
Committee Report

CONSENT CALENDAR

January 30, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Resources, Recreation and Development to which was referred HB 219,

AN ACT relative to membership on the Structures on Non-tidal Public Waterways Commission. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Andrew Renzullo

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Resources, Recreation and Development
Bill Number:	HB 219
Title:	relative to membership on the Structures on Non-tidal Public Waterways Commission.
Date:	January 30, 2019
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill adjusts the membership and establishes a quorum for the commission that is studying structures on non-tidal public waterways. Another bill (HB 228) in the committee's possession extends the reporting date of the same commission. The committee (with the concurrence of the HB 219 sponsor) decided to merge the contents of both bills to form a single bill going forward. As such, this bill is superfluous and is not needed.

Vote 18-0.

Rep. Andrew Renzullo
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Resources, Recreation and Development

HB 219, relative to membership on the Structures on Non-tidal Public Waterways Commission.
INEXPEDIENT TO LEGISLATE.

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill adjusts the membership and establishes a quorum for the commission that is studying structures on non-tidal public waterways. Another bill (HB 228) in the committee's possession extends the reporting date of the same commission. The committee (with the concurrence of the HB 219 sponsor) decided to merge the contents of both bills to form a single bill going forward. As such, this bill is superfluous and is not needed. **Vote 18-0.**

Original: House Clerk
Cc: Committee Bill File

HB 219

ITL

HB 219 adjusts the membership and establishes a quorum for the commission on structures on non-tidal public waterways. Another bill (HB 228) was introduced which extended the reporting date of the same commission. The committee (with the concurrence of the HB 219 sponsor) decided to merge the contents of HB 219 into HB 228 to form a single bill going forward. As such, HB 219 is superfluous and should be ITL'ed.

Andrew Renzullo

COMMITTEE REPORT

COMMITTEE: Resources Recreation & Development

BILL NUMBER: HB 219

TITLE: Relative to membership on the Structures on
Non-Tidal Public Waterways Commission

DATE: 1/19/2019 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

HB 219 adjusts the membership and establishes a
quorum for the Commission on structures on ~~Non-tidal~~
Non-tidal public Waterways. Another bill (HB-228) was introduced
which extended the reporting date of the same commission. The
committee (with the concurrence of the HB 219 sponsor) decided
to merge the contents of HB 219 into HB 228 to form a
single bill going forward. As such, HB 219 is superfluous
and should be I+I'ed.

COMMITTEE VOTE: _____

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. Andrew Renzullo
For the Committee

Voting Sheets

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 219

BILL TITLE: relative to membership on the Structures on Non-tidal Public Waterways Commission.

DATE: January 29, 2019

LOB ROOM: 305

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Renzullo

Seconded by Rep. Feeney

Vote: 18-0

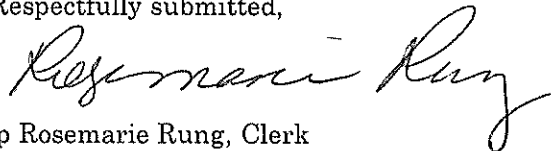
CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Rosemarie Rung, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 219

BILL TITLE: relative to membership on the Structures on Non-tidal Public Waterways Commission.

DATE: January 29, 2019

LOB ROOM: 305

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. Renzullo Seconded by Rep. Feeney Vote: 18-0-2

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? Yes No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Rosemarie Rung
Rep Rosemarie Rung, Clerk



2019 SESSION

Resources, Recreation and Development

Bill #: 219 Motion: ITL AM #: Exec Session Date: 1/29/19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Smith, Suzanne J. Chairman	✓		
Maes, Kevin G. Vice Chairman	✓		
Spang, Judith T.	✓		
Parkhurst, Henry A. L.	✓		
Thomas, Yvonne D.	✓		
Grassie, Chuck W.	✓		
Bushway, Patricia J.	✓		
Cohen, Bruce L.	✓		
Noel, Henry W.	✓		
Rung, Rosemarie Clerk	✓		
Thomas, Wendy E.N.	✓		
Renzullo, Andrew	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Feeney, George	✓		
Gunski, Michael D.	✓		
Harb, Robert D.	✓		
Hobson, Deborah L.			✓
Lucas, Gates S.			✓
Whittemore, James R.	✓		
TOTAL VOTE:	<u>18</u>	<u>0</u>	<u>2</u>

Hearing Minutes

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON HB 219

BILL TITLE: relative to membership on the Structures on Non-tidal Public Waterways Commission.

DATE: January 22, 2019

LOB ROOM: 305

Time Public Hearing Called to Order: 11:45 a.m.

Time Adjourned: 12:07 p.m.

Committee Members: Reps. Suzanne Smith, Maes, Rung, Spang, Parkhurst, Y. Thomas, Grassie, Bushway, Cohen, Noel, W. Thomas, Renzullo, Gould, Horgan, Feeney, Gunski, Harb, Hobson and Whittemore

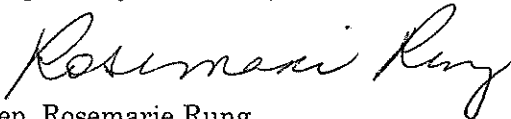
Bill Sponsors:
Rep. Renzullo

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

1. Rep. Renzullo introduced the bill as the prime sponsor and explained why a reduction in quorum is requested for the Structures on Non-Tidal Public Waterways Commission.
2. **Darlene Forst of the NH Department of Environmental Services** spoke in favor of this bill. She provided written testimony.

Respectfully submitted,



Rep. Rosemarie Rung
Clerk

NH HOUSE OF REPRESENTATIVES
RESOURCES, RECREATION AND DEVELOPMENT COMMITTEE
TESTIMONY ON HB 219

1. Rep. Renzullo introduced the bill as the prime sponsor and explained why a reduction in quorum is requested for the Structures on Non-Tidal Public Waterways Commission.
 2. Darlene Forst of the NH Department of Environmental Services spoke in favor of this bill. She provided written testimony.
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Testimony



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



January 22, 2019

The Honorable Suzanne Smith
Chair, Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 219, AN ACT relative to membership on the Structures on Non-tidal Public Waterways Commission.

Dear Chair Smith and Members of the Committee:

Thank you for the opportunity to comment on HB 219. This bill would remove the representative of the recreational boating community that was to be appointed by the United States Coast Guard Auxiliary from the membership of the Structures on Non-tidal Public Waterways Commission and sets the number of members needed to achieve a quorum during meetings. The New Hampshire Department of Environmental Services (NHDES) supports this bill.

While the Department values the opinion of the recreational boating community on public water use issues, we understand that the Commander of Flotilla 2-8, station Portsmouth Harbor, United States Coast Guard Auxiliary is prohibited from fulfilling their role in appointing this member to the Commission.

Thank you again for the opportunity to comment on HB 219. Should you have any questions, or need additional information, please feel free to contact either Rene Pelletier, Assistant Director, Water Division, at 603-271-2951 or Rene.Pelletier@des.nh.gov, or Darlene Forst, Shoreland Section Supervisor at 603-271-4067 or Darlene.Forst@des.nh.gov.

Sincerely,

Robert R. Scott
Commissioner

cc: Representative Renzullo

Voting Members:

Michele L. Tremblay

Chair
Conservation
Community

Larry T. Spencer

Vice Chair
Conservation
Commissions

Edna Feighner

Historic/Archeological
Interests

Christopher Hodgdon

NH Fish & Game
Commission

Mark Lombardi

Granite State
Hydropower
Association

Frederick J. McNeill

Municipal Officer

Allan G. Palmer

Business & Industry
Association

Dr. Norman Sims

Recreational Interests

Ruth Ward

Local River Management
Advisory Committees

Donald L. Ware

Public Water Suppliers

Vacant

Agricultural Community

Non-Voting Members:

Jennifer Gilbert

NH Office of
Strategic Initiatives

Mark Hemmerlein

NH Department of
Transportation

Kayla Henderson

NH Department of
Safety (Interim)

John Magee

NH Fish & Game
Department

Gail McWilliam Jellie

NH Department of
Agriculture,
Markets & Food

Vacant

NH Department of
Natural and Cultural
Resources

Staff:

Tracie Sales

Program Manager

Jen Drociak

Watershed Coordinator

Mariah Mitchell

Program Assistant

N.H. Rivers Management and Protection Program

N.H. Rivers Management Advisory Committee

January 22, 2019

The Honorable Suzanne Smith, Chair
Resources, Recreation, and Development
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 219 *Relative to membership on the Structures on Non-tidal Public Waterways Commission.*

Dear Chair Smith and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its opposition to House Bill 219, which will redefine a quorum for the Structures on Non-tidal Public Waterways Commission as well as remove a member seat from the commission.

The RMAC strongly opposes the redefinition of a quorum to a number that represents less than half of the members on the Structures on Non-tidal Public Waterways Commission. A better approach would be to reconsider the membership to representatives that are relevant and will commit to participating in the process. Redefining the accepted norm of a quorum is not consistent with public policy. This change would result in decisions being made by a group that does not fully represent all of the interested parties, and sets a precedent for redefining a quorum for other policy-making bodies. The RMAC has no opinion on the removal of one member of the 18 member commission.

The RMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483, the Rivers Management and Protection Program. The Governor and Council appointed Committee is comprised of members from business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests. Among its other responsibilities, the RMAC is charged with reviewing legislation relevant to the Program and with advising the NHDES Commissioner on the merits of such legislation.

In conclusion, the RMAC opposes HB 219 because it redefines a quorum which would not be fully representative of the Structures on Non-tidal Public Waterways Commission and sets a poor precedent of allowing a small group that may not represent all affected stakeholders to make policy decisions.

Should you have any questions regarding our testimony, please feel free to contact me at 603.796.2615 or MLT@naturesource.net.

Sincerely,



Michele L. Tremblay
RMAC Chair

The Honorable Suzanne Smith
Chair, Resources, Recreation, and Development
HB 219 January 22, 2019
Page 2

Ec: Rep Andrew Renzullo
RMAC Representatives
Robert R. Scott, Commissioner, NHDES
Rene Pelletier, Assistant Director, Water Division, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES
Local River Management Advisory Committee Chairs

Bill as
Introduced

HB 219 - AS INTRODUCED

2019 SESSION

19-0314
08/05

HOUSE BILL **219**

AN ACT relative to membership on the Structures on Non-tidal Public Waterways Commission.

SPONSORS: Rep. Renzullo, Hills. 37

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill removes a member of the Structures on Non-tidal Public Waterways Commission.

This bill also establishes a quorum for the commission.

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 Nineteen

AN ACT relative to membership on the Structures on Non-tidal Public Waterways Commission.

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

1 1 Structures on Non-tidal Public Waterways Commission. Amend RSA 482-A:35, II(o) and (p)
2 to read as follows:

3 (o) ~~[A representative of the recreational boating community that is not a waterfront~~
4 ~~property owner, appointed by the Commander of Flotilla 2-8, station Portsmouth Harbor, United~~
5 ~~States Coast Guard Auxiliary.~~

6 (p)] A representative of the natural resource science community, appointed by the New
7 Hampshire Association of Natural Resource Scientists.

8 2 Quorum; Structures on Non-tidal Public Waterways Commission. Amend RSA 482-A:35, V to
9 read as follows:

10 V. The members of the commission shall elect a chairperson and secretary from among the
11 members. The first meeting of the commission shall be called by the ~~[by the]~~ first-named member of
12 the house. The first meeting of the commission shall be held within 45 days of the effective date of
13 this section. Subsequent meetings shall be at the call of the chair, or at the request of 3 or more
14 commission members. *Seven members of the commission shall constitute a quorum.* The
15 commission shall make an interim report of its findings and any recommendations for proposed
16 legislation to the senate president, the speaker of the house of representatives, the governor, the
17 commissioner of the department of environmental services, the senate clerk, the house clerk, and
18 the state library on or before November 1, 2018. The commission shall make a final report of its
19 findings and any recommendations for proposed legislation to the senate president, the speaker of
20 the house of representatives, the governor, the commissioner of the department of environmental
21 services, the senate clerk, the house clerk, and the state library on or before November 30, 2019.

22 3 Effective Date. This act shall take effect upon its passage.