State of New Hampshire

GENERAL COURT

CONCORD

MEMORANDUM

DATE: **November 1, 2023**

TO: **Honorable Sherman Packard, Speaker of the House**
Honorable Jeb Bradley, President of the Senate
Honorable Paul C. Smith, House Clerk
Honorable Tammy L. Wright, Senate Clerk
Honorable Chris Sununu, Governor
Michael York, State Librarian

FROM: **Representative Michael Vose, Chairman**

SUBJECT: **Final Report of the Committee to Examine Certain Laws Codified Under RSA Title XXXIV, Public Utilities, to Determine if They Should be Amended, Recodified, or Repealed**
HB 219, Chapter 30:4, Laws of 2023

Pursuant to HB 219, Chapter 30:4, Laws of 2023, enclosed please find the Final Report of the Committee to Examine Certain Laws Codified Under RSA Title XXXIV, Public Utilities, to Determine if They Should be Amended, Recodified, or Repealed.

If you have any questions or comments regarding this report, please do not hesitate to contact me.

I would like to thank those members of the committee who were instrumental in this study. I would also like to acknowledge all those who testified before the committee and assisted the committee in our study.

Enclosures

cc: Members of the Committee

FINAL REPORT

Committee to Examine Certain Laws Codified Under RSA Title XXXIV, Public Utilities, to Determine if They Should be Amended, Recodified, or Repealed

HB 219, Chapter 30:4, Laws of 2023

November 1, 2023

Member	Appointing Authority
Representative Michael Vose	Speaker of the House
Representative Thomas Cormen	Speaker of the House
Representative Gregory Hill	Speaker of the House
Representative Marc Plamondon	Speaker of the House
Senator Debra Altschiller	President of the Senate

Commission Charge and Study Purpose:

III.(a) The committee shall examine certain laws codified under RSA Title XXXIV, Public Utilities, to determine if they should be amended, recodified, or repealed. Specifically the committee shall examine:

(1) RSA362-E, on the telecommunications equipment assistance program.
(2) RSA367, on the formation and union of railroad corporations; leases and extensions.
(3) RSA368, on railroad trustees and holding companies.
(4) RSA372, relative to laying out railroads.
(5) RSA373, relative to crossings, stations, fences, cattleguards, bridges, and bridge guards, and including optional rulemaking under RSA21-L:12-a, VII.
(6) RSA377, relative to railroad transportation of passengers, baggage, and freight.
(7) RSA379, relative to joint, connecting, and terminal service, and including optional rulemaking under RSA21-L:12-a, X and XI.
(8) RSA380, relative to railroads; fire damage and prevention.
(9) RSA381, relative to railroad police, and including rulemaking under RSA 21-P:14, II(p) and appointment under RSA228:62-a.
(10)RSA382, relative to maintenance of parks by railroads and bus lines.

(b) The committee shall seek the input, advice, and expertise of any agency or organization with knowledge of the subject matter, including at least the department of energy, the public utilities commission, the department of transportation, and the department of safety.

Process and Procedures:

The committee organized on October 23, 2023 but did not have a quorum. The committee organized again on October 30, 2023 and elected Representative Michael Vose as Chair. The Chair appointed Representative Thomas Cormen as clerk. The commission met two times throughout the study period. The minutes from the October 30th meeting are attached.

Attachment: Meeting Minutes

Findings:

(1) Nine RSAs need to recodified from Title 34: Public Utilities to Title 20: Transportation:
- RSA 367, on the formation and union of railroad corporations; leases and extensions.
- RSA 368, on railroad trustees and holding companies.
- RSA 372, relative to laying out railroads.
- RSA 373, relative to crossings, stations, fences, cattle guards, bridges, and bridge guards, and including optional rulemaking under RSA 21-L:12-a, VII.
- RSA 377, relative to railroad transportation of passengers, baggage, and freight.
- RSA 379, relative to joint, connecting, and terminal service, and including optional rulemaking under RSA 21-L:12-a, X and XI.
- RSA 380, relative to railroads; fire damage and prevention.
- RSA 381, relative to railroad police, and including rulemaking under RSA 21-P:14, II(p) and appointment under RSA 228:62-a.
- RSA 382, relative to maintenance of parks by railroads and bus lines

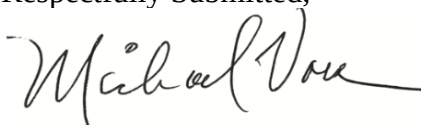
(2) RSA 362-E, telecommunications assistance program, should be moved to RSA 275-C:8-b as a new section (b)

(3) RSA 376, Motor Carriers of Passengers recodified from Title 34: Public Utilities to Title 12: Public Safety

Recommendations:

1. Recodify the RSAs listed in Findings from Title 34: Public Utilities to either Title 12: Public Safety or Title 20: Transportation. Recodify RSA 362-E as RSA 275-C:8-b.
2. Submit to OLS within 7 days of the date of this report a request from the Chair to create an LSR to implement the changes in Recommendation #1. List approving committee members as co-sponsors.

Respectfully Submitted,



Representative Michael Vose, Chairman

Committee to Examine Certain Laws Codified Under RSA Title XXXIV, Public Utilities, to Determine if They Should be Amended, Recodified, or Repealed

HB 219, Chapter 30:4, Laws of 2023

Minutes from 10/30/2023 Meeting

Attendees: Rep. Vose, Rep. Cormen, Rep. Hill
Absent: Rep. Planmonden, Sen. Altschilter

After discussion and review, Rep. Cormen moved to adopt the final report as written and Rep. Hill seconded. VOTE: 3-0

Respectfully submitted,
Rep. Thomas Cormen, Clerk