Bill as Introduced

SB 398-FN – AS INTRODUCED

2000 SESSION

00-2486
10/09

SENATE BILL ***398-FN***

AN ACT relative to public boat access on Lake Sunapee.

SPONSORS: Sen. Disnard, Dist 8; Rep. R. Nowe, Rock 3; Rep. Abbott, Rock 19

COMMITTEE: Transportation

ANALYSIS

This bill requires the fish and game department to complete a feasibility study of access sites for public boat access on Lake Sunapee. The bill also requires the fish and game department to give priority in the public boat access program to siting and developing Lake Sunapee public boat access.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2486
10/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT relative to public boat access on Lake Sunapee.

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

1 Public Boat Access on Lake Sunapee.

I. The fish and game department shall conduct a feasibility study to develop the Lake Sunapee state beach as an access site for public boat access pursuant to RSA 233-A.

II. The siting and development of a public boat access site on Lake Sunapee shall be a priority under the public boat access program administered by the department pursuant to RSA 233-A:4.

III. Because canoes and other car-top boats are exempted from the assessment of the public boat fund surcharge under RSA 270-E:5, II(d), any development of public boat access at the Wild Goose site on Lake Sunapee which is limited by the fish and game department to access by canoes and car-top boats, shall not be funded from the statewide public boat access fund under RSA 233-A:13.

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

LBAO
00-2486
12/16/99

SB 398-FN - FISCAL NOTE

AN ACT relative to public boat access on Lake Sunapee.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than $10,000 in each of the fiscal years 2000 through 2004.

Committee Minutes

Senator Disnard, Chairman
Senator Trombly, V. Chairman
Senator Eaton
Senator Klemm
Senator Krueger
Senator McCarley
Senator Roberge
Senator Wheeler

SENATE

CALENDAR

Date: March 8, 2000

HEARINGS

Wednesday	March 15, 2000
(Day)	(Date)

Wildlife & Recreation	Room 101, LOB	See Below
(Name of Committee	(Place)	(Time)

EXECUTIVE SESSION ON HB 1225 TO FOLLOW

2:30 p.m.	SB 455	relative to campgrounds.
2:45 p.m.	SB 398 F-N	relative to public boat access on Lake Sunapee.

Sponsors:

SB 455	Sen Fred King
SB 398 F-N	Sen. Disnard, Rep. Nowe, Rep. Abbott

Sen. George F. Disnard
Chairman

cc: Senate Research

Date: March 15, 2000
Time: 2:45 p.m.
Room: 101 LOB

The Senate Committee on Wildlife Recreation held a hearing on the following:

SB 398-FN relative to public boat access on Lake Sunapee.

Members of Committee present: Senator Disnard
Senator Eaton
Senator Klemm

The Chair, Senator Thomas R. Eaton, opened the hearing.

Senator Thomas R. Eaton, D. 10: I am opening the hearing on SB 398 and recognize the main sponsor, Senator Disnard.

Senator George F. Disnard, D. 8: Thank you, Mr. Chairman. Mr. Chairman I submitted this bill on behalf of sportsmen who for many years have been working towards a public access, a ***state*** public access at Lake Sunapee.

I have received a letter which I believe you have a copy and which we will we give to every member of the committee.

(See attachment 1)

Mr. Chairman, I would request the committee accept the motion of *"Inexpedient to Legislate."* I do not believe we need legislation if the department has agreed to what this would cover.

Now, there were three parts to this bill. The first part was a high priority. That has been accomplished.

The second part was a feasibility of access for public boat access on Lake Sunapee, which specifically referred to the Lake Sunapee bathing beach. By law, if any land is acquired by eminent domain, and I am not indicating that a site that may be being discussed between an owner and the Fish and Game Department might be handled by eminent domain, because I haven't been privy to, involved in those discussions. If such an eminent domain procedure should result, by law any other state owned land on the same body of water would have to have a procedure of a feasibility study. So that handles that.

Now, the third part of the bill related to a concern some boat owners had that they were charged a $5 fee for certain types of equipment, more specifically perhaps, an outboard. That law is covered in RSA 233-A:13 and RSA 270-E:5, II(d).

(See attachment 2)

It is my understanding from the Fish and Game Department that many of the car type boats that these, that may be used on Lake Sunapee, if in Newbury, as an example, - the property, the 3.3 acres that the state owns in Newbury, - if that was made into a car top and canoe launch, which is being discussed, that many of those canoes or car top vehicles, already use motors to operate for power. So that would cover that. That is why I am requesting *Inexpedient to Legislate* on this bill.

Senator Thomas R. Eaton, D. 10: Thank you, Senator Disnard. Does anyone here have any questions? We only have Senator Disnard here wishing to speak. Is there anyone else that would like to speak to this? We will close the hearing on SB 398.

The hearing on SB 398-FN was closed at 2:50 p.m.

This verbatim transcript respectfully submitted,
Jennifer Ruffing, Senate Secretary.

New Hampshire
Fish and Game Department

2 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Web site: http://www.wildlife.state.nh.us

TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-1438
E-mail: info@wildlife.state.nh.us

Wayne E. Vetter
Executive Director

March 15, 2000

The Honorable George Disnard, Chairman
Wildlife and Recreation Committee
Legislative Office Building, Room 101
Concord, NH 03301

Dear Senator Disnard:

This letter is to reaffirm that acquiring public access on Lake Sunapee has been and will remain a top priority for this Department. We are committed to find a suitable location for a trailered boat launch facility.

Sincerely,

Wayne E. Vetter
Executive Director

Richard C. Moquin, Chairman
NH Fish and Game Commission

WEV/tc

Conserving New Hampshire's wildlife and their habitats since 1865.

Speakers

SENATE WILDLIFE & RECREATION COMMITTEE

Date March 15, 2000 Time 2:45 p.m. Public Hearing on **SB 398**

Appearing in FAVOR: (Please print) Please check box at left to speak.

Speaking?	Name	Address	Representing
☑	~~SB 398 Ronald Brown~~	~~P.O. Box 320 Twin Mt.~~	~~NH~~
☐	Sen. Reg. F. Dionard		Prime Sponsor
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Appearing in OPPOSITION: (Please Print) Please check box at left to speak

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Committee Report

Date: March 15, 2000 Time: 2:45 p.m.

The Senate Committee on Wildlife Recreation held its hearing in Room 101 LOB, Concord, New Hampshire.

BILL NO.: SB 398 FN TITLE: relative to public boat access on Lake Sunapee.

Members of the Committee present: Senator Disnard
Senator Eaton
Senator Klemm

Those appearing in favor:

Name and Address	Representing
See Attached.	

Those appearing in opposition:

Name and Address	Representing
See Attached.	

REPORT OF THE COMMITTEE:

- ☐ Ought to Pass
- ☐ Ought to Pass w/ Amendment
- ☒ Inexpedient to Legislate
- ☐ Rereferred
- ☐ Interim Study
- ☐ Continued Hearing
- ☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Wildlife Recreation

to which was referred Senate Bill 398

AN ACT relative to public boat access on Lake Sunapee.

VOTE: 3-0

Having considered the same, report the same with the following resolution:
Resolved, that it is: **INEXPEDIENT TO LEGISLATE.**

Senator George F. Disnard
For the Committee