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# Committee Report

**CONSENT CALENDAR**

**March 7, 2019**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Resources, Recreation and Development to which was referred HB 298,**

**AN ACT relative to penalties for misrepresentation or falsification of documents by mooring field operators.**

**Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Rosemarie Rung**

**FOR THE COMMITTEE**

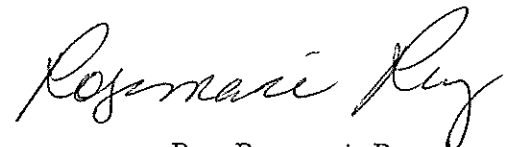
## COMMITTEE REPORT

|                   |  |
|-------------------|--|
| Committee:        | <b>Resources, Recreation and Development</b>   |
| Bill Number:      | <b>HB 298</b>  |
| Title:            | <b>relative to penalties for misrepresentation or falsification of documents by mooring field operators.</b> |
| Date:             | <b>March 7, 2019</b>   |
| Consent Calendar: | <b>CONSENT</b>   |
| Recommendation:   | <b>INEXPEDIENT TO LEGISLATE</b>  |

### STATEMENT OF INTENT

Congregate moorings fields consist of four or more moorings permitted by the Marine Patrol Unit of the Division of State Police. The field operator, such as a condominium association, assigns the individual moorings within the field to its members using its own application procedure. This bill seeks to apply penalties to mooring field operators who may pass along to Marine Patrol falsified or misrepresented information they receive from applicants, regardless of the operator's awareness that the information was not accurate. The committee believes that the individual mooring assignment and its application process should continue to be the purview of the mooring field operator and not the state.

Vote 17-0.



Rep. Rosemarie Rung  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Resources, Recreation and Development

**HB 298**, relative to penalties for misrepresentation or falsification of documents by mooring field operators. **INEXPEDIENT TO LEGISLATE.**

Rep. Rosemarie Rung for Resources, Recreation and Development. Congregate moorings fields consist of four or more moorings permitted by the Marine Patrol Unit of the Division of State Police. The field operator, such as a condominium association, assigns the individual moorings within the field to its members using its own application procedure. This bill seeks to apply penalties to mooring field operators who may pass along to Marine Patrol falsified or misrepresented information they receive from applicants, regardless of the operator's awareness that the information was not accurate. The committee believes that the individual mooring assignment and its application process should continue to be the purview of the mooring field operator and not the state. **Vote 17-0.**

Original: House Clerk

Cc: Committee Bill File

## RESOURCES, RECREATION AND DEVELOPMENT COMMITTEE

### Committee Report – submitted by Rep. Rosemarie Rung

BILL NUMBER: HB 298 (no amendment)  
TITLE: relative to penalties for misrepresentation or falsification of documents by mooring field operations  
DATE: March 5, 2019  
Consent Calendar: YES  
VOTE: INEXPEDIENT TO LEGISLATE 17-0

*Congregate* moorings fields consist of four or more moorings ~~with the congregate permitted for the field granted~~ by the Marine Patrol Unit of the division of State Police. The field operator, e.g., a condominium association, assigns the individual moorings within the field to its members using its own application procedure. This bill seeks to apply penalties to mooring field operators who may pass along to Marine Patrol falsified or misrepresented information they receive from applicants, regardless of the operator's awareness that the information was not accurate. The committee ~~believes-thinks~~ that the individual mooring assignment and its application process should *continue* to be the purview of the mooring field operator and not the State.

# Voting Sheets

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 298

**BILL TITLE:** relative to penalties for misrepresentation or falsification of documents by mooring field operators.

**DATE:** March 5, 2019

**LOB ROOM:** 305

**MOTIONS:** INEXPEDIENT TO LEGISLATE

Moved by Rep. Rung

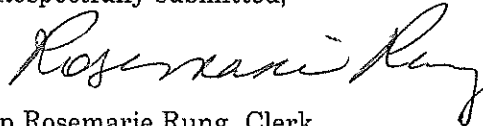
Seconded by Rep. W. Thomas

Vote: 17-0

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 298

BILL TITLE: relative to penalties for misrepresentation or falsification of documents by mooring field operators.

DATE: March 5, 2019

LOB ROOM: 305

MOTION: (Please check one box)

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

Moved by Rep. Rung Secoded by Rep. W. Thomas Vote: 17-0

MOTION: (Please check one box)

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

Moved by Rep. Secoded 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. Secoded 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. Secoded 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 #: HB298 Motion: ITL AM #: — Exec Session Date: 3/5/2019

| <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. <i>Robert L'Heureux</i> | ✓           |             |           |
| Whittemore, James R.                    | ✓           |             |           |
| <b>TOTAL VOTE:</b>                      | <b>17</b>   | <b>0</b>    | <b>3</b>  |

# Hearing Minutes

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON HB 298

**BILL TITLE:** relative to penalties for misrepresentation or falsification of documents by mooring field operators.

**DATE:** January 29, 2019

**LOB ROOM:** 305                                      **Time Public Hearing Called to Order:** 1:04 p.m.

**Time Adjourned:** 1:34 p.m.

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

**Bill Sponsors:**

**Rep. Webb**

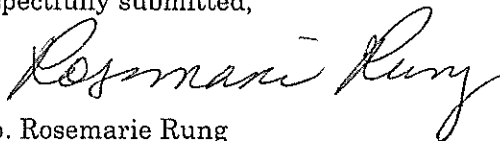
**Sen. Reagan**

**TESTIMONY**

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

1. **Rep. James Webb**, prime sponsor, introduced HB 298 to establish a penalty for any misinformation of falsification on documents submitted by congregate mooring field operators to the division of state police, marine, patrol bureau.
2. **Captain Tim Dunleavy** answered questions from the committee about present practice and how it would be affected by this bill.

Respectfully submitted,



Rep. Rosemarie Rung  
Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON HB 298

BILL TITLE: relative to penalties for misrepresentation or falsification of documents by mooring field operators.

DATE: January 29, 2019

ROOM: 305

Time Public Hearing Called to Order: 1:00

1:04 pm

Time Adjourned: 1:34 pm

(please circle if present)

not here

not here

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

Bill Sponsors:

Rep. Webb

Sen. Reagan

TESTIMONY

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

Blank lines for testimony.

NH HOUSE OF REPRESENTATIVES  
RESOURCES, RECREATION AND DEVELOPMENT COMMITTEE  
TESTIMONY ON HB 298

1. Rep. James Webb, prime sponsor, introduced HB 298 to establish a penalty for any misinformation or falsification on documents submitted by congregate mooring field operators to the division of state police, marine, patrol bureau.
2. Captain Tim Dunleavy answered questions from the committee about present practice and how it would be affected by this bill.





Bill as  
Introduced

HB 298 - AS INTRODUCED

2019 SESSION

19-0262

11/10

HOUSE BILL           **298**

AN ACT           relative to penalties for misrepresentation or falsification of documents by mooring field operators.

SPONSORS:       Rep. Webb, Rock. 6; Sen. Reagan, Dist 17

COMMITTEE:      Resources, Recreation and Development

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ANALYSIS

This bill establishes a penalty for any misrepresentation or falsification on documents submitted by congregate mooring field operators to the division of state police, marine patrol bureau.

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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.



STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT                   relative to penalties for misrepresentation or falsification of documents by mooring field operators.

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

1           1 Navigation; Harbors; Coast Survey; Mooring of Boats on Public Waters; Penalties. Amend  
2 RSA 270:72, II to read as follows:

3           II.(a) Any person who steals or falsifies a decal issued under RSA 270:62 shall be guilty of a  
4 misdemeanor.

5                   (b) *Any operator of a congregate mooring field who misrepresents information*  
6 *or falsifies documents submitted to the division of state police in connection with*  
7 *obtaining a mooring field permit or decal shall be guilty of a misdemeanor.*

8           2 Effective Date. This act shall take effect 60 days after its passage.