Bill as Introduced

HB 99 - AS AMENDED BY THE HOUSE

24Feb2021... 0203h

2021 SESSION

21-0108
11/08

HOUSE BILL ***99***

AN ACT relative to seasonal platforms on public waters of the state.

SPONSORS: Rep. J. MacDonald, Carr. 6; Rep. Marsh, Carr. 8; Rep. Crawford, Carr. 4; Sen. Bradley, Dist 3; Rep. Deshaies, Carr. 6

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill requires that any person seeking to anchor a floating dock, seasonal platform, inflatable platform or float on public waters of the state adhere to requirements specified by the department of safety, division of marine patrol.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 99 - AS AMENDED BY THE HOUSE

24Feb2021... 0203h

21-0108
11/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to seasonal platforms on public waters of the state.

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

1 New Subdivision; Anchored Seasonal Platforms. Amend RSA 270 by inserting after section 72-a the following new subdivision:

Anchored Seasonal Platforms

270:72-b Definitions. In this subdivision:

I. "Anchored seasonal platform" means a seasonal platform, inflatable platform, float, or device attached to such platform, inflatable platform, or float, that is attached by chains, cables, ropes, or related equipment to a fixed object or stationary point, or that is attached to an anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable body of water.

II. "Director" means the director, division of state police, department of safety.

III. "Division" means the division of state police, department of safety.

IV. "Shorefront property" means any property abutting public waters of the state. "Shorefront property" shall include:

(a) A lot on the public waters that is divided by a road so that the lot is on the opposite side of the road from the public waters or divided by an exclusive right-of-way which has been acquired as a result of an eminent domain proceeding which resulted in the break or loss of property between the property owner's residence and shore frontage.

(b) A lot of record with not less than 25 feet of frontage.

(c) Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. Property owned in common by associations and other groups shall be deemed owned by the group and shall not convey any rights to individual members of such group.

270:72-c Anchored Seasonal Platform; Limitations.

I. No person shall erect, install, maintain, or exercise control over an anchored seasonal platform on the public waters of the state who is not the legal owner of the adjacent shorefront property.

II. Any person erecting, installing, maintaining, or exercising control over an anchored seasonal platform on any public body of water shall attach his or her name and contact information to any such seasonal platform as provided in this subdivision.

270:72-d Anchored Seasonal Platform Prohibited.

I. No anchored seasonal platform shall be located:

(a) In such a manner that it constitutes a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation; or

(b) In such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety; or

(c) In such a manner that it presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas; or

(d) In such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land.

II. The director shall develop rules for the purposes of this subdivision pursuant to RSA 541-A and 270:72-g.

270:72-e Removal of Anchored Seasonal Platforms; Powers of Director.

I. The director or his agents shall remove or cause the removal of, or shall move or cause the moving of, any anchored seasonal platform, which:

(a) Is in violation of RSA 270:72-d; or

(b) Does not bear the owner's name and contact information as required under RSA 270:72-c; or

(c) Constitutes a hazard to public safety because of the manner in which it is constructed or maintained.

II. The owner of record of anchored seasonal platform, if known, shall be notified, by the director or his agents, of the removal, by certified mail with return receipt requested, within 10 days of removal.

III. Any anchored seasonal platform which is removed pursuant to paragraph I shall be stored in a safe place and the owner shall be notified. Before he or she may reclaim a platform which has been removed pursuant to paragraph I, the owner shall reimburse the person who removes the platform for any costs incurred in transporting and storing the platform.

270:72-f Liability. Nothing in this subdivision shall relieve the owner or installer of an anchored seasonal platform from liability relating to water pollution, accidents, or other liabilities associated with ownership of an anchored seasonal platform.

270:72-g Rulemaking.

I. The director of the division shall adopt rules under RSA 541-A relative to:

(a) The use, design, weight or size, construction, lighting, placement including safe spacing, and required maintenance of individual anchored seasonal platforms.

(b) The enforcement of this subdivision.

270:72-h Penalty. Any person violating the provisions of this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for any additional offenses.

270:72-i Exemptions. This subdivision and any rules implemented under RSA 270:72-g shall not apply to any local, state, or federal government agency, such an agency's sub-contractors, or to

any conservation groups engaged in the non-recreational execution of their duties including, but not limited to, work related to law enforcement, bridge and road work, pollution control, the protection of fish and wildlife, or environmental studies.

2 Effective Date. This act shall take effect January 1, 2022.

HB 99 - AS AMENDED BY THE SENATE

24Feb2021... 0203h
04/22/2021 1122s

2021 SESSION

21-0108
11/08

HOUSE BILL ***99***

AN ACT relative to seasonal platforms on public waters of the state.

SPONSORS: Rep. J. MacDonald, Carr. 6; Rep. Marsh, Carr. 8; Rep. Crawford, Carr. 4; Sen. Bradley, Dist 3; Rep. Deshaies, Carr. 6

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill requires that any person seeking to anchor a floating dock, seasonal platform, inflatable platform or float on public waters of the state adhere to requirements specified by the department of safety, division of marine patrol.

Explanation: Matter added to current law appears in ***bold italics.***
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24Feb2021... 0203h
04/22/2021 1122s

21-0108
11/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to seasonal platforms on public waters of the state.

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

1 New Subdivision; Anchored Seasonal Platforms. Amend RSA 270 by inserting after section 72-a the following new subdivision:

Anchored Seasonal Platforms

270:72-b Definitions. In this subdivision:

I. "Anchored seasonal platform" means a seasonal platform, inflatable platform, float, or device attached to such platform, inflatable platform, or float, that is attached by chains, cables, ropes, or related equipment to a fixed object or stationary point, or that is attached to an anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable body of water.

II. "Director" means the director, division of state police, department of safety.

III. "Division" means the division of state police, department of safety.

IV. "Shorefront property" means any property abutting public waters of the state. "Shorefront property" shall include:

(a) A lot on the public waters that is divided by a road so that the lot is on the opposite side of the road from the public waters or divided by an exclusive right-of-way which has been acquired as a result of an eminent domain proceeding which resulted in the break or loss of property between the property owner's residence and shore frontage.

(b) A lot of record with not less than 25 feet of frontage.

(c) Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. Property owned in common by associations and other groups shall be deemed owned by the group and shall not convey any rights to individual members of such group.

270:72-c Anchored Seasonal Platform; Limitations.

I. No person shall erect, install, maintain, or exercise control over an anchored seasonal platform on the public waters of the state who is not the legal owner of the adjacent shorefront property except as authorized in paragraph III below.

II. Any person erecting, installing, maintaining, or exercising control over an anchored seasonal platform on any public body of water shall attach his or her name and contact information to any such seasonal platform as provided in this subdivision and in accordance with rules established under RSA 270:72-g.

III. Seasonal platforms installed on public waters that support a local, state, or federal government agency, an agency's sub-contractors, or a conservation group engaged in the non-recreational activities may be installed provided the platform meets the minimum requirements established in RSA 270:72-d.

270:72-d Anchored Seasonal Platform Location.

I. No anchored seasonal platform shall be located:

(a) In such a manner that it constitutes a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation; or

(b) In such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety; or

(c) In such a manner that it presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas; or

(d) In such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land.

II. The director shall develop rules for the purposes of this subdivision pursuant to RSA 541-A and 270:72-g.

270:72-e Removal of Anchored Seasonal Platforms; Powers of Director.

I. The director or his or her agents shall remove or cause the removal of, or shall move or cause the moving of, any anchored seasonal platform, which:

(a) Is in violation of RSA 270:72-d; or

(b) Does not bear the legible owner's name and legible contact information as required under RSA 270:72-c; or

(c) Constitutes a hazard to public safety because of the manner in which it is constructed or maintained.

II. The owner of record of anchored seasonal platform, if known, shall be notified by the director or his or her agents of the removal or relocation, by certified mail with return receipt requested, within 10 days of removal or relocation.

III. Any anchored seasonal platform which is removed pursuant to paragraph I or is found adrift shall be stored in a safe place and the owner shall be notified. The owner shall reimburse the state or agent of the state for any costs incurred including the cost of removal, relocation, transporting, storing and disposal the platform.

IV. If a seasonal platform is removed or found adrift and the owner cannot be determined it shall be stored for a period of at least 4 weeks to allow the owner the opportunity to reclaim the platform. The owner is responsible for reimbursing the state for all costs identified in paragraph III above.

270:72-f Liability. Nothing in this subdivision shall relieve the owner or installer of an anchored seasonal platform from liability relating to water pollution, accidents, or other liabilities associated with ownership of an anchored seasonal platform.

270:72-g Rulemaking.

I. The director of the division shall adopt rules under RSA 541-A relative to:

(a) The use, design, weight or size, construction, labeling, lighting, placement including safe spacing, and required maintenance of individual anchored seasonal platforms.

(b) The enforcement of this subdivision.

(c) Controls of seasonal platforms of any local, state, or federal government agency, such an agency's sub-contractors, or to any conservation groups engaged in the non-recreational execution of their duties including, but not limited to, work related to law enforcement, bridge and road work, pollution control, the protection of fish and wildlife, or environmental studies.

270:72-h Penalty. Any person violating the provisions of this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for any additional offenses.

2 Effective Date. This act shall take effect January 1, 2022.

CHAPTER 181
HB 99 - FINAL VERSION

24Feb2021... 0203h
04/22/2021 1122s
24Jun2021... 2059EBA

2021 SESSION

21-0108
11/08

HOUSE BILL ***99***

AN ACT relative to seasonal platforms on public waters of the state.

SPONSORS: Rep. J. MacDonald, Carr. 6; Rep. Marsh, Carr. 8; Rep. Crawford, Carr. 4; Sen. Bradley, Dist 3; Rep. Deshaies, Carr. 6

COMMITTEE: Resources, Recreation and Development

ANALYSIS

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CHAPTER 181
HB 99 - FINAL VERSION

24Feb2021... 0203h
04/22/2021 1122s
24Jun2021... 2059EBA

21-0108
11/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to seasonal platforms on public waters of the state.

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

181:1 New Subdivision; Anchored Seasonal Platforms. Amend RSA 270 by inserting after section 72-a the following new subdivision:

Anchored Seasonal Platforms

270:72-b Definitions. In this subdivision:

I. "Anchored seasonal platform" means a seasonal platform, inflatable platform, float, or device attached to such platform, inflatable platform, or float, that is attached by chains, cables, ropes, or related equipment to a fixed object or stationary point, or that is attached to an anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable body of water.

II. "Director" means the director, division of state police, department of safety.

III. "Division" means the division of state police, department of safety.

IV. "Shorefront property" means any property abutting public waters of the state. "Shorefront property" shall include:

(a) A lot on the public waters that is divided by a road so that the lot is on the opposite side of the road from the public waters or divided by an exclusive right-of-way which has been acquired as a result of an eminent domain proceeding which resulted in the break or loss of property between the property owner's residence and shore frontage.

(b) A lot of record with not less than 25 feet of frontage.

(c) Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. Property owned in common by associations and other groups shall be deemed owned by the group and shall not convey any rights to individual members of such group.

270:72-c Anchored Seasonal Platform; Limitations.

I. No person shall erect, install, maintain, or exercise control over an anchored seasonal platform on the public waters of the state who is not the legal owner of the adjacent shorefront property except as authorized in paragraph III below.

II. Any person erecting, installing, maintaining, or exercising control over an anchored seasonal platform on any public body of water shall attach his or her name and contact information to any such seasonal platform as provided in this subdivision and in accordance with rules established under RSA 270:72-g.

III. Seasonal platforms installed on public waters that support a local, state, or federal government agency, an agency's sub-contractors, or a conservation group engaged in the non-recreational activities may be installed provided the platform meets the minimum requirements established in RSA 270:72-d.

270:72-d Anchored Seasonal Platform Location.

I. No anchored seasonal platform shall be located:

(a) In such a manner that it constitutes a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation; or

(b) In such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety; or

(c) In such a manner that it presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas; or

(d) In such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land.

II. The director shall develop rules for the purposes of this subdivision pursuant to RSA 541-A and RSA 270:72-g.

270:72-e Removal of Anchored Seasonal Platforms; Powers of Director.

I. The director or his or her agents shall remove or cause the removal of, or shall move or cause the moving of, any anchored seasonal platform, which:

(a) Is in violation of RSA 270:72-d; or

(b) Does not bear the legible owner's name and legible contact information as required under RSA 270:72-c; or

(c) Constitutes a hazard to public safety because of the manner in which it is constructed or maintained.

II. The owner of record of the anchored seasonal platform, if known, shall be notified by the director or his or her agents of the removal or relocation, by certified mail with return receipt requested, within 10 days of removal or relocation.

III. Any anchored seasonal platform which is removed pursuant to paragraph I or is found adrift shall be stored in a safe place and the owner shall be notified. The owner shall reimburse the state or agent of the state for any costs incurred including the cost of removal, relocation, transporting, storing, and disposal of the platform.

IV. If a seasonal platform is removed or found adrift and the owner cannot be determined, it shall be stored for a period of at least 4 weeks to allow the owner the opportunity to reclaim the platform. The owner is responsible for reimbursing the state for all costs identified in paragraph III above.

270:72-f Liability. Nothing in this subdivision shall relieve the owner or installer of an anchored seasonal platform from liability relating to water pollution, accidents, or other liabilities associated with ownership of an anchored seasonal platform.

270:72-g Rulemaking.

I. The director of the division shall adopt rules under RSA 541-A relative to:

(a) The use, design, weight or size, construction, labeling, lighting, placement including safe spacing, and required maintenance of individual anchored seasonal platforms.

(b) The enforcement of this subdivision.

(c) Controls of seasonal platforms of any local, state, or federal government agency, such an agency's sub-contractors, or to any conservation groups engaged in the non-recreational execution of their duties including, but not limited to, work related to law enforcement, bridge and road work, pollution control, the protection of fish and wildlife, or environmental studies.

270:72-h Penalty. Any person violating the provisions of this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for any additional offenses.

181:2 Effective Date. This act shall take effect January 1, 2022.

Approved: August 10, 2021
Effective Date: January 01, 2022

Amendments

Sen. Gray, Dist 6
Sen. Watters, Dist 4
April 6, 2021
2021-1115s
12/11

Amendment to HB 99

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Anchored Seasonal Platforms. Amend RSA 270 by inserting after section 72-a the following new subdivision:

Anchored Seasonal Platforms

270:72-b Definitions. In this subdivision:

I. "Anchored seasonal platform" means a seasonal platform, inflatable platform, float, or device attached to such platform, inflatable platform, or float, that is attached by chains, cables, ropes, or related equipment to a fixed object or stationary point, or that is attached to an anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable body of water.

II. "Director" means the director, division of state police, department of safety.

III. "Division" means the division of state police, department of safety.

IV. "Shorefront property" means any property abutting public waters of the state. "Shorefront property" shall include:

(a) A lot on the public waters that is divided by a road so that the lot is on the opposite side of the road from the public waters or divided by an exclusive right-of-way which has been acquired as a result of an eminent domain proceeding which resulted in the break or loss of property between the property owner's residence and shore frontage.

(b) A lot of record with not less than 25 feet of frontage.

(c) Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. Property owned in common by associations and other groups shall be deemed owned by the group and shall not convey any rights to individual members of such group.

270:72-c Anchored Seasonal Platform; Limitations.

I. No person shall erect, install, maintain, or exercise control over an anchored seasonal platform on the public waters of the state who is not the legal owner of the adjacent shorefront property except as authorized in paragraph III below.

II. Any person erecting, installing, maintaining, or exercising control over an anchored seasonal platform on any public body of water shall attach his or her name and contact information to any such seasonal platform as provided in this subdivision and in accordance with rules established under RSA 270:72-g.

III. Seasonal platforms installed on public waters that support a local, state, or federal government agency, an agency's sub-contractors, or a conservation group engaged in the non-recreational activities may be installed provided the platform meets the minimum requirements established in RSA 270:72-d.

270:72-d Anchored Seasonal Platform Location.

I. No anchored seasonal platform shall be located:

(a) In such a manner that it constitutes a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation; or

(b) In such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety; or

(c) In such a manner that it presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas; or

(d) In such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land.

II. The director shall develop rules for the purposes of this subdivision pursuant to RSA 541-A and 270:72-g.

270:72-e Removal of Anchored Seasonal Platforms; Powers of Director.

I. The director or his or her agents shall remove or cause the removal of, or shall move or cause the moving of, any anchored seasonal platform, which:

(a) Is in violation of RSA 270:72-d; or

(b) Does not bear the legible owner's name and legible contact information as required under RSA 270:72-c; or

(c) Constitutes a hazard to public safety because of the manner in which it is constructed or maintained.

II. The owner of record of anchored seasonal platform, if known, shall be notified by the director or his or her agents of the removal or relocation, by certified mail with return receipt requested, within 10 days of removal or relocation.

III. Any anchored seasonal platform which is removed pursuant to paragraph I or is found adrift shall be stored in a safe place and the owner shall be notified. The owner shall reimburse the state or agent of the state for any costs incurred including the cost of removal, relocation, transporting, storing and disposal the platform.

IV. If a seasonal platform is removed or found adrift and the owner cannot be determined it shall be stored for a period of at least 4 weeks to allow the owner the opportunity to reclaim the platform. The owner is responsible for reimbursing the state for all costs identified in paragraph III above.

270:72-f Liability. Nothing in this subdivision shall relieve the owner or installer of an anchored seasonal platform from liability relating to water pollution, accidents, or other liabilities associated with ownership of an anchored seasonal platform.

270:72-g Rulemaking.

I. The director of the division shall adopt rules under RSA 541-A relative to:

(a) The use, design, weight or size, construction, labeling, lighting, placement including safe spacing, and required maintenance of individual anchored seasonal platforms.

(b) The enforcement of this subdivision.

(c) Controls of seasonal platforms of any local, state, or federal government agency, such an agency's sub-contractors, or to any conservation groups engaged in the non-recreational execution of their duties including, but not limited to, work related to law enforcement, bridge and road work, pollution control, the protection of fish and wildlife, or environmental studies.

270:72-h Penalty. Any person violating the provisions of this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for any additional offenses.

Amendment Draft

Energy and Natural Resources
April 12, 2021
2021-1122s
12/11

Amendment to HB 99

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270:72-d Anchored Seasonal Platform Location.

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270:72-h Penalty. Any person violating the provisions of this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for any additional offenses.

Committee Minutes

SENATE CALENDAR NOTICE
Energy and Natural Resources

Sen Kevin Avard, Chair
Sen Bob Giuda, Vice Chair
Sen James Gray, Member
Sen David Watters, Member
Sen Rebecca Perkins Kwoka, Member

Date: March 22, 2021

HEARINGS

Monday		03/29/2021	
(Day)		(Date)	
Energy and Natural Resources		REMOTE 000	1:00 p.m.
(Name of Committee)		(Place)	(Time)

1:00 p.m.	**HB 256**	adding members from Londonderry to the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield.
1:15 p.m.	**HB 73**	relative to public notice requirements for certain permits issued by the department of environmental services.
1:30 p.m.	**HB 99**	relative to seasonal platforms on public waters of the state.
1:45 p.m.	**HB 115**	relative to wake surfing.
2:00 p.m.	**HB 344**	relative to temporary docks.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: https://www.zoom.us/j/96273287258
2. To listen via telephone: Dial(for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +13126266799,,96273287258# or +19292056099,,96273287258#
4. Webinar ID: 962 7328 7258
5. To view/listen to this hearing on YouTube, use this link: https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: http://gencourt.state.nh.us/remotecommittee/senate.aspx

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 256

Rep. Rung	Rep. Thomas	Rep. Mullen	Rep. Mooney
Rep. Healey			

HB 73

Rep. Aron	Rep. Pearl	Rep. Potucek	

HB 99

Rep. J. MacDonald	Rep. Marsh	Rep. Crawford	Sen. Bradley
Rep. Deshaies			

HB 115

Rep. Suzanne Smith	Rep. J. MacDonald	Rep. Gunski	Rep. Fellows
Rep. Wuelper	Sen. Ward	Rep. Gottling	Rep. Deshaies

HB 344

Rep. Suzanne Smith	Rep. Renzullo	Rep. McConkey

Griffin Roberge 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

HB 99, relative to seasonal platforms on public waters of the state.

Hearing Date: March 29, 2021.

Time Opened: 1:30 p.m. **Time Closed:** 1:46 p.m.

Members of the Committee Present: Senators Avard, Giuda, Gray, Watters and Perkins Kwoka.

Members of the Committee Absent: None.

Bill Analysis: This bill requires that any person seeking to anchor a floating dock, seasonal platform, inflatable platform or float on public waters of the state adhere to requirements specified by the department of safety, division of marine patrol.

Sponsors:

Rep. J. MacDonald	Rep. Marsh	Rep. Crawford
Sen. Bradley	Rep. Deshaies	

Who supports the bill: Captain Tim Dunleavy, NH Marine Patrol; Representative John MacDonald, Carroll - District 6; David Packard, Lakes Management Advisory Committee; Representative Andrew Renzullo, Hillsborough - District 37; Representative Suzanne Smith, Grafton - District 8; Michele Tremblay, Rivers Management Advisory Committee.

Who opposes the bill: Robin Vogt.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative John MacDonald – provided written testimony
Carroll – District 6

- HB 99 is a reintroduction of HB 1609 (2020). The House Resources, Recreation, and Development Committee recommended HB 1609 "ought to pass with amendment" by a vote of 20-0. The recommendation was placed on the House consent calendar. HB 1609 passed the full House on a voice vote, but the bill was tabled in the Senate due to the suspension of legislative activity because of the COVID-19 pandemic.
- HB 99 comes at the request of both constituents and the NH Marine Patrol to address the growing problem of seasonal platforms on NH's several hundred public water bodies.
- Seasonal platforms have been growing in both size and number on NH's public water bodies. Regulation of these platforms are required as they can constitute a hazard to public safety, impede navigation, or cause an adverse effect on the environment.
- Currently, there are no regulations concerning the placement or location of seasonal platforms on public water bodies. HB 99 requires that any person seeking to anchor a floating dock, seasonal platform, inflatable platform, or float on public water bodies must adhere to requirements specified by the NH Marine Patrol. This bill ensures that NH Marine Patrol has the necessary tools to maintain the safety of the boating public and the pristine conditions of our lakes and their shorelines.

Representative Suzanne Smith
Grafton – District 8

- HB 99 was recommended "ought to pass with amendment" by the House Resources, Recreation, and Development Committee by a vote of 20-0 and was placed on the House consent calendar. The full House supported the committee's recommendation by a voice vote.
- The use of seasonal platforms has been growing over the years. HB 99 does not prohibit the use of seasonal platforms on NH's public water bodies, but states that no person shall erect, install, maintain, or exercise control over an anchored seasonal platform on the state's public waters who is not the legal owner of the adjacent shorefront property.
- The House Resources, Recreation, and Development Committee took a field trip with NH Marine Patrol and learned that seasonal platforms can be 20 to 30 feet long and can interfere with the public's water access.
- HB 99 requires that any person's seasonal platform shall bear their name and contact information. NH Marine Patrol has found discarded or misplaced seasonal platforms. Having contact information on a seasonal platform can also allow the NH Marine Patrol to contact the platform's owner.
- HB 99 does include an exemption for any local, state or federal government agencies or conservation groups that are engaged in non-recreational duties such as law enforcement activities, bridge and road work, pollution control, the protection of fish and wildlife, or environmental duties.
- Senator Giuda questioned the exemption for conservation groups and government agencies. He asked if there was a reason why there was a less of a hazard for conservation groups and governmental agencies to erect, install, maintain, or exercise control over a seasonal platform.
    - Representative Smith said HB 99 was focused on recreational seasonal platforms. She noted her observations of seasonal platforms on Newfound Lake and Lake Winnipesaukee that obstructed public access to the water. The NH Department of Transportation (NHDOT) requested the exemption. NHDOT may need to work on a bridge over an inlet and need a barge. Without the exemption, NHDOT could not use the barge as HB 99 would require the barge to be adjacent to property NHDOT owns. Some conservation groups use seasonal platforms for loon observation. The House Resources, Recreation, and Development Committee felt the exemption was reasonable.
- Senator Gray referenced page 2, lines 31-32 that give the NH Marine Patrol the ability to adopt administrative rule relative to the use, design, weight or size, construction, lighting, placement including safe spacing, and required maintenance of individual anchored seasonal platforms, as well as the enforcement of the provisions of HB 99. HB 99 required an individual to include their name and contact information on their seasonal platform on page 1, lines 26-28. Senator Gray asked if it made sense to require contact information through the NH Marine Patrol's administrative rulemaking process rather than mandating it in state statute.
    - Representative Smith said she would be fine with the change as long as an individual's name and contact information was included on the seasonal platform.
- Senator Gray noted that administrative rulemaking could be more specific relative to an individual's contact information than placing that requirement in state statute.
    - Representative Smith said she was fine with the change but encouraged Senator Gray to ask the NH Marine Patrol as they would be undertaking the administrative rulemaking process.
- Senator Giuda asked what the NH Marine Patrol does with seasonal platforms that are found and considered lost and abandoned.
    - Representative Smith asked Senator Giuda to direct his question to the NH Marine Patrol.

Captain Tim Dunleavy
Captain, NH Marine Patrol

- NH Marine Patrol has seen a significant increase in the number of calls concerning anchored seasonal platforms. Seasonal platforms are completely unregulated. Individuals are accessing public water bodies via public access and installing seasonal platforms near private property, in right of ways, or in areas that are critical for navigation.
- HB 99 mirrors many of the provisions found in NH's mooring law. HB 99 would allow the NH Marine Patrol to practice common sense discretion to the placement of seasonal platforms.
- Captain Dunleavy responded to Senator Giuda's question about the exemption for conservation groups and government agencies from HB 99. Many of the devices or platforms used by those entities fall under the definitions in HB 99 and are often permitted, usually by the NH Department of Environmental Services or the US Army Corps of Engineers. The NH Marine Patrol offers permits to conservation groups for seasonal platforms for loon observations. These permits help ensure these platforms do not impact the public's use of water bodies.

- Captain Dunleavy responded to Senator Gray's question about requiring identification information through the administrative rulemaking process. The NH Marine Patrol would have no problem with that change. Such a change may provide a little more flexibility than the state statute would.
- Captain Dunleavy responded to Senator Giuda's question about seasonal platforms that are found or recovered by the NH Marine Patrol. Many seasonal platforms that are recovered are because people do not remove them late in the year or they have been displaced due to a heavy storm. Seasonal platforms that are found adrift are considered lost or abandoned property. NH Marine Patrol is required to advertise those items on the Internet and in the newspaper to see if someone will recover them. If no one claims the seasonal platform, the item is auctioned off and the proceeds are placed in the General Fund. Some seasonal platforms cost $10,000. Having contact information on a platform allows them to be returned to their rightful owner and saves that individual money.
- Senator Avard asked why money received from auction goes to the General Fund and not to the NH Marine Patrol.
    - Captain Dunleavy said state agencies are required to follow state statute. Any funds received from auctioning off lost or abandoned seasonal platforms are directed to the General Fund.
- Senator Gray referenced page 1, lines 23-25. HB 99 prevents any person from installing a seasonal platform who is not the legal owner of the adjacent shorefront property. Senator Gray asked if "or by permit from the NH Marine Patrol" could be added to capture everyone else.
    - Captain Dunleavy said the NH General Court allowed the NH Marine Patrol to issue permits for seasonal platforms in the past. However, the NH General Court repealed that statute within two years. HB 99 is an approach to regulate seasonal platforms without permits and fees.
- Senator Gray clarified his question. Page 1, lines 23-25 prevents any person from installing a seasonal platform who is not the legal owner of the adjacent shorefront property. However, HB 99 includes an exemption for conservation groups, such as the Loon Preservation Committee installing loon platforms. He wondered if there was a way to sanction other organizations like the Loon Preservation Committee to have a seasonal platform in a particular location.
    - Captain Dunleavy said such a change could be further discussed. However, the number of exemptions under HB 99 will be very minimal and temporary. Historically, the NH Marine Patrol has had no issues with those who are exempted under HB 99.
- Senator Gray had a concern with restricting the installation of seasonal platforms but creating exemptions for conservation groups and governmental agencies. If someone else owned shorefront property and a conservation group wanted to put in a platform for loons, then who owns the adjacent property or who controls where the platform goes? Giving NH Marine Patrol some level of control is something that the NH Marine Patrol may support.
    - Captain Dunleavy said it is something that could be done through administrative rulemaking.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

GJR
Date Hearing Report completed: March 29, 2021.

Speakers

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill HB99 on 2021-03-29

Support: 6 Oppose: 1 Neutral: 0 Total to Testify: 3

Name	Email Address	Phone	Title	Representing	Position	Testifing	Signed Up
MacDonald, Representative John	johnmacdonald@leg.state.nh.us	603.387.5255	An Elected Official	Myself	Support	Yes	3/25/2021 10:04 PM
Smith, Suzanne	zanne719@gmail.com	603.715.0086	An Elected Official	House RR&D Committee	Support	Yes	3/28/2021 11:45 AM
Dunleavy, Captain Tim	timothy.c.dunleavy	603-227-2110	State Agency Staff	State Police-Marine Patrol	Support	Yes	3/29/2021 8:14 AM
Renzullo, Andrew	andrew.renzullo@leg.state.nh.us	603 882-8962	An Elected Official	Myself	Support	No	3/28/2021 11:08 PM
Vogt, Robin	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	3/28/2021 10:05 AM
Packard, LMAC Chair, David	appliedforce52@gmail.com	Not Given	A Member of the Public	Lakes Management Advisory Committee	Support	No	3/28/2021 1:46 PM
Tremblay, RMAC Chair, Michele L.	mlt@naturesource.net	603-796-2615	A Member of the Public	Rivers Management Advisory Committee	Support	No	3/28/2021 11:45 AM

Testimony

Griffin Roberge

From: Sales, Tracie <tracie.j.sales@des.nh.gov>
Sent: Monday, March 29, 2021 11:45 AM
To: Griffin Roberge
Cc: David W. Packard (appliedforce52@gmail.com); Graaskamp, Garret; Scott, Robert; O'Donovan, Thomas; Diers, Ted; John MacDonald; Suzanne Smith
Subject: HB 99 and HB 115 - Lakes Management Advisory Committee Letters of Support
Attachments: HB99 Seasonal Platforms Senate ENR LMAC Support 20210329.pdf; HB115 Wake Surfing Senate ENR LMAC Support 20210329.pdf

Dear Chair Avard and Members of the Committee-

On behalf of the New Hampshire Lakes Management Advisory Committee (LMAC), attached are letters of support for House Bill 99, relative to seasonal platforms on public waters of the state, and House Bill 115, relative to wake surfing.

Please contact LMAC Chair David Packard at (603) 867-9299 or appliedforce52@gmail.com<mailto:appliedforce52@gmail.com> if you have any questions about this testimony.

Sincerely,
Tracie Sales
Staff to the Lakes Management Advisory Committee

Tracie Sales
Rivers & Lakes Programs Manager
NH Rivers<https://us-east-2.protection.sophos.com?d=nh.gov&u=aHR0cHM6Ly93d3cuZGVzLm5oLmdvdi93YXRlci9yaXZlcnMtYW5kLWxha2VzL3JpdmVycy1tYW5hZ2VtZW50LWFuZC1wcm90ZWN0aW9u&i=NWRlZmRhODg2ZjE5NGIwZGE2MjA5OTE4&t=VWRmRFRQMWdCekt1YmRYZ2JJNzd2SVZEYjlFTTN6amFaYnUxQzVkRkxKND0=&h=a873b532acd94782bdd4c9e81be40396> & Lakes<https://us-east-2.protection.sophos.com?d=nh.gov&u=aHR0cHM6Ly93d3cuZGVzLm5oLmdvdi93YXRlci9yaXZlcnMtYW5kLWxha2VzL2xha2VzLW1hbmFnZW1lbnQtYW5kLXByb3RlY3Rpb24=&i=NWRlZmRhODg2ZjE5NGIwZGE2MjA5OTE4&t=VEZiYVJDcVdwVU5MaWJVVmg5RllTRmFrUGlvRGJLdkdmYlA0LzdIQzhzQT0=&h=a873b532acd94782bdd4c9e81be40396> Management and Protection Programs Watershed Management Bureau, Water Division NH Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095
(603) 271-2959
Tracie.Sales@des.nh.gov<mailto:Tracie.Sales@des.nh.gov>
[Twitter Image]Follow us on Twitter!<https://us-east-2.protection.sophos.com?d=twitter.com&u=aHR0cDovL3d3dy50d2l0dGVyLmNvbS9uaGRlcw==&i=NWRlZmRhODg2ZjE5NGIwZGE2MjA5OTE4&t=NzZtdG1oRzRGK3NGMFlueHNSa1dBUG12SWV4emtkalZBazQ0TjltMFloRT0=&h=a873b532acd94782bdd4c9e81be40396> [Facebook Image] Like us on Facebook!<https://us-east-2.protection.sophos.com?d=facebook.com&u=aHR0cHM6Ly93d3cuZmFjZWJvb2suY29tL05IRW52aXJvbm1lbnRhbFNlcnZpY2Vz&i=NWRlZmRhODg2ZjE5NGIwZGE2MjA5OTE4&t=eHgrOVpVaUs0bGlxMlNXajlXSmN1dWI4aXRGUEFEVGxsTVRaL2REc09EUT0=&h=a873b532acd94782bdd4c9e81be40396>

Voting Members:
David Packard
Chair
NH Lakes Assn.

Shane Bradt
Scientific Community

Tiffany Grade
Conservation Community

Janet Kidder
Planning Boards

Frank Lemay
NH BIA

Jared Maraio
NH Travel Council

Lisa Morin
State Conservation Committee

Rex Norman
Municipal Official

Dick Smith
Fishing Interests

Bruce Temple
NH Fish & Game Commission

Vacant
NH Association of Realtors

Vacant
Conservation Commissions

Vacant
Marine Trades Association

Non-Voting Members:
Garret Graaskamp
Vice Chair
NH Fish & Game Dept.

Capt. Tim Dunleavy
NH Dept. of Safety

Eric Feldbaum
NH Dept. of Natural and Cultural Resources

Jennifer Gilbert
NH Office of Strategic Initiatives

Mark Hemmerlein
NH Dept. of Trans.

Shawn Jasper
NH Dept. of Ag, Markets & Food

Staff:
Tracie Sales
Program Manager

Vacant
Watershed Coordinator

Vacant
Program Assistant

N.H. Lakes Management and Protection Program

N.H. Lakes Management Advisory Committee

March 29, 2021

The Honorable Kevin Avard, Chair
Senate Energy and Natural Resources Committee
State House
Concord, NH 03301

RE: HB 99 - AN ACT relative to seasonal platforms on public waters of the state.

Dear Chair Avard and Members of the Committee:

RSA 483-A established the New Hampshire Lakes Management and Protection Program and the Lakes Management Advisory Committee (LMAC) to complement and reinforce existing state and federal water quality laws. Within its responsibilities of advising the NHDES Commissioner and the department, the LMAC reviews and takes positions on legislation pertaining to New Hampshire lakes. The LMAC appreciates the opportunity to comment on House Bill 99.

At the meeting of the LMAC on January 11, 2021, the LMAC voted to support HB 99. This bill provides guidance, similar to the current mooring laws, to individuals who wish to place anchored seasonal platforms in public waters. In recent years very large inflatable "toys" – floats, animals, slides, etc. – have become popular. They are a source of enjoyment for families and friends. However, as a new addition to lake life, state law was insufficient to deal with the lake navigation safety and impacts on adjacent property owners. This bill is a welcomed step in that direction so that lakes can continue to be safely enjoyed by everyone including owners of the inflatables.

The LMAC is a legislatively created body of stakeholders, in support of lakes, representing the NH Lakes Association, conservation commissions, scientific community, conservation community, planning boards, Business and Industry Association, tourism industry, state conservation committee, NH Municipal Association, fishing interests, NH Fish & Game Commission, NH Association of Realtors, Marine Trades Association, and several state agencies. Committee members are appointed by the Governor and Council or the head of the state agency and are charged with supporting the legislative intent of the Lakes Management and Protection Program.

In conclusion, the LMAC supports HB 99 for the reasons stated above. Thank you for the opportunity to comment. Should you have further questions about this letter, please feel free to contact me at (603) 867-9299 or appliedforce52@gmail.com.

Respectfully,

David Packard
Chair

29 Hazen Drive; PO Box 95; Concord, NH 03302-0095; Tel: 271-2959; Fax 271-7894
https://www.des.nh.gov/organization/divisions/water/wmb/lakes/lmac/index.htm

ec: Rep. John MacDonald
LMAC Representatives
Robert R. Scott, Commissioner, NHDES
Tom O'Donovan, Director, Water Division, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES

Griffin Roberge

From: Sales, Tracie <tracie.j.sales@des.nh.gov>
Sent: Monday, March 29, 2021 11:44 AM
To: Griffin Roberge
Cc: Michele L. Tremblay (MLT@naturesource.net); Larry Spencer; Scott, Robert; Diers, Ted; O'Donovan, Thomas; John MacDonald; Suzanne Smith
Subject: HB 99 and HB 344 - Rivers Management Advisory Committee Letters of Support
Attachments: HB99 Seasonal Platforms Senate ENR RMAC 20210329.pdf; HB344 Temporary Docks Senate ENR RMAC 20210329.pdf

Dear Chair Avard and Members of the Committee-

On behalf of the New Hampshire Rivers Management Advisory Committee (RMAC), attached are letters of support for House Bill 99, relative to seasonal platforms on public waters of the state, and House Bill 344, relative to temporary docks.

Please contact RMAC Chair Michele L. Tremblay at 603.796.2615 or MLT@naturesource.net<mailto:MLT@naturesource.net> if you have any questions about this testimony.

Sincerely,
Tracie Sales
Staff to the Rivers Management Advisory Committee

Tracie Sales
Rivers & Lakes Programs Manager
NH Rivers<https://us-east-2.protection.sophos.com?d=nh.gov&u=aHR0cHM6Ly93d3cuZGVzLm5oLmdvdi93YXRlci9yaXZlcnMtYW5kLWxha2VzL3JpdmVycy1tYW5hZ2VtZW50LWFuZC1wcm90ZWN0aW9u&i=NWRlZmRhODg2ZjE5NGIwZGE2MjA5OTE4&t=VWRmRFRQMWdCekt1YmRYZ2JJNzd2SVZEYjlFTTN6amFaYnUxQzVkRkxKND0=&h=44464318f53e4f7cb4577572b810901d> & Lakes<https://us-east-2.protection.sophos.com?d=nh.gov&u=aHR0cHM6Ly93d3cuZGVzLm5oLmdvdi93YXRlci9yaXZlcnMtYW5kLWxha2VzL2xha2VzLW1hbmFnZW1lbnQtYW5kLXByb3RlY3Rpb24=&i=NWRlZmRhODg2ZjE5NGIwZGE2MjA5OTE4&t=VEZiYVJDcVdwVU5MaWJVVmg5RllTRmFrUGlvRGJLdkdmY1A0LzdIQzhzQT0=&h=44464318f53e4f7cb4577572b810901d> Management and Protection Programs Watershed Management Bureau, Water Division NH Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095
(603) 271-2959
Tracie.Sales@des.nh.gov<mailto:Tracie.Sales@des.nh.gov>
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Voting Members:

Michele L. Tremblay
Chair
Conservation
Community

Larry T. Spencer
Vice Chair
Conservation
Commissions

Victoria Bunker
Historic/Archeological
Interests

Christopher Hodgdon
NH Fish & Game
Commission

Mark Lombardi
Granite State
Hydropower
Association

Frederick J. McNeill
Municipal Officer

Allan G. Palmer
Business & Industry
Association

Ruth Ward
Local River Management
Advisory Committees

Donald L. Ware
Public Water Suppliers

Stewart Yeaton
Agricultural Community

Vacant
Recreational Interests

Non-Voting Members:

Peter Bowman
NH Department of
Natural and Cultural
Resources

Jennifer Gilbert
NH Office of
Strategic Initiatives

Mark Hemmerlein
NH Department of
Transportation

Shawn Jasper
NH Department of
Agriculture,
Markets & Food

John Magee
NH Fish & Game
Department

Meghan Wells
NH Department of
Safety

Staff:

Tracie Sales
Program Manager

Vacant
Watershed Coordinator

Vacant
Program Assistant

N.H. Rivers Management and Protection Program

N.H. Rivers Management Advisory Committee

March 29, 2021

The Honorable Kevin Avard, Chair
Senate Energy and Natural Resources Committee
State House
Concord, NH 03301

RE: HB 99 *An act relative to seasonal platforms on public waters of the state.*

Dear Chair Avard and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its support of House Bill 99, which provides rules on the placement of anchored platforms and moored floats in public waters of the state.

The RMAC believes that it is important that the seasonal platforms and large inflatable novelty floats that are being moored to our river and lake bottoms are placed where they will not become a navigation or safety hazard. We agree that governing these platforms in a manner similar to moored boats, with Marine Patrol oversight, is an appropriate method to ensure that these popular floats are safe and do not negatively impact other users' reasonable enjoyment of the river or lake.

The RMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483, the Rivers Management and Protection Program. The Governor and Council appointed Committee is comprised of members from business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests. Among its other responsibilities, the RMAC is charged with reviewing legislation relevant to the Program and with advising the NHDES Commissioner on the merits of such legislation.

In conclusion, the RMAC supports HB 99 to provide rules on the placement of seasonal platforms in New Hampshire's public waters.

Should you have any questions regarding our testimony, please feel free to contact me at 603.796.2615 or MLT@naturesource.net.

Sincerely,

Michele L. Tremblay
RMAC Chair

29 Hazen Drive; PO Box 95; Concord, NH 03302-0095; Tel: 271-2959; Fax 271-7894
http://des.nh.gov/organization/divisions/water/wmb/rivers/rmac/index.htm

ec: Rep. John MacDonald
RMAC Representatives
Robert R. Scott, Commissioner, NHDES
Tom O'Donovan, Director, Water Division, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES
Local River Management Advisory Committee Chairs

Griffin Roberge

From: John MacDonald <jmacdonald@assurance-global.com>
Sent: Monday, March 29, 2021 10:24 AM
To: Griffin Roberge
Subject: Testimony of Representative John T. MacDonald, HB 99
Attachments: Rep.MacDonald HB99 testimony 32921.pdf

Good Morning,

My state email address appears to be causing me some issues this morning. I have attached my testimony in reference to HB 99, scheduled for 1:30 pm, today.

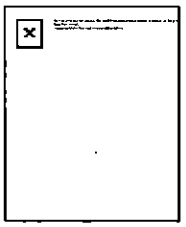
Could you please share the attached with the Chairman and committee members? Could you also confirm receipt of this email? Thank you.

Best regards,

John

John T. MacDonald
Representative
Carroll District 6

--



John T MacDonald, Esq | VP of Creditor Case Management
Assurance Global Financial Services and Solutions®
1000 N West Street, Suite 1200 • Wilmington, DE 19801

Tel: 800-525-0513
• **Mobile:** 603-387-5255
• **Fax:** 215-383-3244
Email: jmacdonald@assurance-global.com • **Skype:** johnmac-ag
www.assurance-global.com

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Testimony of Representative John T. MacDonald
House Bill 99
Energy and Natural Resources Committee
March 29, 2021

Good Afternoon, Mr. Chairman and members of the Senate, Energy and Natural Resources Committee. It is a pleasure and honor to speak to you today. My name is Representative John T. MacDonald, I represent Carroll District 6, which consists of the community of Wolfeboro.

I am here to introduce House Bill 99 which addresses the growing problems and issues of seasonal platforms on New Hampshire's several hundred public bodies of water.

This Bill comes at the request of both constituents and our own New Hampshire Marine Patrol.

Seasonal platforms have been appearing and growing in both size and numbers on our public bodies of water. I have provided the committee with several pictures of these platforms that are currently available for purchase. The cost of these platforms range in price from several hundred dollars to several thousand dollars.

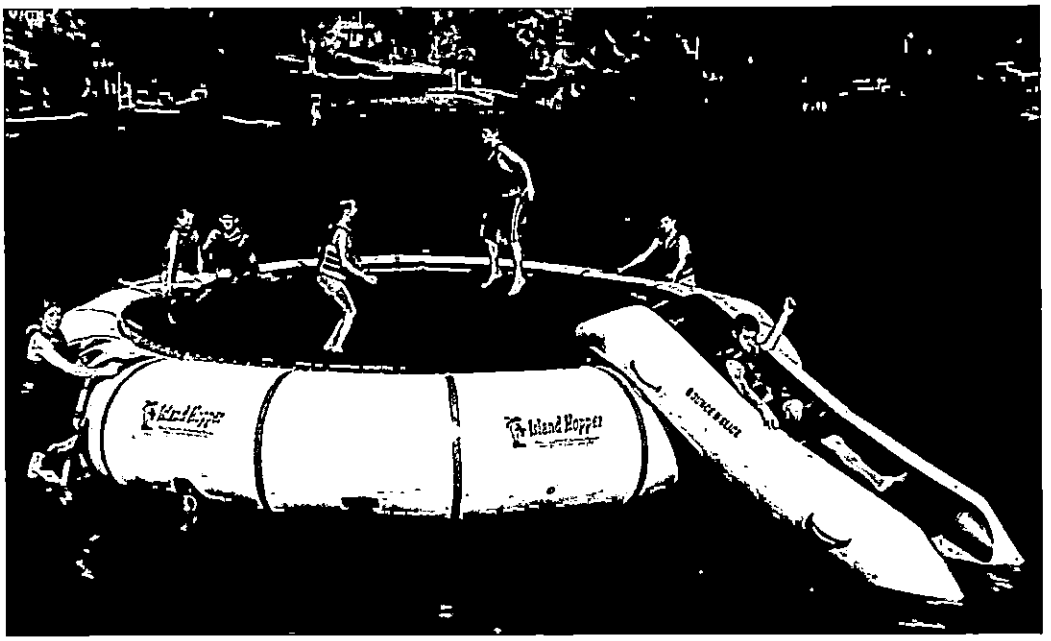
At the present time I am unaware of any laws or regulations concerning the placement or location of these platforms on our public bodies of water.

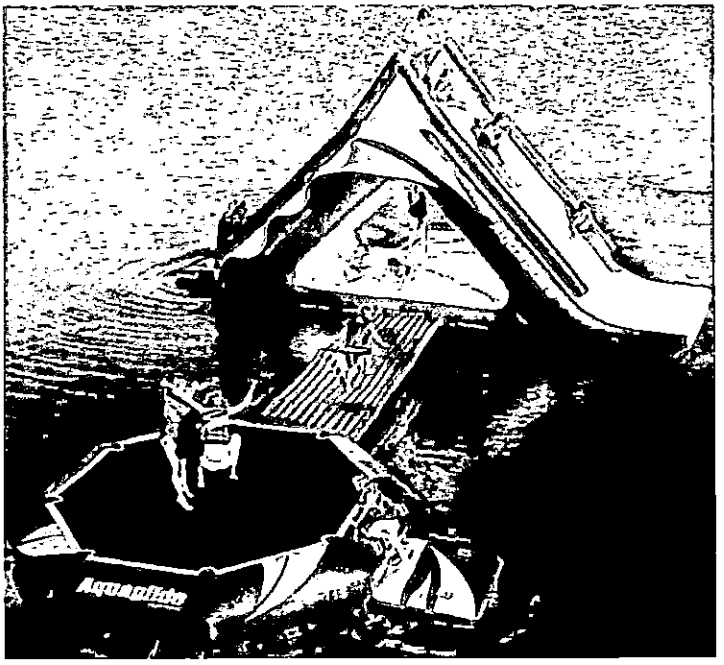
In conclusion, This Bill is a common sense and reasonable approach which insures our New Marine Patrol will have the necessary tools to maintain the safety of the boating public and the pristine conditions of our lakes and their shorelines.

Thank you for your time and consideration concerning this important matter.

Respectfully,

John T. MacDonald
Representative
Carroll District 6


Island Hopper





Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 99

Hearing Date: 03/29/2021

Executive Session Date: 04/12/2021

Motion of: Amendment 1115s **Vote:** 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☑	☐	☐	☑	☐
Sen. Giuda, Vice Chair	☐	☐	☐	☐	☐
Sen. Gray	☑	☑	☐	☑	☐
Sen. Watters	☑	☐	☑	☑	☐
Sen. Perkins Kwoka	☑	☐	☐	☑	☐

Motion of: OTPA **Vote:** 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☑	☐	☐	☑	☐
Sen. Giuda, Vice Chair	☐	☐	☐	☐	☐
Sen. Gray	☑	☑	☐	☑	☐
Sen. Watters	☑	☐	☑	☑	☐
Sen. Perkins Kwoka	☑	☐	☐	☑	☐

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☐	☐	☐	☐	☐
Sen. Giuda, Vice Chair	☐	☐	☐	☐	☐
Sen. Gray	☐	☐	☐	☐	☐
Sen. Watters	☐	☐	☐	☐	☐
Sen. Perkins Kwoka	☐	☐	☐	☐	☐

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	☐	☐	☐	☐	☐
Sen. Giuda, Vice Chair	☐	☐	☐	☐	☐
Sen. Gray	☐	☐	☐	☐	☐
Sen. Watters	☐	☐	☐	☐	☐
Sen. Perkins Kwoka	☐	☐	☐	☐	☐

Reported out by: Gray

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Monday, April 12, 2021

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 99**

AN ACT relative to seasonal platforms on public waters of the state.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-0

AMENDMENT # 1122s

Senator James Gray
For the Committee

Griffin Roberge 271-3042

ENERGY AND NATURAL RESOURCES

HB 99, relative to seasonal platforms on public waters of the state.
Ought to Pass with Amendment, Vote 4-0.
Senator James Gray for the committee.

General Court of New Hampshire - Bill Status System

Docket of HB99

Docket Abbreviations

Bill Title: relative to seasonal platforms on public waters of the state.

Official Docket of **HB99.**:

Date	Body	Description
1/4/2021	H	**Introduced** (in recess of) 01/06/2021 and referred to Resources, Recreation and Development **HJ 2** P. 35
1/21/2021	H	Public Hearing: 01/27/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/99531020872 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/11/2021	H	Committee Report: Ought to Pass with Amendment **#2021-0203h** (Vote 20-0; CC) **HC 12** P. 11
2/24/2021	H	Amendment **#2021-0203h**: AA VV 02/24/2021 **HJ 3** P. 15
2/24/2021	H	**Ought to Pass with Amendment** 2021-0203h: MA VV 02/24/2021 **HJ 3** P. 15
3/4/2021	S	Introduced 03/04/2021 and Referred to Energy and Natural Resources; **SJ 7**
3/23/2021	S	Remote **Hearing:** 03/29/2021, 01:30 pm; Links to join the hearing can be found in the Senate Calendar; **SC 17**
4/13/2021	S	Committee Report: Ought to Pass with Amendment **#2021-1122s**, 04/22/2021; **SC 20**
4/22/2021	S	Committee Amendment **#2021-1122s**, **RC** 24Y-0N, AA; 04/22/2021; **SJ 12**
4/22/2021	S	**Ought to Pass with Amendment** 2021-1122s, **RC** 24Y-0N, MA; OT3rdg; 04/22/2021; **SJ 12**
6/10/2021	H	House Concurs with Senate Amendment 2021-1122s (Rep. Renzullo): MA VV 06/10/2021 **HJ 10** P. 17
7/8/2021	S	Enrolled Bill Amendment **#2021-2059e** Adopted, VV, (In recess of 06/24/2021); **SJ 20**
7/12/2021	H	Enrolled Bill Amendment **#2021-2059e**: AA VV (in recess of) 06/24/2021
7/21/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); **SJ 20**
7/23/2021	H	Enrolled (in recess of) 06/24/2021
8/16/2021	H	Signed by Governor Sununu 08/10/2021; Chapter 181; Eff: 01/01/2022

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 99 **Senate Committee:** ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

X - amendment # 1115s ___ - amendment # _____

X - amendment # 1122s ___ - amendment # _____

X Executive Session Sheet

X Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

___ as amended by the senate ___ as amended by the house

___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

_____ _____

Committee Aide **Date**

Senate Clerk's Office AK

July 7, 2021
2021-2059-EBA
05/04

Enrolled Bill Amendment to HB 99

The Committee on Enrolled Bills to which was referred HB 99

AN ACT relative to seasonal platforms on public waters of the state.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 99

This enrolled bill amendment makes a technical correction and a grammatical correction.

Enrolled Bill Amendment to HB 99

Amend RSA 270:72-d, II as inserted by section 1 of the bill by replacing line 2 with the following:

A and RSA 270:72-g.

Amend RSA 270:72-e, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. The owner of record of the anchored seasonal platform, if known, shall be notified by the

Amend RSA 270:72-e, III as inserted by section 1 of the bill by replacing line 4 with the following:

transporting, storing, and disposal of the platform.

Amend RSA 270:72-e, IV as inserted by section 1 of the bill by replacing line 1 with the following:

IV. If a seasonal platform is removed or found adrift and the owner cannot be determined, it