

# Committee Report

**CONSENT CALENDAR**

**February 8, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Executive Departments and Administration to which was referred HB 298,**

**AN ACT adding a member to the aviation users advisory board. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Jaci Grote**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Executive Departments and Administration</b>
Bill Number:	<b>HB 298</b>
Title:	<b>adding a member to the aviation users advisory board.</b>
Date:	<b>February 8, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2021-0206h</b>

### **STATEMENT OF INTENT**

This bill adds a representative of the unmanned aircraft systems industry to the Aviation Users Advisory Board. The representative must be a certified remote pilot at the time of the appointment. The committee supports adding this position to represent the growing segment of unmanned aircraft to the advisory board. A representative from the industry, who is also the vice-chair of the Aviation Users Advisory Board, testified in the support of the bill. The amendment clarifies the reference to the Code of Federal Regulations section cited in the bill.

Vote 18-1.

Rep. Jaci Grote  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Executive Departments and Administration

**HB 298**, adding a member to the aviation users advisory board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill adds a representative of the unmanned aircraft systems industry to the Aviation Users Advisory Board. The representative must be a certified remote pilot at the time of the appointment. The committee supports adding this position to represent the growing segment of unmanned aircraft to the advisory board. A representative from the industry, who is also the vice-chair of the Aviation Users Advisory Board, testified in the support of the bill. The amendment clarifies the reference to the Code of Federal Regulations section cited in the bill. **Vote 18-1.**



Rep. Weyler, Rock. 13  
February 2, 2021  
2021-0206h  
11/04

Amendment to HB 298

1 Amend RSA 21-L:8, I(g) as inserted by section 1 of the bill by replacing it with the following:

2

3           (g) *One member representing the unmanned aircraft systems industry, who shall*  
4 *be certificated as a remote pilot pursuant to 14 C.F.R. section 107 et seq., as amended, at*  
5 *the time of appointment.*

**Archived:** Tuesday, April 20, 2021 9:30:56 AM  
**From:** [Jaci Grote](#)  
**Sent:** Wednesday, February 10, 2021 1:02:53 PM  
**To:** [Carol McGuire](#)  
**Cc:** [Pam Smarling](#); [Miriam Simmons](#)  
**Subject:** Committee reports HB 298 and HB 377  
**Response requested:** No  
**Importance:** Normal  
**Attachments:**  
[HOUSE COMMITTEE REPORT HB298.docx](#)  [HOUSE COMMITTEE REPORT HB377.docx](#) 

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*Jaci Grote*  
Representative Jaci Grote  
Rockingham District 24 - Rye and New Castle  
Executive Departments and Administration  
603-235-6287

## HOUSE COMMITTEE REPORT

HB 298 – adding a member to the aviation users advisory board.

2/8/2021                      Consent – yes

OTPA – 18-1

### Committee Vote

HB298 adds a representative of unmanned aircraft systems to the aviation users advisory board. The representative must be a certified remote pilot at the time of the appointment. The committee supports adding this position to represent the growing segment of unmanned aircraft to the advisory board. A representative from the industry, who is also the vice-chair of the aviation users advisory board, testified in the support of the bill. The amendment clarifies the CFR section in the bill.

REPRESENTATIVE GROTE

**Archived:** Tuesday, April 20, 2021 9:30:58 AM  
**From:** Carol McGuire  
**Sent:** Friday, February 12, 2021 12:10:33 PM  
**To:** Miriam Simmons  
**Cc:** Pam Smarling  
**Subject:** Re: FW: Committee reports HB 298 and HB 377  
**Response requested:** Yes  
**Importance:** Normal

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Good, except that the organization is NH CORR

On Fri, Feb 12, 2021 at 11:21 AM Miriam Simmons <[miriam.simmons@leg.state.nh.us](mailto:miriam.simmons@leg.state.nh.us)> wrote:

Carol,

Could you review and approve these 2 blurbs from Jaci

Let me know if they are okay to post.

Thank-you

Miriam

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**From:** Jaci Grote <[Jaci.Grote@leg.state.nh.us](mailto:Jaci.Grote@leg.state.nh.us)>  
**Sent:** Wednesday, February 10, 2021 1:03 PM  
**To:** Carol McGuire <[mcguire4house@gmail.com](mailto:mcguire4house@gmail.com)>  
**Cc:** Pam Smarling <[Pam.Smarling@leg.state.nh.us](mailto:Pam.Smarling@leg.state.nh.us)>; Miriam Simmons <[miriam.simmons@leg.state.nh.us](mailto:miriam.simmons@leg.state.nh.us)>  
**Subject:** Committee reports HB 298 and HB 377

*Jaci Grote*

Representative Jaci Grote

Rockingham District 24 - Rye and New Castle

Executive Departments and Administration

603-235-6287



# Voting Sheets

**HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**EXECUTIVE SESSION on HB 298**

**BILL TITLE:** adding a member to the aviation users advisory board.

**DATE:** February 8, 2021

**LOB ROOM:** Remote / Hybrid

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Grote                      Seconded by Rep. S. Pearson                      AM Vote: 19-0

Amendment # 2021- 0206h

Moved by Rep. Grote                      Seconded by Rep. S. Pearson                      Vote: 18-1

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS & ADMINISTRATION

EXECUTIVE SESSION on Bill # HB 298

BILL TITLE: ADDING A MEMBER TO <sup>THE</sup> ADULTATION ~~ADVISORY~~ AND USERS ADVISORY BOARD

DATE: 2-8-21

LOB ROOM: 206-208

MOTION: (Please check one box)

- OTP                       ITL                       Retain (1<sup>st</sup> year)                       Adoption of Amendment # 0206H (if offered)
- Interim Study (2nd year)

Moved by Rep. GROTE                      Seconded by Rep. PEARSON                      Vote: 19-0

MOTION: (Please check one box)

- OTP                       OTP/A                       ITL                       Retain (1<sup>st</sup> year)                       Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. GROTE                      Seconded by Rep. PEARSON                      Vote: 18-1

MOTION: (Please check one box)

- OTP                       OTP/A                       ITL                       Retain (1<sup>st</sup> year)                       Adoption of Amendment # \_\_\_\_\_ (if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_                      Seconded by Rep. \_\_\_\_\_                      Vote: \_\_\_\_\_

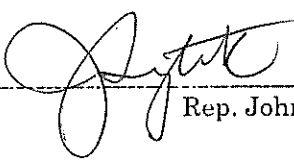
MOTION: (Please check one box)

- OTP                       OTP/A                       ITL                       Retain (1<sup>st</sup> 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:   
Rep. John Sytek, Clerk



2021 SESSION

Executive Departments and Administration

Bill #: HB 298 Motion: OTP/A AM #: \_\_\_\_\_ Exec Session Date: 2-8-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew		X	
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
<b>TOTAL VOTE:</b>			

18-1



2021 SESSION

Executive Departments and Administration

Bill #: HB 298 Motion: ADOPT AMEND AM #: 0206H Exec Session Date: 2-8-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
<b>TOTAL VOTE:</b>			

Rep. Weyler, Rock. 13  
February 2, 2021  
2021-0206h  
11/04

Amendment to HB 298

1 Amend RSA 21-L:8, I(g) as inserted by section 1 of the bill by replacing it with the following:

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4 *be certificated as a remote pilot pursuant to 14 C.F.R. section 107 et seq., as amended, at*  
5 *the time of appointment.*

UNAPPROVED

# Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 298

**BILL TITLE:** adding a member to the aviation users advisory board.

**DATE:** February 8, 2021

**LOB ROOM:** LOB Hybrid      **Time Public Hearing Called to Order:** 10:20 a.m.

**Time Adjourned:** 10:35 a.m.

(please circle if present)

**Committee Members:** Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, Lekas, Alliegro, Bailey, Lanzara, Santonastaso, P. Schmidt, Schultz, Goley, Jevdy, Schuett, Fellows, Fontneau, Grote, M. O'Brien

**Bill Sponsors:**

Rep. Weyler

Rep. Torosian

Sen. Gannon

Rep. L. Ober

Rep. Jack

Sen. Daniels

Rep. R. Ober

Sen. Birdsell

Sen. Bradley

TESTIMONY

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

**HB 298 adding a member to the aviation users advisory board. (10:20/10:35)**

**Rep. Pearson introduced the bill for Rep. Weyler, sponsor,** who arrived immediately thereafter.

Rep Pearson said that this was almost the same bill as had been vetoed last term in the omnibus bill. He said that the Board needed an experienced Unmanned Aircraft System (UAS) operator. The Mercatus Center released a report detailing which states were prepared for the drone industry. He said NH ranks 46<sup>th</sup> in this area because of a lack of clarity between federal and state regulation.

- He said there was an amendment that made a change to a reference.
- There was a question where this lack of member is holding back our drone industry.

**Tricia Lambert, Administrator for the DOT, Bureau of Aeronautics, said that the Department supported the bill.**

**\*Lorri Badolato, Vice Chairman of the Board.** She emphasized the dual role of the Board and the need for a member with drone experience.

Public hearing adjourned 10:35 a.m.

Respectfully submitted by  
Rep John Sytek  
Committee Clerk





**FEB 8, 2021**

**Public Hearings**

**Rep Sytek, Comm Clerk**

**HB 298 adding a member to the aviation users advisory board. (10:20/10:35)**

Rep. Pearson introduced the bill for Rep. Weyler, sponsor, who arrived immediately thereafter.

He said that this was almost the same bill as had been vetoed last term in the omnibus bill. He

said that the Board needed an experienced Unmanned Aircraft System (UAS) operator. The

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said NH ranks 46<sup>th</sup> in this area because of a lack of clarity between federal and state regulation.

He said there was an amendment that made a change to a reference. There was a question where this lack of member is holding back our drone industry.

>Tricia Lambert, Administrator for the DOT, Bureau of Aeronautics, said that the Department supported the bill.

>\*Lorri Badolato, Vice Chairman of the Board. She emphasized the dual role of the Board and the need for a member with drone experience.

## House Remote Testify

### Executive Departments and Administration Committee Testify List for Bill HB298 on 2

Support: 9 Oppose: 0 Neutral: 0 Total to Testify: 3

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>§</u>
Badolato, Lorri	lbadolato@planesense.com	617.306.5975	A Member of the Public	Myself	Support	Yes (5m)	2
Lambert, Tricia	Tricia.Lambert@dot.nh.gov	603.271.1674	State Agency Staff	NHDOT Bureau of Aeronautics	Support	Yes (1m)	2
Weyler, Ken	kweyler@aol.com	603.778.5225	An Elected Official	Rock. 13	Support	Yes (0m)	2
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Support	No	2
See, Alvin	absee@4Liberty.net	7380656	A Member of the Public	Myself	Support	No	2
Daniels, Senator Gary	debra.martone@leg.state.nh.us	603.271.4980	An Elected Official	Senate District 11	Support	No	1
Senator Regina, Birdsell	regina.birdsell@leg.state.nh.us	603.271.2609	An Elected Official	Senate District 19	Support	No	1
Abramson, Max	Max.Abramson@leg.state.nh.us	603.760.7090	An Elected Official	Myself	Support	No	2
Nevins, Chris	vnav46@comcast.net	603.926.3736	A Member of the Public	Myself	Support	No	2

# Testimony

Lorri E. Badolato  
Deputy General Counsel and Secretary  
Tel: (603) 501-7770  
lbadolato@planesense.com

February 8, 2021

Chairman Carol McGuire  
Executive Departments and Administration  
The New Hampshire General Court  
107 North Main Street  
Concord, NH 03301

RE: House Bill 298 to Add a Member to the Aviation Users Advisory Board

Dear Ms. McGuire and Committee Members:

I am writing to you as Deputy General Counsel of PlaneSense, Inc. and as the Vice Chairman of the Aviation Users Advisory Board ("AUAB") in support of House Bill 298, which if passed will add a much needed board member to the AUAB.

The AUAB is a six (6) member board consisting of a member from the following aviation constituencies as designated by RSA 21-L:8: corporate aviation, airport management, Aviation Association of New Hampshire, Airport Authority, general aviation, and airlines. The role of the AUAB is to advise the Governor by advising the Department of Transportation Bureau of Aeronautics ("Bureau") on matters relevant to both private and commercial aviation. The AUAB also acts as an appeals board for appeals from the decisions of the Commissioner on aeronautical matters. As you know, with the advent of unmanned aircraft systems ("UAS") industry has brought with it both benefits and challenges, touching every aspect of American life. This means that both the Bureau and the AUAB need to be able to respond to the changing needs of the State in fostering and regulating this burgeoning industry. The AUAB, however, does not presently have a member from the UAS industry which leaves the AUAB at a disadvantage on such matters.

While the current board has a wealth of aviation experience and expertise, it is unable to adequately address the rapidly growing and evolving UAS industry. Indeed, the Federal Aviation Administration has struggled to keep up with the pace of change as it attempts to regulate the use of UAS in the federal airspace. The issues before the State of New Hampshire include registration, safety and accident response, privacy, and use for governmental, commercial and recreational purposes. The issues include understanding when the State can regulate UAS use and when it cannot. Additionally, the AUAB needs to be adequately prepared to act in its appeals function on UAS issues that may come before it for

adjudication in the future. In order to adequately fulfill its advisory and appeals roles, The AUAB needs a member who is steeped in this new aviation frontier.

For the reasons set forth above, I respectfully request that you support the passage of HB 298.

Sincerely,

Lorri E. Badolato

Bill as  
Introduced

HB 298 - AS INTRODUCED

2021 SESSION

21-0437

11/04

HOUSE BILL **298**

AN ACT adding a member to the aviation users advisory board.

SPONSORS: Rep. Weyler, Rock. 13; Rep. L. Ober, Hills. 37; Rep. R. Ober, Hills. 37; Rep. Torosian, Rock. 14; Rep. Jack, Hills. 36; Sen. Birdsell, Dist 19; Sen. Gannon, Dist 23; Sen. Daniels, Dist 11; Sen. Bradley, Dist 3

COMMITTEE: Executive Departments and Administration

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ANALYSIS

This bill adds a representative of the unmanned aircraft systems industry to the aviation users advisory board.

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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 Twenty One*

AN ACT adding a member to the aviation users advisory board.

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

1       1 Aviation Users Advisory Board; Membership. Amend RSA 21-L:8, I(f) and (g) to read as  
2 follows:

3               (f) One member representing general aviation.

4               (g) ***One member representing the unmanned aircraft systems industry, who shall***  
5 ***be certificated as a remote pilot pursuant to 14 C.F.R. section 107.53 et seq. at the time of***  
6 ***appointment.***

7               (h) The commissioner, or designee, who shall serve as an ex officio voting member of the  
8 board.

9       2 Effective Date. This act shall take effect 60 days after its passage.