

Bill as Introduced

SB 364 - AS INTRODUCED

2010 SESSION

10-2696

03/01

SENATE BILL **364**

AN ACT recognizing Canadian boating safety education certificates.

SPONSORS: Sen. Letourneau, Dist 19; Sen. Gilmour, Dist 12; Sen. Bradley, Dist 3;
Sen. Carson, Dist 14; Rep. Packard, Rock 3; Rep. R. Williams, Merr 11;
Rep. Nedeau, Belk 3; Rep. Coffey, Merr 6

COMMITTEE: Transportation and Interstate Cooperation

ANALYSIS

This bill exempts Canadian certificate holders from the New Hampshire boating safety education certificate requirement.

This bill was requested by the department of safety.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT recognizing Canadian boating safety education certificates.

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

- 1 1 Reference Corrected. Amend RSA 270-D:13, I(a) to read as follows:
- 2 (a) Passes a safe boater education course approved by the commissioner in accordance
- 3 with the criteria of the National Association of State Boating Law ~~[Administration]~~
- 4 **Administrators**. A classroom course shall provide a minimum of 8 hours of instruction. Passage of
- 5 a safe boater education course shall require successful completion of a proctored examination
- 6 administered by a person authorized by the commissioner in accordance with rules adopted by the
- 7 commissioner. The minimum passing grade for the examination shall be 80 percent; or
- 8 2 Certificate Not Required. Amend RSA 270-D:15 to read as follows:
- 9 270-D:15 Certificate Not Required. A person shall not be required to obtain a certificate of
- 10 boating safety education if the person holds a certificate from any state indicating successful
- 11 completion of boating safety education that meets or exceeds the requirements of this subdivision, a
- 12 certificate from the United States Coast Guard Auxiliary, ~~[or]~~ a certificate from the United States
- 13 Power Squadron, *or a Canadian certificate issued by Transport Canada and approved by the*
- 14 **National Association of State Boating Law Administrators**.
- 15 3 Effective Date. This act shall take effect upon its passage.

SB 364 – AS AMENDED BY THE SENATE

01/21/10 0155s

2010 SESSION

10-2696

03/01

SENATE BILL **364**

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01/21/10 0155s

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12 certificate from the United States Coast Guard Auxiliary, ~~[or]~~ a certificate from the United States
13 Power Squadron, **or a Canadian certificate approved by Transport Canada and approved by**
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CHAPTER 42
SB 364 - FINAL VERSION

01/21/10 0155s

2010 SESSION

10-2696
03/01

SENATE BILL **364**

AN ACT recognizing Canadian boating safety education certificates.

SPONSORS: Sen. Letourneau, Dist 19; Sen. Gilmour, Dist 12; Sen. Bradley, Dist 3;
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CHAPTER 42
SB 364 - FINAL VERSION

01/21/10 0155a

10-2696
03/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT recognizing Canadian boating safety education certificates.

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

1 42:1 Reference Corrected. Amend RSA 270-D:13, I(a) to read as follows:

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12 certificate from the United States Coast Guard Auxiliary, ~~[or]~~ a certificate from the United States
13 Power Squadron, ***or a Canadian certificate approved by Transport Canada and approved by***
14 ***the National Association of State Boating Law Administrators***.

15 42:3 Effective Date. This act shall take effect upon its passage.

16 Approved: May 18, 2010

17 Effective Date: May 18, 2010

Amendments

Transportation and Interstate Cooperation
January 14, 2010
2010-0155s
03/10



Amendment to SB 364

1 Amend the bill by replacing section 2 with the following:

2

3 2 Certificate Not Required. Amend RSA 270-D:15 to read as follows:

4 270-D:15 Certificate Not Required. A person shall not be required to obtain a certificate of
5 boating safety education if the person holds a certificate from any state indicating successful
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7 certificate from the United States Coast Guard Auxiliary, ~~or~~ a certificate from the United States
8 Power Squadron, *or a Canadian certificate approved by Transport Canada and approved by*
9 *the National Association of State Boating Law Administrators.*

Committee Minutes

**SENATE CALENDAR NOTICE
TRANSPORTATION AND INTERSTATE COOPERATION**

- ✓ Senator Robert Letourneau Chairman
- ✓ Senator Peggy Gilmour V Chairman
- ✓ Senator Martha Fuller Clark
- ✓ Senator Molly Kelly
- ✓ Senator Sharon Carson

open 11:05
close 11:10

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/> Bill Status	
<input type="checkbox"/> Docket	
<input type="checkbox"/> Calendar	
Proof: <input type="checkbox"/> Calendar	<input type="checkbox"/> Bill Status

Date: January 7, 2010

HEARINGS

Thursday

1/14/2010

TRANSPORTATION AND INTERSTATE COOPERATION	LOB 101	10:30 AM
(Name of Committee)	(Place)	(Time)

EXECUTIVE SESSION MAY FOLLOW

- | | |
|----------------|---|
| 10:30 AM SB326 | relative to certain extensions for temporary plates. |
| 10:50 AM SB302 | relative to notice of driver's license expiration. |
| 11:05 AM SB364 | recognizing Canadian boating safety education certificates. |
| 11:20 AM SB376 | naming the Sagamore Bridge in Portsmouth in honor of Joseph Sawtelle. |

Sponsors:

SB326

Sen. Martha Fuller Clark

SB302

Sen. Robert Letourneau
Rep. Sherman Packard

Sen. Peggy Gilmour
Rep. Stephen Nedeau

Sen. Bob Odell

Rep. Robert Williams

SB364

Sen. Robert Letourneau
Rep. Sherman Packard

Sen. Peggy Gilmour
Rep. Robert Williams

Sen. Jeb Bradley
Rep. Stephen Nedeau

Sen. Sharon Carson
Rep. Jennifer Coffey

SB376

Sen. Martha Fuller Clark

Rep. Robin Read

Rep. Paul McEachern

Sen. Robert Letourneau

Transportation & Interstate Cooperation Committee Hearing Report

TO: Members of the Senate
FROM: Jill Sokness, Legislative Aide
RE: Hearing report on SB 364 – AN ACT recognizing Canadian boating safety education certificates.

HEARING DATE: January 14, 2010

MEMBERS OF THE COMMITTEE PRESENT: Senators Letourneau, Kelly and Fuller Clark

MEMBERS OF THE COMMITTEE ABSENT: Senators Gilmour and Carson

Sponsor(s): Sen. Letourneau, Dist 19; Sen. Gilmour, Dist 12; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Rep. Packard, Rock 3; Rep. R. Williams, Merr 11; Rep. Nedeau, Belk 3; Rep. Coffey, Merr 6

What the bill does: This bill exempts Canadian certificate holders from the New Hampshire boating safety education certificate requirement. This bill was requested by the department of safety.

Who supports the bill: Senator Letourneau, David Barrett (DOS), Jodi Grimbilas (NH Marine Traders)

Who opposes the bill: No one

Summary of testimony received:

Senator Letourneau:

- Introduced the bill and explained that currently there is a 10-year phase-in for boat licenses in NH. People need to have a certificate to operate water vehicles.
- Many people come from Canada and they have the same program there. We want to accept them through a reciprocal agreement, as they do with some other states.
- This bill cleans up the law.

David Barrett, Dept. of Safety:

- Spoke in favor of the bill. He stated that Senator Letourneau explained the bill well. It would allow NH to accept approved boater education certificates by Canada.
- It's tourist friendly and consistent with national boating regulations.
- He asked for a change in Line 13 (see approved amendment) that would deal with the necessity to have a government seal.
- Senator Letourneau asked about it taking effect upon passage and is this so there is time enough for printing for the upcoming boating season. Mr. Barrett stated that they like these laws to take effect in January, so as soon as possible.

Funding: Not applicable.

Action: The committee went into executive session. Senator Letourneau moved "Ought To Pass as amended" (0155s). Senator Kelly seconded the motion. The committee voted 3 to 0 in support of the OTP as amended motion. Senator Letourneau will report the bill out.

Date: January 14, 2010
Time: 11:05 AM
Room: LOB 101

The Senate Committee on Transportation and Interstate Cooperation held a hearing on the following:

SB 364 recognizing Canadian boating safety education certificates.

Members of Committee present: Senator Letourneau
Senator Fuller Clark
Senator Kelly
Senator Carson

Senator Martha Fuller Clark, opened the hearing on SB 364 and invited the prime sponsor, Senator Robert Letourneau, to introduce the legislation.

Senator Martha Fuller Clark, D. 24: I'm going to open up the hearing on Senate Bill 364. And, welcome, Senator Letourneau, again.

Senator Robert J. Letourneau, D. 19: Good morning, Senator Clark, and members of the Committee. For the record, Senator Bob Letourneau, representing District 19, the towns of Derry, Hampstead, and Windham.

I'm here today as prime sponsor of Senate Bill 364, recognizing Canadian boating safety education certificates. Currently, right now, as many of the members are well aware, we had a 10-year phase-in for boating licenses for the State of New Hampshire. Now, currently, if you were going to operate a boat on any of the ways, of the bodies of water in the State of New Hampshire, or the rivers, you have to have a certificate. And, we have a lot of Canadian folks that come down from Canada in the summertime to vacation on our lakes. And, they have a program there in Canada that's the same as ours, and it's approved by the National Association of State Boating Law Administrators.

What we are asking today is that we include the exception of those as a reciprocal agreement. We accept other states' certificates, because we're not the only state that has this license law, and we do a reciprocal agreement. But, there was an oversight, and the Canadian boaters were not able to do that. This just cleans up the law; it's basically housekeeping. And, it was a request of the Department.

I'd be glad to answer any questions.

Senator Martha Fuller Clark, D. 24: Are there questions from the Committee?

Senator Robert J. Letourneau, D. 19: Dave Barrett, from the Director of the Marine Patrol, is here. He'd be glad to testify, I'm sure. Are you signed in, Dave?

David Barrett: Yes, sir.

Senator Martha Fuller Clark, D. 24: He did sign in.

Senator Robert J. Letourneau, D. 19: Okay.

Senator Martha Fuller Clark, D. 24: So, if you're finished...

Senator Robert J. Letourneau, D. 19: I am finished.

Senator Martha Fuller Clark, D. 24: Thank you, Senator Letourneau. I'd like to call on Dave Barrett from the Department of Safety.

Mr. Barrett: Thank you, Madam Chair, members of the Committee. My name is David Barrett. I'm the Director of the Division of Safety Services, which is, for your purposes, the Marine Patrol; we just don't attach that name to it. It's a long story, how that happened, but, it's before my time.

I'm here to not only thank Senator Letourneau for bringing this forward on our behalf, but to speak in favor of this proposed legislation, Senate Bill 364, which basically does, pretty much, what Senator Letourneau said it does. It allows the State of New Hampshire, through its marine patrol officers, to accept approved boater ed certificates from Transport Canada.

I can belabor this, but it isn't all that difficult. It certainly... It's tourist-friendly, and it's consistent with the conditions and the curriculum set by the National Association of State Boating Law Administrators which our, of course, our force does. The only thing I would ask, if it's not too much, too

difficult, is on line 13, where you see the new language, it says, "issued by Transport Canada." And, what I'd really like to ask you to consider to do is to change that to, "approved by Transport Canada." And, the reason is that not all of the Canadian certificates are issued by Transport Canada. Transport Canada is the national association that oversees not only marine interests, but the highway, aviation, like the FAA does, and so on; it's all-inclusive. And, what they do is, they approve providers. So, a provider in, say, British Columbia, using that as an example, who has met the standards set by Transport Canada, will then issue the card. And, all this does is allow, by changing that word to, "approved", on line 13, means that it has to have the Transport Canada seal of approval on it, as opposed to, "issued", actually, by Transport Canada.

And, with that, I'll defer to any questions.

Senator Martha Fuller Clark, D. 24: Thank you so much for being here, thank you for your suggestion. Questions from the Committee?

Senator Robert J. Letourneau, D. 19: Thank you, Senator. I note the bill, when we drafted it, it says, "shall take effect upon passage". And, just to clear the air on that, is that so that you can get it moving into the new printing for the...

Mr. Barrett: Moreover, assuming it passes, that we can put the practice in place for this ensuing boating season, as opposed to...Normally, we like boating bills to take effect 1 January, because it gives us a chance to...

Senator Robert J. Letourneau, D. 19: Right.

Mr. Barrett: This is really just...It's already...The practice is already in effect for checking for boating certificates. All we're saying is, you know, let us accept this other one at the same time. So, we'd just as soon have it effective as soon as practicable, because there's no real change that has to take place for us, other than the next time we print.

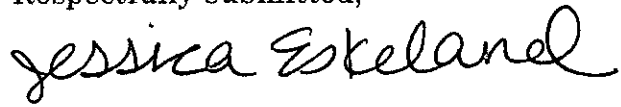
Senator Robert J. Letourneau, D. 19: I just brought mine with me so that the Committee members could see it; there may not be a lot of boaters here. Well, thank you, Senator. I mean, Director. Any further questions?

Mr. Barrett: Thank you.

Senator Martha Fuller Clark, D. 24: Seeing none, I'll close the hearing on Senate Bill 364.

Hearing concluded at 11:10 AM.

Respectfully submitted,

A handwritten signature in black ink that reads "Jessica Eskeland". The signature is written in a cursive style with a large, looping initial "J".

Jessica Eskeland
Senate Secretary
1/19/10

Speakers

Voting Sheets

Senate Transportation & Interstate Cooperation Committee EXECUTIVE SESSION

Bill # SB 364

Hearing date: 1/14/10

Executive session date: 1/14

Motion of: amendment

VOTE: 3-0

<u>Made by</u>	Letourneau <input checked="" type="checkbox"/>	<u>Seconded</u>	Letourneau <input type="checkbox"/>	<u>Reported</u>	Letourneau <input type="checkbox"/>
<u>Senator:</u>	Gilmour <input type="checkbox"/>	<u>by Senator:</u>	Gilmour <input type="checkbox"/>	<u>by Senator:</u>	Gilmour <input type="checkbox"/>
	Kelly <input type="checkbox"/>		Kelly <input type="checkbox"/>		Kelly <input type="checkbox"/>
	Fuller Clark <input type="checkbox"/>		Fuller Clark <input checked="" type="checkbox"/>		Fuller Clark <input type="checkbox"/>
	Gatsas <input type="checkbox"/>		Gatsas <input type="checkbox"/>		Gatsas <input type="checkbox"/>

Motion of: OTP-A

VOTE: 3-0

<u>Made by</u>	Letourneau <input checked="" type="checkbox"/>	<u>Seconded</u>	Letourneau <input type="checkbox"/>	<u>Reported</u>	Letourneau <input checked="" type="checkbox"/>
<u>Senator:</u>	Gilmour <input type="checkbox"/>	<u>by Senator:</u>	Gilmour <input type="checkbox"/>	<u>by Senator:</u>	Gilmour <input type="checkbox"/>
	Kelly <input type="checkbox"/>		Kelly <input checked="" type="checkbox"/>		Kelly <input type="checkbox"/>
	Fuller Clark <input type="checkbox"/>		Fuller Clark <input type="checkbox"/>		Fuller Clark <input type="checkbox"/>
	Gatsas <input type="checkbox"/>		Gatsas <input type="checkbox"/>		Gatsas <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Letourneau, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Gilmour, Vice-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fuller Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Gatsas Carson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Amendments: _____

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: January 14, 2010

THE COMMITTEE ON Transportation and Interstate Cooperation
to which was referred Senate Bill 364

AN ACT recognizing Canadian boating safety education
 certificates.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 3-0

AMENDMENT # 0155s

Senator Robert J. Letourneau
For the Committee

Jessica Eskeland 271-8631

New Hampshire General Court - Bill Status System

Docket of SB364

Docket Abbreviations

Bill Title: recognizing Canadian boating safety education certificates.*Official Docket of SB364:*

Date	Body	Description
01/06/2010	S	Introduced 1/6/2010 and Referred to Transportation and Interstate Cooperation Committee; SJ 1 , Pg.7
01/07/2010	S	Hearing: January 14, 2010, Room 101, LOB, 11:05 a.m.; SC2
01/14/2010	S	Committee Report; Ought to Pass with Amendment 0155s, 1/21/10; SC3 Pg.5
01/21/2010	S	Committee Amendment 0155s, AA, VV, SJ 3 , Pg.42
01/21/2010	S	Ought to Pass with Amendment 0155s, MA, VV; OT3rdg, SJ 3 , Pg.42
01/21/2010	S	Passed By Third Reading Resolution, SJ 3 , Pg.44
02/17/2010	H	Introduced and Referred to Transportation; HJ 18 , PG.1016
03/03/2010	H	Public Hearing: 3/16/2010 12:15 PM LOB 203
03/16/2010	H	Executive Session: 3/23/2010 10:30 AM LOB 203
03/24/2010	H	Committee Report: Ought to Pass for April 14 (Vote 16-0; CC); HC 29 , PG.1457
04/14/2010	H	Ought to Pass: MA VV; HJ 32 , PG.1582
04/21/2010	S	Enrolled; SJ 15 , Pg.331
04/28/2010	H	Enrolled; HJ 36 , PG.1729
05/18/2010	S	Signed by the Governor on 05/18/2010; Effective 05/18/2010; Chapter 0042

NH House

NH Senate

Contact Us

New Hampshire General Court Information Systems
 107 North Main Street - State House Room 31, Concord NH 03301

Other Referrals

COMMITTEE REPORT FILE INVENTORY

SB 3109 ORIGINAL REFERRAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE SECRETARY AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE on which you have taken attendance

HEARING REPORT (written summary of hearing testimony)

HEARING TRANSCRIPT (verbatim transcript of hearing)

List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here: _____

SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 01553 - AMENDMENT # _____
 - AMENDMENT # _____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED AS AMENDED BY THE HOUSE
 FINAL VERSION AS AMENDED BY THE SENATE

PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are not part of the transcript)

List by letter [a thru g or a, b, c, d] here: _____

EXECUTIVE SESSION REPORT

etc OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK 9/22/00


COMMITTEE SECRETARY