

Bill as  
Introduced

**HB 349 – AS INTRODUCED**

2013 SESSION

13-0424

10/03

**HOUSE BILL 349**

AN ACT relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.

SPONSORS: Rep. Coulombe, Coos 3; Rep. H. Richardson, Coos 4; Rep. Theberge, Coos 3; Sen. Woodburn, Dist 1

COMMITTEE: Resources, Recreation and Development

**ANALYSIS**

This bill allows the bureau of trails, department of resources and economic development, to permit 4-wheel drive motor vehicles registered as OHRVs to operate at Jericho Mountain state park at specific times and on specific trails.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13-0424

10/03

**STATE OF NEW HAMPSHIRE**

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.

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

1 Trails on State Lands; Jericho Mountain State Park. Amend RSA 215-A:43, VII(c) to read as follows:

(c) A person may operate an OHRV within Jericho Mountain state park which weighs up to 1,600 pounds and is no wider than 65 inches on specifically designated trails within Jericho Mountain state park, *provided that, in addition, the bureau of trails may permit operation of wider or heavier 4-wheel drive motor vehicles registered as OHRVs at specific times and on specific trails.*

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

## HB 349 – AS AMENDED BY THE HOUSE

20Mar2013... 0728h

2013 SESSION

13-0424

10/03

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2 Trails on State Lands; Jericho Mountain State Park; Version Effective January 1, 2016. RSA 215-A:43, VII(c) is repealed and reenacted to read as follows:

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3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2016.

II. The remainder of this act shall take effect 60 days after its passage.

**HB 349 – VERSION ADOPTED BY BOTH BODIES**

20Mar2013... 0728h

2013 SESSION

13-0424

10/03

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CHAPTER 34

HB 349 – FINAL VERSION

20Mar2013... 0728h

2013 SESSION

13-0424

10/03

HOUSE BILL **349**

AN ACT relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.

SPONSORS: Rep. Coulombe, Coos 3; Rep. H. Richardson, Coos 4; Rep. Theberge, Coos 3; Sen. Woodburn, Dist 1

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13-0424

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

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34:3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2016.

II. The remainder of this act shall take effect 60 days after its passage.

Approved: May 31, 2013

Effective Date: I. Section 2 shall take effect January 1, 2016.

II. Remainder of this act shall take effect July 30, 2013.

# Amendments

Resources, Recreation and Development  
March 5, 2013  
2013-0728h  
04/10

Amendment to HB 349

Amend the bill by replacing all after the enacting clause with the following:

1 Trails on State Lands; Jericho Mountain State Park. Amend RSA 215-A:43, VII(c) to read as follows:

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3 Effective Date.

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II. The remainder of this act shall take effect 60 days after its passage.

# Committee Minutes

**AMENDED**  
**SENATE CALENDAR NOTICE**  
**ENERGY AND NATURAL RESOURCES**

Printed: 03/28/2013 at 3:23 pm

Senator Russell Prescott Chairman  
Senator Bob Odell V Chairman  
Senator Jeb Bradley  
Senator Martha Fuller Clark  
Senator Jeff Woodburn

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: March 28, 2013

**HEARINGS**

**Wednesday**

**4/3/2013**

**ENERGY AND NATURAL RESOURCES**

**LOB 101**

**9:00 AM**

(Name of Committee)

(Place)

(Time)

**EXECUTIVE SESSION MAY FOLLOW**

9:00 AM	HB349	relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.
9:15 AM	HB574	(New Title) increasing the size limitations for OHRVs operating on state-owned trails in Coos and Grafton counties.
9:30 AM	HB416	shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands.
9:45 AM	HB516	establishing a committee to study the overlap of federal, state, and local regulation relative to environmental issues.
10:00 AM	HB517	relative to the incidental combustion of untreated wood at certain municipal transfer stations.
10:15 AM	HB374	relative to electric utility investment in distributed energy resources.

**Sponsors:**

**HB349**

Rep. Gary Coulombe

Rep. Herbert Richardson

Rep. Robert Theberge

Sen. Jeff Woodburn

**HB574**

Rep. Robert Theberge

Rep. Yvonne Thomas

Rep. Herbert Richardson

Sen. Sharon Carson

**HB416**

Rep. Christopher Ahlgren

**HB516**

Rep. John Cebrowski

Rep. David Danielson

**HB517**

Rep. Gene Chandler

Rep. Edward Butler

Sen. Jeb Bradley

Sen. Jeanie Forrester

Rep. David Campbell

Rep. Peter Leishman

**HB374**

Rep. Ian Raymond

Rep. Suzanne Smith

Rep. Lisa DiMartino

Sen. Andrew Hosmer

Rep. James Devine

Chris Cote 271-3067

Sen. Russell Prescott

Chairman

# SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

*Chris Cote, Legislative Aide*

**HB 349 – relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.**

Hearing Date: 4.3.13

Time Opened: 9am

Time Closed: 9:30am

**Members of the Committee Present:** Senators Bradley, Fuller Clark, Odell, and Woodburn

**Members of the Committee Absent:** Senator Prescott

**Bill Analysis:** This bill allows the bureau of trails, department of resources and economic development, to permit 4-wheel drive motor vehicles registered as OHRVs to operate at Jericho Mountain state park at specific times and on specific trails.

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**Sponsors:** Rep. Coulombe, Coos 3; Rep. H. Richardson, Coos 4; Rep. Theberge, Coos 3; Sen. Woodburn, Dist 1

**Who supports the bill:** Marc Pouliot Northwood Off Road, Rep. Robert Theberge, Rep. Gary Coulombe, Rep. Pichard, Chris Gamache,

**Who opposes the bill:** Catherin Corkery NH Sierra Club

**Summary of testimony presented in support:**

- Rep. Coulombe here to testify on behalf of his bill, idea for this bill was brought in from the north woods road club, wanted to allow certain trails to have jeep or pickup sized vehicles on them, Q: Odell, just for Jericho State Park? A: Yes Q: Martha Fuller Clark, any impact on trails for wider and heavier vehicles? A: not on same trails, want to develop a separate part of the park for trucks and jeeps and make a small loop much smaller than the rest of the footprint of the park,
- Mark Pouliot, in favor of the bill, handed out several pictures and his testimony, North Woods Off Road President, currently the only trail they have access to is on private land and they are part of a regional group, they do a number of events for the public and for their club and work with local governments and the state on ensuring compliance with all state and local laws, this would be a benefit for the local economy, as well as something that would require little risk since the club is volunteering to maintain this idea for a park, if allowed it would be the only such park in New England,

- Chris Gammache, in support of the bill, NH Bureau of Trails, revenue potential source, there are areas set aside for this activity, the fee system is in place and was operation last year, sometimes events waive part of the fee, but those are rare, we do not always move as fast as people like, but we are moving forward, 8,000 visitors last fall, there will be a day-use fee for these vehicles if the bill passes and it will not be until next year that the trails will be useable, Q: Odell, you think this is something the state should get into? A: yes but only in Jericho where there are specific trails designed for this activity, we have ATV's and side by side vehicles there, Q: Woodburn, just in terms of the market, my neighbor has a similar business as this, is it growing and is that growth driving this? A: your neighbor does something a bit different, but yes the need is growing for more of this, Q: Fuller Clark, who put the master plan for this together? They included jeeps and trucks? Did the public have any input? A: a large comprehensive group put this together from the state and local organizations/agencies, I am not sure if they specified jeeps and trucks but those vehicles were included in the master plan, the plan went out for public comment and heard no local concerns over this issue,
- Rep. Coulomb, one of the issues that was not talked about is that businesses have sprung up around the park, rental as well as repair businesses have grown, similar things could happen for trucks and jeeps, there would be an increases benefit to the community from that growth

**Summary of testimony presented in opposition:**

- Catherine Corkery, NH Sierra Club, against the bill, the fee system has not been utilized, no fees for vendors there, no registration fees for vehicles there, concern is that money is not going to other trails of the park, concerned that the areas ecosystem is being harmed by this activity, Q: Fuller Clark, how will the ecosystem be put at risk? A: cannot answer that because there is no plan, Q: why is the no fee system in place there? A: I cannot answer that, Q: Senator Woodburn, what is your problem with this park? A: my concern is that a great deal of money has been put into the parks system, and that the fee and funding system has not been updated, Q: so if what you described was implemented, you would be ok with this park? A: Concern is over the past inaction, and where that goes forward,

**Fiscal Note:**

See Fiscal Note

**Future Action:**

CSC

Date hearing report completed: 4.4.13

[file: HB 0349 report]

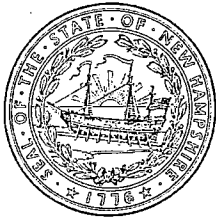
# Speakers







# Testimony



STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
DIVISION of PARKS and RECREATION

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856  
PHONE: (603) 271-3556 FAX: (603) 271-3553 E-MAIL: nhparks@dred.state.nh.us  
WEB: www.nhstateparks.org

April 3, 2013

The Honorable Russell Prescott, Chairman  
and the Senate Energy and Natural Resources Committee.  
NH State House, Room 101  
Concord, NH 03301

Re: **HB 349, An act relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.**

Dear Chairman Prescott and Members of the Committee,

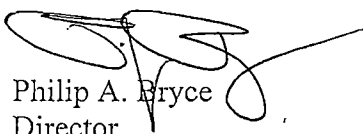
Please accept this testimony on behalf of the Department of Resources and Economic Development, Division of Parks & Recreation, Bureau of Trails in support of the House Bill 349.

This bill would authorize DRED to develop trails for and allow the use of larger 4x4 vehicles at Jericho Mountain State Park. The development of trails for specialty vehicles such as jeeps and four-wheel drive trucks was part of the Master Development Plan for Jericho Mountain State Park and is considered an area of need to address in NH.

Currently, there are no trails in NH for this type of off-road use and areas within Jericho Mountain State Park are well suited to this type of recreation. The ability to develop specialty trails for this user group would increase attendance and revenues derived from operations at the park. This bill would not allow the use of these larger vehicles on any other State property. We are available to answer questions from the committee.

Thank you for considering our testimony in support of HB 349. Feel free to contact me should you require any additional information.

Sincerely,



Philip A. Bryce  
Director

PAB/CG/ttl040113

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: 4.11.13

THE COMMITTEE ON Energy and Natural Resources

to which was referred House Bill 349

AN ACT                    relative to OHRV operation of certain 4-wheel drive  
vehicles on trails within Jericho Mountain state park.

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

**OUGHT TO PASS**

BY A VOTE OF: 4-0

Senator Jeff Woodburn  
For the Committee

Chris Cote 271-3067

## New Hampshire General Court - Bill Status System

**Docket of HB349**

Docket Abbreviations

**Bill Title:** relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.

*Official Docket of HB349:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/3/2013	H	<b>Introduced</b> 1/3/2013 and Referred to Resources, Recreation and Development; <b>HJ 12</b> , PG.192
2/6/2013	H	Public Hearing: 2/19/2013 1:00 PM LOB 305
2/13/2013	H	Executive Session: 3/5/2013 10:15 AM LOB 305
3/6/2013	H	Committee Report: Ought to Pass with Amendment #0728h for Mar 20 (Vote 17-2; CC); <b>HC 23</b> PG.579
3/6/2013	H	Proposed Committee Amendment <b>#2013-0728h</b> ; <b>HC 23</b> PG.615
3/20/2013	H	Amendment #0728h: AA VV; <b>HJ 27</b> , PG.841-842
3/20/2013	H	<b>Ought to Pass with Amendment</b> #0728h: MA VV; <b>HJ 27</b> , PG.841-842
3/21/2013	S	Introduced and Referred to Energy & Natural Resources
3/28/2013	S	Hearing: 4/3/13, Room 101, LOB, 9:00 a.m.; <b>SC14</b>
4/11/2013	S	Committee Report: Ought to Pass, 4/18/13; <b>SC16</b>
4/18/2013	S	<b>Ought to Pass:</b> MA, VV; OT3rdg;
4/18/2013	S	Enrolled
4/24/2013	H	Enrolled; <b>HJ38</b> , PG.1257
6/3/2013	H	Signed by Governor 05/31/2013; Chapter 0034
6/3/2013	H	I. Section 3 Effective 01/01/2016
6/3/2013	H	II. Remainder Effective 07/30/2013

NH House

NH Senate

# Other Referrals



HB 349

# COMMITTEE REPORT FILE INVENTORY

\_\_\_\_\_ ORIGINAL REFERRAL      \_\_\_\_\_ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE 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
- HEARING REPORT
- HANDOUTS FROM THE PUBLIC HEARING
- PREPARED TESTIMONY AND OTHER SUBMISSIONS
- SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 0728h      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_  
 \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

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

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

DATE DELIVERED TO SENATE CLERK 8.13.13



BY COMMITTEE AIDE