

# Committee Report

**REGULAR CALENDAR**

**April 6, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Public Works and Highways to which  
was referred SB 278-FN,**

**AN ACT relative to funding for the Piscataqua River  
turning basin project in the port authority project.**

**Having considered the same, report the same with the  
recommendation that the bill OUGHT TO PASS.**

**Rep. Daniel Eaton**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Public Works and Highways</b>
Bill Number:	<b>SB 278-FN</b>
Title:	<b>relative to funding for the Piscataqua River turning basin project in the port authority project.</b>
Date:	<b>April 6, 2022</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>OUGHT TO PASS</b>

### **STATEMENT OF INTENT**

This bill will allow the use of \$251,143 rebate from the Army Corps. of Engineers from the Rye Harbor project to be repurposed to complete the Piscataqua River turning basin project for the Pease Development Authority. This is the final project of the Northeast Waterway Commerce obstacle and is invaluable to augment modern day commerce and the supply chain at the Pease Development Authority Division of Ports and Harbors. The project will be completed in April 2022 and the funds need to be available as soon as possible.

Vote 21-0.

Rep. Daniel Eaton  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Public Works and Highways

**SB 278-FN**, relative to funding for the Piscataqua River turning basin project in the port authority project. **OUGHT TO PASS.**

Rep. Daniel Eaton for Public Works and Highways. This bill will allow the use of \$251,143 rebate from the Army Corps. of Engineers from the Rye Harbor project to be repurposed to complete the Piscataqua River turning basin project for the Pease Development Authority. This is the final project of the Northeast Waterway Commerce obstacle and is invaluable to augment modern day commerce and the supply chain at the Pease Development Authority Division of Ports and Harbors. The project will be completed in April 2022 and the funds need to be available as soon as possible. **Vote 21-0.**

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# Voting Sheets

**HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS**

**EXECUTIVE SESSION on SB 278-FN**

**BILL TITLE:** relative to funding for the Piscataqua River turning basin project in the port authority project.

**DATE:** April 6, 2022

**LOB ROOM:** 201-203

**MOTIONS: OUGHT TO PASS**

Moved by Rep. Eaton

Seconded by Rep. B. Boyd

Vote: 21-0

**CONSENT CALENDAR: NO**

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

Respectfully submitted,

Rep David Milz, Clerk

HOUSE COMMITTEE ON PW&H

EXECUTIVE SESSION ON ~~HB~~ SB 278

BILL TITLE: PISCATAQUA RIVER BASIN

DATE: 4/6/2022

LOB ROOM: 201

MOTION: (Please check one box)

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

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

MOTION: (Please check one box)

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

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

CONSENT CALENDAR? \_\_\_\_\_ Yes  No

Minority Report? \_\_\_\_\_ Yes  No If yes, author, Rep.: \_\_\_\_\_ Motion: OTP

Respectfully submitted, Rep. [Signature], Clerk



2022 SESSION

Public Works and Highways

Bill #: HB278 Motion: GTP AM #: \_\_\_\_\_ Exec Session Date: 4/6/2022

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Graham, John A. Chairman	21		
McConkey, Mark E. Vice Chairman <u>ACTON</u>	2		
Milz, David E. Clerk	1		
Somero, Paul J.	3		
Fedolfi, Jim L.	4		
Newton, Clifford A.	5		
Blasek, Melissa			
Bordes, Mike			
Kaczynski, Thomas L.	6		
Kilanski, Ben M. <u>KULOSE</u>	7		
Thompson, Dennis J.	8		
Boyd, Bill	9		
Cloutier, John R.	10		
Edgar, Michael A.	11		
Ebel, Karen E.	12		
Jack, Martin L.	13		
Abbott, Michael D.	14		
Faulkner, Barry	15		
Newman, Sue A.	16		
Eaton, Daniel A.	17		
Pedersen, Michael P.	18		





1/10/2022 9:08:54 AM  
Roll Call Committee Registers  
Report

2022 SESSION

Public Works and Highways

Bill #: \_\_\_\_\_ Motion: \_\_\_\_\_ AM #: \_\_\_\_\_ Exec Session Date: \_\_\_\_\_

Query, Joshua F.		19		
Bunker, Lisa H.		20		
<b>TOTAL VOTE:</b>		21	0	

# Public Hearing

**HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS**

**PUBLIC HEARING ON SB 278-FN**

**BILL TITLE:** relative to funding for the Piscataqua River turning basin project in the port authority project.

**DATE:** April 6, 2022

**LOB ROOM:** 201 **Time Public Hearing Called to Order:** 1030

**Time Adjourned:** 1046

**Committee Members:** Reps. Graham, McConkey, Milz, Somero, Fedolfi, Newton, Blasek, Bordes, Kaczynski, Kilanski, Thompson, B. Boyd, Cloutier, Edgar, Ebel, Jack, Abbott, Faulkner, S. Newman, Eaton, Pedersen, Query and Bunker

**Bill Sponsors:**

**Sen. Perkins Kwoka**

**Sen. Watters**

**Sen. Sherman**

**TESTIMONY**

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

**Rep. Ebel**

- Presented bill for Senator Kwoka
- Explained where the funds were coming from and the necessity for the project.
- The funds are a reallocation

**\*Senator Kwoka**

- Written testimony

**Geno Merconi - The Port Authority**

- He gave the history of the basin and the need for expansion

**Rep. Pedersen**

- Questioned what happens to dredge material?
- Answer: Material goes to EPA approved projects.

**Rep. Graham**

- Asked and was assured that adequate funds are available.

**Respectfully submitted,**

**Rep. David Milz, Clerk**



# House Remote Testify

Public Works and Highways Committee Testify List for Bill SB278 on 2022-04-06

Support: 2 Oppose: 0 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Watters, Senator David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/30/2022 2:34 PM
Sherman, Senator	SD 24, NH jennifer.horgan@leg.state.nh.us	An Elected Official	SD24	Support	No	No	4/5/2022 10:10 AM

# Testimony

AP 1

**Senator Rebecca Perkins Kwoka**

**SB 278-FN Introductory Statement**

**April 6th, 2022 - House Public Works and Highways Committee**

**10:30 AM**

Good morning. For the record, I am Senator Rebecca Perkins Kwoka from Senate District 21, representing the city of Portsmouth and the towns of Madbury, Lee, Durham, Newington, Newmarket, and Newfields. I am the Prime Sponsor of SB 278-FN, an act relative to funding for the Piscataqua River turning basin project in the port authority project.

SB 278 is a request from Geno Marconi, Port Director of the NH Port Authority. In the 2019 budget package, a sum of money was assigned to a Port Authority project in the Rye Harbor. Those funds were refunded by the contractor and SB 278 will allow those funds to be made available to the Piscataqua River Turning Basin widening project. The Piscataqua River Turning Basin has been an issue for years, with the size of the turning basin no longer being sufficient for modern vessels. Widening the turning basin with these additional funds will be a massive boon to the Seacoast economically, making the area more efficient and much safer. In the 2021 budget package, \$1,500,000 was appropriated to the turning basin project; SB 278 is taking the remaining \$251,143 from the 2019 Rye Harbor project and adding to the total for the turning basin project.

Although the language of the bill is not clear in this respect at first glance, this bill is not drawing new funds but, instead, reallocating funds from the 2019 budget cycle that were reabsorbed by the General Fund because no "nonlapsing" language was used at that time.

The Senate Finance Committee amended SB 278 to be more correct in its form and make it more in-line with other appropriations bills. SB 278-FN passed the Senate Finance Committee 6-0 and passed the full Senate on a voice vote.

Mister Chair, thank you for the opportunity to have SB 278-FN heard by your committee. If I can be of any assistance or if you have any questions for me, please feel free to contact my office at 603-271-2104 or email me at [rebecca.perkinskwoka@leg.state.nh.us](mailto:rebecca.perkinskwoka@leg.state.nh.us).

**Senator Rebecca Perkins Kwoka**

**SB 278-FN Introductory Statement**

**April 6th, 2022 - House Public Works and Highways Committee**

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Mister Chair, thank you for the opportunity to have SB 278-FN heard by your committee. If I can be of any assistance or if you have any questions for me, please feel free to contact my office at 603-271-2104 or email me at [rebecca.perkinskwoka@leg.state.nh.us](mailto:rebecca.perkinskwoka@leg.state.nh.us).



**Archived:** Tuesday, April 12, 2022 11:51:06 AM

**From:** [Cameron Lapine](#)

**Sent:** Tuesday, April 5, 2022 1:02:52 PM

**To:** ~House Public Works and Highways

**Cc:** [Lindsay Oestreich](#); [Bradley Greenland](#); [Rebecca Perkins Kwoka](#)

**Subject:** SB 278-FN and SB 378-FN - Senator Perkins Kwoka Testimony

**Importance:** Normal

**Attachments:**

[Senator Perkins Kwoka - SB 278-FN - House Public Works and Highways.pdf](#)  [Senator Perkins Kwoka - SB 378-FN - House Public Works and Highways.pdf](#) 

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Good Afternoon,

Please find attached written testimony from Senator Perkins Kwoka for her two prime bills, SB 278-FN and SB 378-FN, which the Public Works and Highways Committee will be hearing tomorrow. Due to various scheduling conflicts, Senator Perkins Kwoka will be unable to present these bills. It is my understanding that Representative Ebel will present the bills on her behalf.

Please let me know if I can be of any further assistance.

Best,

Cameron M. Lapine

Senate Legislative Aide

Senator David Watters (District 4)

Senator Rebecca Perkins Kwoka (District 21)

Senate Health and Human Services Committee

[Cameron.lapine@leg.state.nh.us](mailto:Cameron.lapine@leg.state.nh.us)

603-271-2104

Bill as  
Introduced

SB 278-FN - AS AMENDED BY THE SENATE

02/03/2022 0169s

2022 SESSION

22-2991

08/05

SENATE BILL **278-FN**

AN ACT relative to funding for the Piscataqua River turning basin project in the port authority project.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Sherman, Dist 24

COMMITTEE: Finance

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ANALYSIS

This bill appropriates money to the Piscataqua River turning basin project in the port authority.

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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 Two*

AN ACT                    relative to funding for the Piscataqua River turning basin project in the port authority project.

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

- 1            1 Piscataqua River Turning Basin; Appropriation. Amend 2021, 107:14, II to read as follows:
- 2                    II. The sum of [~~\$1,500,000~~] **\$1,751,143** is hereby appropriated for the biennium ending June
- 3 30, 2023 to the Pease development authority for the Piscataqua River Turning Basin. ***Of the***
- 4 ***amount appropriated, \$251,143 shall be a charge against the United States Army Corps of***
- 5 ***Engineering refund back to the state for the Rye Harbor Dredging Project per 2019, 146:1,***
- 6 ***XIII, B.***
- 7            2 Effective Date. This act shall take effect upon its passage.

LBA  
22-2991  
Amended 3/8/22

**SB 278-FN- FISCAL NOTE**  
AS AMENDED BY THE SENATE (AMENDMENT #2022-0169s)

AN ACT relative to funding for the Piscataqua River turning basin project in the port authority project.

**FISCAL IMPACT:**     State             County             Local             None

**METHODOLOGY:**

This bill increases a previously approved capital budget appropriation by \$251,143 relative to the Piscataqua River Turning Basin, which shall be a charge against a United States Army Corps of Engineering refund back to the state. This bill will have no impact on state, county, and local revenue or expenditures.

**AGENCIES CONTACTED:**

None