Committee Report

REGULAR CALENDAR

March 5, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Transportation to which was referred HB 386,

AN ACT relative to the operation of certain watercraft on Wachipauka Pond. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Matthew Pitaro

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MAJORITY
COMMITTEE REPORT

Committee:	**Transportation**
Bill Number:	**HB 386**
Title:	**relative to the operation of certain watercraft on Wachipauka Pond.**
Date:	**March 5, 2021**
Consent Calendar:	**REGULAR**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The majority believes that this bill, which would prohibit the use of petroleum-powered power boats and watercraft on Wachipauka Pond in Warren, does not benefit the community at large but would actually have the effect of disenfranchising New Hampshire citizens from utilizing its own beautiful water resources.

Vote 10-9.

Rep. Matthew Pitaro
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Transportation

HB 386, relative to the operation of certain watercraft on Wachipauka Pond. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Matthew Pitaro for the **Majority** of Transportation. The majority believes that this bill, which would prohibit the use of petroleum-powered power boats and watercraft on Wachipauka Pond in Warren, does not benefit the community at large but would actually have the effect of disenfranchising New Hampshire citizens from utilizing its own beautiful water resources. **Vote 10-9.**

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

March 5, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Transportation to which was referred HB 386,

AN ACT relative to the operation of certain watercraft on Wachipauka Pond. Having considered the same, and being unable to agree with the Majority, report with the recommendation that the bill OUGHT TO PASS.

Rep. George Sykes

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MINORITY
COMMITTEE REPORT

Committee:	**Transportation**
Bill Number:	**HB 386**
Title:	**relative to the operation of certain watercraft on Wachipauka Pond.**
Date:	**March 5, 2021**
Consent Calendar:	**REGULAR**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This was a bill to make access to Wachipauka Pond available to handicapped individuals by allowing their ability to use the lowest rated electric trolling motor on that pond. The use of boat motors in ponds of less that 10 acres, and less than 10 feet in depth are typically prohibited. However, Wachipauka Pond is nearly 25 acres in size and averages 10 feet in depth. There are approximately 20 ponds that are called out in legislation to change the terms of use for recreational purposes. This bill added a single pond to the list of exceptions and would have allowed handicapped persons to have greater access to a state resource.

Rep. George Sykes
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Transportation

HB 386, relative to the operation of certain watercraft on Wachipauka Pond. **OUGHT TO PASS.** Rep. George Sykes for the **Minority** of Transportation. House Bill 386 was a bill to make access to Wachipauka Pond available to handicapped individuals by allowing their ability to use the lowest rated electric trolling motor on that pond. The use of boat motors in ponds of less that 10 acres, and less than 10 feet in depth are typically prohibited. However, Wachipauka Pond is nearly 25 acres in size and averages 10 feet in depth. There are approximately 20 ponds that are called out in legislation to change the terms of use for recreational purposes. This bill added a single pond to the list of exceptions and would have allowed handicapped persons to have greater access to a state resource.

Original: House Clerk
Cc: Committee Bill File

Voting Sheets

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: HB 386 relative to the operation of certain watercraft on Wachipauka Pond

DATE: 3/5/21

LOB ROOM: 301-303

MOTION: (Please check one box)

☐ OTP X☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _Pitaro_____ Seconded by Rep. _Hill_____ Vote: 10-9 ___

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES _____ NO

Minority Report? ___X___ Yes _____ No If yes, author, Rep: __SYKES_____ Motion

Respectfully submitted: __Karel Crawford_____

Rep Karel Crawford, Clerk

OFFICE OF THE HOUSE CLERK

1/22/2021 10:08:26 AM
Roll Call Committee Registers Report

2021 SESSION

TRANSPORTATION

Bill #: HB 386 **Motion:** ITL **AM #:** _____ **Exec Session Date:** 3/5/21

Members	YEAS	Nays	NV
Walsh, Thomas C. Chairman	X		
Gagne, Larry G. Vice Chairman	X		
Crawford, Karel A. Clerk	X		
Smith, Steven D.	X		
Hill, Gregory G.	X		
Aron, Judy F.	X		
Ankarberg, Aidan	X		
Gorski, Ted	X		
O'Hara, Travis J.	X		
Pitaro, Matthew	X		
Sykes, George E.		X	
Cleaver, Skip J.		X	
Fenton, Donovan W.		X	
Pickering, Daniel R.		X	
Rich, Cecilia		X	
Telerski, Laura D.		X	
Fox, Dru		X	
Stevens, Deb		X	
Veilleux, Daniel T.		X	
TOTAL VOTE:	10	9	

Public Hearing

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: HB 386 relative to the operation of certain watercraft on Wachipauke Pond

DATE: 2/19/21

LOB ROOM: 301-303 **Time Public Hearing Called to Order: 9:46 am**

Time Adjourned: 10:02

Committee Members: Reps. Walsh, ~~Gagne,~~ Crawford, Smith, Hill, Aron, Ankarberg, Gorski, O'Hara, ~~Pitaro,~~ Sykes, Cleaver, ~~Fenton,~~ Pickering, Rich, Telerski, Fox, Stevens and Veilleux Rep. Grassee, Rep. True, Rep. Toersean

Bill Sponsors:
Rep Sykes

TESTIMONY

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

Meader Pond – (Wachipauke Pond) over ten acres

Rep Sykes – some constitution who cannot paddle because of handicap, if the pond is less than 10 acres
In the White Mountain national forest, there is exception for some waterways.
How do they handle handicapped situation, no answer.
Other waterways have motorboats that are
Be allowed to use the smaller motor and has a handicapped plate
Rep. Hill Are there any ADA accessibility for this? A not for this kind of situation
Chairman Walsh: Did Fish and Game have an opion on this A. no most of this came about 7 months ago –
Rep. Gorski – No motor can be used over 55 pounds motor and handicapped plate can be on the pond
Rep. Pickering – Why does this not fit into any other category? I choise this metrology, all of the ponds have different.

Tom Dunleay Cap. NHSP Marine patrol **opposed** not sensitive to use Meader Pond 270:29 operation
No motor craft on any waters in the White Mountain national forest. Others have easy access by car
Meader pond is a walk in site; there is a rough path into the pond. There are 20 bodies of water have this but were done with petitions
Meader pond 28 acres pond and about 10 feet deep

House Remote Testify

Transportation Committee Testify List for Bill HB386 on 2021-02-19

Support: 0 Oppose: 3 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Howard Jr., Raymond	Alton, NH brhowardjr@yahoo.com	An Elected Official	Myself	Oppose	No	No	2/19/2021 8:10 AM
Dunleavy, Captain Tim	Gilford, NH timothy.c.dunleavy@dos.nh.gov	State Agency Staff	State Police-Marine Patrol	Oppose	No	No	2/19/2021 8:18 AM
Groetzinger, Tonda	Farmington, NH groetzinger6@aol.com	A Member of the Public	Myself	Oppose	No	No	2/19/2021 8:47 AM

Testimony

Bill as Introduced

HB 386 - AS INTRODUCED

2021 SESSION

21-0408
08/11

HOUSE BILL ***386***

AN ACT relative to the operation of certain watercraft on Wachipauka Pond.

SPONSORS: Rep. Sykes, Graf. 13

COMMITTEE: Transportation

ANALYSIS

This bill prohibits the use of petroleum-powered powerboats and watercraft on Wachipauka Pond in Warren.

- -

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.
21-0408
08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the operation of certain watercraft on Wachipauka Pond.

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

1 New Section; Restrictions on Boating; Wachipauka Pond. Amend RSA 270 by inserting after section 133 the following new section:
270:134 Wachipauka Pond (Meader Pond). No person shall operate any boat equipped with a petroleum-powered motor upon the waters of Wachipauka Pond in the town of Warren. An electric power motor rated no more than 55 pounds may used on Wachipauka Pond, provided one of the operators is a holder of a walking disability plate issued by the department of motor vehicles under RSA 261:88. Whoever violates this section shall be guilty of a violation.
2 Effective Date. This act shall take effect upon its passage.