HB 1440-FN - AS INTRODUCED

2024 SESSION

24-2574
10/08

HOUSE BILL ***1440-FN***

AN ACT relative to establishing a life jacket loaner station program along the Merrimack river.

SPONSORS: Rep. Gallager, Merr. 20

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill provides for the establishment of a life jacket loaner program at public access sites along the Merrimack river.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to establishing a life jacket loaner station program along the Merrimack river.

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

1 New Section; Water Safety; Merrimack River. Amend RSA 270-D by inserting after section 9 the following new section:

270-D:9-a Merrimack River Program for Life Jacket Loaner Stations. The division of state police, department of safety, shall seek funding, donations, and volunteer assistance in installing and maintaining PFD access at public access sites on the Merrimack river though a "Life Jacket Loaner Program." The life jacket loaner program shall provide PFDs for temporary use in water activities and be accompanied by suitable signage.

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

LBA
24-2574
11/27/23

HB 1440-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to establishing a life jacket loaner station program along the Merrimack river.

FISCAL IMPACT: [X] State [ ] County [ ] Local [ ] None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
Revenue	$0	$0	$0	$0
Revenue Fund(s)	None			
Expenditures	$0	Indeterminable Increase		
Funding Source(s)	General Fund			
Appropriations	$0	$0	$0	$0
Funding Source(s)	None			

- Does this bill provide sufficient funding to cover estimated expenditures? [X] No
- Does this bill authorize new positions to implement this bill? [X] No

METHODOLOGY:

This bill requires the Department of Safety, Division of State Police (presumably Marine Patrol), to establish a life jacket loaner station program at public access points along the Merrimack River, and further requires the Department to raise funding (either through donations or grants) for these stations, as well as coordinate volunteers to install and maintain the stations.

The Department is unable to provide a cost estimate to comply with this bill, and has provided the following comments:

- **Number of Stations.** It is unclear if "public access sites" includes every public access location on the Merrimack River, which spans over 50 miles from Franklin to the Massachusetts border, or just power boat ramps. The bill appears to include every access site, from remote swimming holes to popular, heavily used power boat launches. It is unclear as to the specific intention for placing the life jacket loaner stations. The total number of loaner stations impacts the amount of funding needed and the number of volunteers required and thus the amount of time that State personnel would be required to spend on this proposed project. If the intention is to install loaner stations

at every location, the management of this program will be significant in terms of the labor and financial resources required.

- **Staffing.** Regardless of the number of loaner stations, Marine Patrol does not currently have any employees whose job functions include coordinating volunteers or seeking donation funds; either a new position would need to be created or job description change would be required, along with a reallocation of tasks, amongst current employees. Neither of these prospects have been budgeted for. Due to the complexity of this task and the expansive area encompassed by the project, it is impractical to add this responsibility to an existing employee's workload.

- **Property**. Marine Patrol is not a property owner on any stretch of the Merrimack River. To legally install life jacket loaner stations at each proposed site, landowner permission would need to be obtained. If permission were to be denied, Marine Patrol would be in violation of this bill. Additionally, further discussion with the State legal staff is needed to determine what, if any, liability the State would assume in terms of life jacket availability and serviceability.

AGENCIES CONTACTED:

Department of Safety