

# Senate Energy and Natural Resources Committee

*Joshua Schauer 271-3077*

**HB 1205**, prohibiting state and county owned lands from participating in carbon sequestration projects.

**Hearing Date:** March 10, 2026

**Time Opened:** 11:03 a.m.

**Time Closed:** 11:14 a.m.

**Members of the Committee Present:** Senators Avard, Pearl, McConkey, Watters and Rosenwald

**Members of the Committee Absent :** None

**Bill Analysis:** This bill prohibits the enrollment of state and county owned lands in carbon sequestration projects.

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**Sponsors:**

Rep. A. Davis

Rep. Tierney

Rep. Durkin

Rep. Cole

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**Who supports the bill:** 7 Individuals signed in Support of this legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Who opposes the bill:** 68 Individuals signed in Opposition of this legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Who is neutral on the bill:** 1 Individual signed Neutral of this legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Summary of testimony presented:**

**Representative Arnold Davis, Coos 2**

- Representative Davis explained that the bill prohibits the enrollment of state and county owned lands in carbon sequestration programs. These lands were originally purchased for specific purposes related to timber production with public funds and they help supply materials for the wood products industry.
- The bill passed unanimously out of the House committee, indicating broad bipartisan support for maintaining the intended use of these public lands.
- He requested an amendment regarding lines 3 and 4, specifically to clarify the language around carbon sequestration programs by adding the word “timber”

before those phrases, ensuring the bill clearly addresses timber-related land management and carbon sequestration initiatives.

**Senator Watters** asked for clarification regarding the term “ownership,” specifically whether it referred to fee-simple ownership.

**Rep. Davis** said he was unsure.

**Senator Watters** explained that property can be held in different ways, including through easements and other forms of ownership. He asked whether the reference was specifically to fee-owned property, noting that this would be an important clarification.

**Rep. Davis** said he was also unsure of the correct answer.

**Senator Watters** said he would reach out to the Attorney General’s Office and added that specifying fee ownership would be a good way to move forward.

### **Senator Rochefort, Senate District 1**

- Senator Rochefort expressed his support for the bill and stated that it was a straightforward proposal that addressed the issue regarding the management of public lands.
- He noted that the lands involved had been purchased with public money for a defined purpose, and that this public investment makes it important for the legislature to review how those lands are being used.
- He said that the legislature has a responsibility to evaluate whether the current use of the lands continues to align with their intended purpose and the broader public interest.
- He added that the timber restrictions on the lands can limit opportunities for other uses, and that considering these factors now could help expand flexibility and allow for more practical land-use options in the future.

### **Robert Johnson, The Farm Bureau**

- He explained that there are approximately 500,000 acres of farmland owned by counties and other public entities, and that much of this land is currently leased to local farmers for agricultural use.
- He said he would like the bill to clarify that it would not affect agricultural practices such as no-till farming or the use of cover crops, which are commonly used for soil conservation and farm management.
- He added that the bill should instead be more specific in stating that the prohibition would apply to timber-related carbon sequestration projects, as was suggested in the proposed amendment.

### **Jasen Stock, NH Timberland owners Association**

- Mr. Stock spoke in support of the legislation and said it aligns with the goal of supporting the sustainable management of both public and private lands. He

noted that state-owned lands are an important resource for the timber industry and for responsible forest management.

- He explained that sustainable timber management and environmental stewardship are not mutually exclusive and can coexist when lands are managed appropriately.
- He stated that when the state holds land in fee ownership, public funds have been used with the expectation that the land will be actively managed. Because of that expectation, he suggested it would be inappropriate to add additional encumbrances that could limit management options.

**Senator Watters** asked whether the discussion specifically referred to lands held in fee-simple ownership, noting that the language should read as “no fee-simple ownership land owned by the state” and asked Mr. Stock if that was acceptable.

**Mr. Stock** responded that such a clarification would be helpful and said their interpretation of the bill was that it would apply specifically to lands held in fee-simple ownership.

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Date Hearing Report completed: March 13, 2026