, I and III;  
RSA 210:24-b, I**

3. Federal Authority:

4. Type of Action:

Adoption \_\_\_\_\_  
Repeal \_\_\_\_\_  
Readoption \_\_\_\_\_  
Readoption w/amendment   X  

5. Short Title: **Wildlife Rules and Licenses and Permits**

6. (a) Summary of what the rule says and of any proposed amendments:

**This proceeding proposes to readopt with amendment multiple sections of the Fish and Game Department’s (Department) rules in Chapter Fis 300 on wildlife seasons and rules and Chapter Fis 1100 on licenses and permits regulating the management of wildlife as well as sections in the license and permits rules.**

**In Fis 301.03, entitled “Definitions”, we are adding 2 new definitions.**

**In Fis 301.03, entitled “Deer Season”, we are clarifying the restrictions on taking deer on islands and in waters; clarifying crossbows may be used for taking deer on Long Island; allowing bow and arrow to take deer under a muzzleloader license on state-managed lands; updating the seasons wildlife management units (WMUs) are open for hunting deer; and establishing an on-line deer registration process, pursuant to Chapter 135 of the Laws of 2022 (HB 1230-FN).**

**In Fis 301.031, entitled “Special Deer Permits – Units L and M, Archery, and Governor’s Island Permits”, we are removing the requirement to register the first deer before a second deer may be taken; increasing the number of permits to 3000; and specifying that annual permit application deadlines will be publicized each year.**

**In Fis 301.032, entitled “Long Island Deer Permit”, we are clarifying that bow and arrows or crossbows may be under an archery license.**

**In Fis 301.033, entitled “Deer Registration Stations”, we are reducing the restrictions to allow for more registration stations; and increasing the fee registration agents may charge up to \$5.**

**In Fis 301.034, entitled “Special Deer Permits – Deer Management Assistance Program”, we are clarifying that applying to the program does not require a specific form but can just be a request on letterhead; and removing the requirement that a first deer shall be registered before a second can be taken.**

**In Fis 301.04, entitled “Deer Registration Reports”, we are requiring the number of antler points to be reported for any deer taken; and tweaking language to accommodate the new on-line registration process.**

**In Fis 301.05, entitled “Bear Kill Reports”, we adding the requirements for the hunter to indicate if they have a permit to use dogs and if they have viewed hunter education materials; and removing the requirement that the hunter report their gender, what species they were hunting when they took the bear, and what the bear was feeding on.**

**In Fis 301.06, entitled “Bear Season”, we are modifying the dates for the seasons in all WMUs; clarifying that each bear taken shall have a bear tag; allowing for the opening/operation of bear registration stations; increasing the number of bear taken to 2 and specifying where they can be taken.**

**In Fis 301.09, entitled “Moose Season Lottery”, we are modifying the number of moose allowed in each WMU.**

**In Fis 302.01, entitled “Wild Turkey”, we are adding a WMU for the taking of turkey; adding definitions and prohibitions of fanning and reaping; and tweaking the language to accommodate on-line registration.**

**In Fis 301.011, entitled “Turkey Registration Stations”, we are reducing restrictions in order to allow for more registration stations; and increasing the fee registration agents may charge up to \$5.**

**In Fis 302.012, entitled “Turkey Registration Reports”, we are removing the requirement for the hunter to report their gender; and tweaking the language to accommodate on-line registration.**

**In Fis 304.03, entitled “Pre-Damage Deer Kill Permits”, we are requiring antlers with more than 4 points, taken during a specified period, be turned over to the Department.**

**In Fis 304.04, entitled “Wildlife Depredation Permits”, we are again requiring antlers with more than 4 points, taken during a specified period, be turned over to the Department; and requiring unused tags to be returned to the Department.**

**In Fis 304.05, entitled “Forms”, we are adding antler length and number of points be reported for deer taken under either pre-damage or depredation permits.**

**In Fis 307.02, entitled “Baiting for Black Bear”, we are including a citation to the Bear Season Table (Table 300.1 in Fis 301.06(e)) and removing the individual season references here.**

**In Fis 307.05, entitled “Baiting Wildlife on State-Owned or Managed Lands”, we are proposing only grammatical, punctuation, formatting, and simplification changes.**

**In Fis 308.05, entitled “Level II Wildlife Control Operator”, we are specifying that the Department shall approve any training courses offered by an outside entity.**

**In Fis 308.07, entitled “Wildlife Control Operator Forms”, we include the links to the on-line application and reporting form; and specify again that a course shall be Department approved.**

**In Fis 1102.06, entitled “Bear Guide Permit”, we are specifying and clarifying the deadline for submitting an application for a bear guide permit; and stating when those permits shall be issued.**

**In Fis 1102.12, entitled “Use of Dogs to Take Bear”, we are requiring the permit to use dogs be presented at the time the hunter registers the bear.**

**In Fis 1110.03, entitled “Bear, Turkey, Migratory Waterfowl *and Pheasant*”, we are adding “and Pheasant” to the title; and re-inserting the fee for a pheasant license, which was inadvertently deleted in the last rulemaking for these rules.**

**In addition to all these specific changes, there are corrections and updates to citations, grammar, spelling, punctuation, and formatting throughout.**

6. (b) Brief description of the groups affected:

**Any person participating in the sport of hunting in New Hampshire, whether harvesting the wildlife, registering the harvest, or managing the wildlife.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

<b>Rule</b>	<b>State Statute the rule Implements</b>
Fis 301.01	RSA 206:10, I
Fis 301.03	RSA 206:10, I; RSA 208:2; RSA 208:7-a; RSA 208:15-a; RSA 208:15-b; RSA 208:15-d; RSA 208:15-h
Fis 301.031	RSA 206:10, I; RSA 208:5-b
Fis 301.032	RSA 206:10, I; RSA 206:23-c
Fis 301.033	RSA 206:10, I; RSA 208:15-a; RSA 208:15-b; RSA 208:15-c; RSA 208:15-g; RSA 208:15-h
Fis 301.034	RSA 206:10, I; RSA 208:5-b
Fis 301.04	RSA 206:10, I; RSA 208:2; RSA 208:15-b
Fis 301.05	RSA 206:10, I; RSA 208:22; RSA 208:24
Fis 301.06	RSA 206:10, I; RSA 208:7-a, II; RSA 208:22, I and III
Fis 301.09	RSA 206:10, I; RSA 208:1-a, I and II
Fis 302.01	RSA 206:10, I; RSA 209:12-a, I
Fis 302.011	RSA 206:10, I; RSA 209:12-a, I
Fis 302.012	RSA 206:10, I; RSA 209:12-a, I
Fis 304.03	RSA 206:10, I; RSA 207:22-c, III; RSA 207:26
Fis 304.04	RSA 206:10, I; RSA 207:22-c, III; RSA 207:26
Fis 304.05	RSA 206:10, I; RSA 207:22-c, III
Fis 307.02	RSA 206:10, I; RSA 207:3-d, I

Fis 307.05	RSA 206:10, I; RSA 207:3-d; RSA 208:2
Fis 308.05	RSA 206:10, I; RSA 210:24-b
Fis 308.07	RSA 206:10, I; RSA 210:24-b
Fis 1102.06	RSA 206:10, I; RSA 208:22, I; RSA 208:24; RSA 215:2
Fis 1102.12	RSA 206:10, I; RSA 208:22
Fis 1110.03	RSA 206:10, I; RSA 208:24; RSA 214:8, II; RSA 214:9, X, XI, and XII

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Marty Mobley** Title: **Legal Coordinator**  
Address: **NH Fish and Game Headquarters** Phone #: **271-1138**  
**11 Hazen Drive** Fax#: **271-5829**  
**Concord, NH 03301** E-mail: **Martha.v.mobley1@wildlife.nh.gov**  
TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **April 20, 2023**

Fax  E-mail  Other format (specify):

9. Public hearings scheduled for:

Date and Time: **Thursday, March 30, 2023 at 6:00 pm**

Place: **Fish and Game Headquarters, 11 Hazen Dr., Concord, NH**

Date and Time: **Tuesday, April 4, 2023 at 6:00 pm**

Place: **Keene High School, Room 620, 43 Arch St., Keene, NH**

Date and Time: **Wednesday, April 5, 2023 at 6:00 pm**

Place: **Fish and Game Region 1 Office, Suite B, 629 Main St., Lancaster, NH**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 23:058, dated 03/02/2023

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in cost when comparing the proposed rules to the existing rules.

2. **Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

3. **Cost and benefits of the proposed rule(s):**

- A. **To State general or State special funds:**  
None.
- B. **To State citizens and political subdivisions:**  
None.
- C. **To independently owned businesses:**  
None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

**This proposal does not mandate any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivisions, and therefore does not violate Part I, Article 28-a of the New Hampshire Constitution.**