Bill as Introduced

HB 1141 – AS INTRODUCED

2000 SESSION

1-12-00
10:30

00-2198
03/09

HOUSE BILL *1141*

AN ACT relative to access highways to public waters.

SPONSORS: Rep. Royce, Ches 9; Rep. R. Nowe, Rock 3; Sen. Johnson, Dist 3

COMMITTEE: Public Works and Highways

ANALYSIS

This bill permits a new boating access highway to be laid out subject to the condition that it shall not be maintained during the winter months. This bill also eliminates the requirement that refurbished service roads included in the statewide public boat access program be laid out as limited access facilities.

This bill is a request of the public water access advisory board.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2198
03/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT relative to access highways to public waters.

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

1 Transportation; Highway System in the State; Classification; Class III-a Highways. Amend RSA 229:5, III-a to read as follows:

III-a. Class III-a highways shall consist of new boating access highways from any existing highway to any public water in this state. All class III-a highways shall be limited access facilities as defined in RSA 230:44. Class III-a highways shall be subject to the layout, design, construction, and maintenance provisions of RSA 230:45-47 and all other provisions relative to limited access facilities, except that the executive director of the fish and game department shall have the same authority for class III-a highways that is delegated to the commissioner of the department of transportation for limited access facilities. [~~No access shall be granted to an abutter for any class III-a highway.~~] ***A class III-a highway may be laid out subject to the condition that it shall not be maintained during the winter months.*** A class III-a highway may be laid out subject to gates and bars or restricted to the accommodation of persons on foot, or certain vehicles, or both, if federal funds are not used. The executive director of fish and game may petition the governor and council to discontinue any class III-a highway.

2 Transportation; Access to Public Waters; Public Boat Access Program; Acquisition and Retention. Amend RSA 233-A:7 to read as follows:

233-A:7 Acquisition and Retention. The fish and game department, in order to establish and improve public boat access areas, shall acquire and retain lands, easements, and interests or rights in land needed for the statewide public boat access program by donation, gift, purchase, lease, or condemnation upon terms and conditions that are consistent with state and federal guidelines. All newly acquired[~~,~~] ***or*** constructed [~~or refurbished~~] service roads included in the statewide public boat access program shall be laid out as limited access facilities under the provisions of RSA 230:45-***47***.

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

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1141 Date Jan 12, 2000 10:30

Committee Public Wks + Highways

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Ron Rowe	Epping Rock 4			✓	

Hearing Minutes

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

PUBLIC HEARING ON HB 1141

BILL TITLE: relative to access highways to public waters

DATE: January 12, 1999

LOB ROOM: 201 **Time Public Hearing Called to Order:** 10:34

Time Adjourned: 10:52

(please circle if present)

Committee Members: Reps. E. Smith, Calawa, LaMott, Whittemore, Merrill, Gleason, McCarty, Raynowska, Verani, Leber, Spear, Beaupre, Morse, Horton, Cloutier, DeChane, Daigle, Darteault, Brennan, Ahern, Bouchard and Shultis.

Bill Sponsors: Reps. Royce, R. Nowe; Sen. Johnson

TESTIMONY

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

Rep. H. Charles Royce – Prime Sponsor. This bill would add a new class of roads to public waters,Class 3A. It would apply to new roads only and it's been reviewed by the Attorney General. The roads would not be maintained in the winter unless Fish & Game want to.

Question: Who maintains Class II roads?
Answer: State.

Marjory M. Swope, NH Assoc. of Conservation Comm. Not opposed to the intent of bill. Concerned about language in bill. "Shall not be maintained". And the striking of "or refurbished".

Bill McAllister, Chairman Public Water Access Advisory Board. Written Testimony – Supports bill.

Question: Will this bill restrict winter maintenance?
Answer: No, it will allow Fish & Game direction on maintenance.

OPINION – NOT SPEAKING:
Rep. Ron Nowe, Epping, Rock #4 – PRO

Respectively submitted,

Rep. Charles W. Morse, Clerk

HB 1141

Rep. Royce - Prime Sponsor.

This Bill would add a new class of roads to Public waters, Class 3A. It would apply to new roads only & its been reviewed by the Atty General, the roads would NOT be maintained by the winter unless Fish & Game wanted to.

Q. Who maintains Class III Roads

A. State.

Marjorie Swope - NH Assos. of Conservation Comm.

Not opposed to the intent of Bill

Concerned About language in Bill "shall not be maintained. and the striking of "or refurbished"

Bill McAllister - Chairman PWAAB

+ written Testimony

Supports Bill

Q ~~Does~~ Will this bill restrict winter maintainance?

A. No. it will allow Fish & Game discretion on maintainance

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

PUBLIC HEARING ON HB 1141

BILL TITLE: relative to access highways to public waters

DATE: Jan. 12, 2000

LOB ROOM: 201 **Time Public Hearing Called to Order:** {Time} ~~10:30~~ 10:34

Time Adjourned: {Time} 10:52.

(please circle if present)

Committee Members: Reps. E. Smith, Calawa, LaMott, Whittemore, Merrill, Gleason, McCarty, Raynowska, Verani, Leber, Spear, Beaupre, Morse, Cloutier, DeChane, Daigle, Daneault, Brennan, Ahern, Bouchard and Shultis. Horton

Bill Sponsors: Reps. Royce, R. Nowe; Sen. Johnson

TESTIMONY

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

Testimony

State of New Hampshire
Public Water Access
Advisory Board

WILLIAM L. MCALLISTER
CHAIRMAN

2 HAZEN DRIVE
CONCORD, NH 03301

TEL.
(603) 271-2225

FAX
(603) 271-6938

TDD ACCESS:
RELAY N.H. 1-800-735-2964

TO: *Public Works & Highways House Committee Members*

FROM: *William L. McAllister, Chairman*

William L. McAllister

DATE: *January 12, 2000*

RE: *HB 1141*

Good morning Mr. Chairman and members of the committee. My name is William McAllister and I am the Chairman of the Public Water Access Advisory Board. I appear today representing the Board in support of HB 1141.

The Public Water Access Advisory Board made up of the Executive Director of the Fish and Game Department, the Director of the Office of State Planning, the Commissioner's of the Department of Resources and Economic Development, the Department of Environmental Services, the Department of Transportation and the Department of Safety, two members of the general public appointed by the Governor, two Senators, Two House members and a number of public members representing groups with various interests in our public waterways. One of the duties of the Board is to "advise and monitor state agency public access efforts." "Public Access" is defined as "legal passage to any of the public waters of the state" and within the definition is included the phrase "assuring that all members of the public shall have access to and use of the public waters for recreational purposes."

At the January 10, 2000 Public Water Access Advisory Board meeting, the Board voted to support HB 1141.

Voting Sheets

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

EXECUTIVE SESSION on HB 1141

BILL TITLE: **relative to access highways to public waters**

DATE: January 18, 2000

LOB ROOM: 201

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: (OTP), OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Cloutier

Seconded by Rep. Ahern

Vote: 14-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES - 14-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Charles W. Morse, Clerk

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

EXECUTIVE SESSION on HB 1141

BILL TITLE: **relative to access highways to public waters**

DATE: {Type DATE} 1-18-00

LOB ROOM: 201

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: (OTP) OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Clouter

Seconded by Rep. Allen.

Vote: 14-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

(CONSENT CALENDAR VOTE: {Type VOTE})

(Vote to place on Consent Calendar must be unanimous.) 14-0

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Charles W. Morse, Clerk

OFFICE OF THE HOUSE CLERK

2000 SESSION

PUBLIC WORKS AND HIGHWAYS

Bill #: HB1141 Title: _____

PH Date: 01/12/00 Exec Session Date: 1/18/00

Motion: OTB Amendment #: _____

MEMBER	YEAS	NAYS
Smith, Edwin O, Chairman	✓	
Calawa, Leon, V Chairman	✓	
LaMott, Paul I		
Whittemore, James A		
Merrill, Gerald P	✓	
Gleason, John P	✓	
McCarty, Winston H	✓	
Raynowska, Bernard J	✓	
Verani, Giovanni M		
Leber, William E		
Spear, Barbara L	✓	
Beaupre, Roland O	✓	
Morse, Charles W, Clerk	✓	
Horton, Lynn C	✓	
Cloutier, John R	✓	
DeChane, Marlene M		
Daigle, Robert A		
Daneault, Gabriel J		
Brennan, William P		
Ahern, Richard F	✓	
Bouchard, Candace White	✓	
Shultis, Elizabeth C	✓	
TOTAL VOTE:	14	0

Printed: 1/12/2000

Committee Report

COMMITTEE REPORT

COMMITTEE: **Public Works and Highways**

BILL NUMBER: **HB 1141**

TITLE: relative to access highways to public waters.

DATE: January 18, 2000 CONSENT CALENDAR YES ☒ NO ☐

☒ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This bill would permit new boating access highways to be called Class III-a highways, to be laid out subject to the condition that they may not be maintained during the winter months. Also, such highways may be laid out subject to gates and bars or restricted to the accommodation of foot or vehicular traffic or both if federal funds are not used. Under the bill, Fish and Game department's executive director may petition the Governor and Council to discontinue such highways. Finally, the bill also eliminates the requirement that refurbished service roads included in the statewide public boat access program be laid out as limited access facilities. The Public Water Access Advisory Board chair testified at the hearing that his board is in favor of the bill.

Vote 14-0.

Rep. John R. Cloutier
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Public Works and Highways

HB 1141, relative to access highways to public waters. OUGHT TO PASS

Rep. John R. Cloutier :

This bill would permit new boating access highways to be called Class III-a highways, to be laid out subject to the condition that they may not be maintained during the winter months. Also, such highways may be laid out subject to gates and bars or restricted to the accommodation of foot or vehicular traffic or both if federal funds are not used. Under the bill, Fish and Game department's executive director may petition the Governor and Council to discontinue such highways. Finally, the bill also eliminates the requirement that refurbished service roads included in the statewide public boat access program be laid out as limited access facilities. The Public Water Access Advisory Board chair testified at the hearing that his board is in favor of the bill Vote 14-0.

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

Public Works and Highways

Blurb for House Bill 1141:

Relative to access highways to public waters: OUGHT TO PASS

Rep. John R. Cloutier for the Committee: This bill would permit new boating access highways, to be called, Class III-a Highways, to be laid out subject to the condition that they may not be maintained during the winter months. Also such highways may be laid out subject to gates and bars or restricted to the accommodation of foot or vehicular traffic, or both, if federal funds are not used. Under the bill, the Fish and Game Dept.'s Executive Director may petition the governor and Council to discontinue such highways. Finally, the bill also eliminates the requirement that refurbished service roads included in the statewide public boat access program be laid out as

(OVER)

limited access facilities. The Public Water Access Advisory Board chair testified at the hearing that his board is in favor of the bill. Vote 14-0. Consent Calendar

EOS

COMMITTEE REPORT

COMMITTEE: **Public Works and Highways**

BILL NUMBER: **HB 1141**

TITLE: relative to access highways to public waters

DATE: 1-18-00

CONSENT CALENDAR YES ☑ NO ☐

☑ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Vote {Type VOTE}.

Clinton

Rep. {Type NAME}
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT