

CHAPTER 17  
HB 111 – FINAL VERSION

30Jan2013... 0014h

2013 SESSION

13-0055  
10/05

HOUSE BILL            ***111***

AN ACT            relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services.

SPONSORS:        Rep. Chandler, Carr 1; Rep. Rappaport, Coos 1; Rep. Enman, Coos 1; Sen. Woodburn, Dist 1

COMMITTEE:      Resources, Recreation and Development

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AMENDED ANALYSIS

The bill allows the fish and game department to acquire an easement at the Akers Pond dam in Errol for the purpose of improving and controlling the water rights for the benefit of the state. The bill also allows the department of environmental services to acquire easements at the Northwood Lake dam in the town of Epsom and the Hermit Lake dam in the town of Sanbornton for the purpose of improving and controlling the water rights for the benefit of the state.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT                   relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services.

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

1           17:1 New Paragraphs; Acquisition by State of Certain Dams and Water Rights; Akers Pond  
2 Dam; Northwood Lake Dam; Hermit Lake Dam. Amend RSA 482:48 by inserting after paragraph  
3 VII the following new paragraphs:

4           VIII. For a consideration of \$1, the fish and game department may accept an easement from  
5 the property owners of all rights necessary to repair, maintain, and operate Akers Pond dam access  
6 and dike area in the town of Errol, adjacent to and abutting the state owned dam known as number  
7 080.20 for the purpose of improving and controlling the water rights for the benefit of the state. The  
8 easement the fish and game department is authorized to acquire for the benefit of the state shall be  
9 exempt from taxation as long as the easement is held by the state. The fish and game department  
10 may transfer rights in these properties under RSA 482:51 to the department for purposes of repair  
11 and maintenance. With the exception of such \$1 consideration, nothing in this paragraph shall  
12 mandate or authorize the expenditure of any funds or capital relative to the provisions of this  
13 paragraph.

14           IX. For a consideration of \$1 each, the department of environmental services may accept an  
15 easement from the property owners of all rights necessary to access, repair, maintain, and operate  
16 the dike at Northwood Lake in the town of Epsom appurtenant to the state owned dam known as  
17 number 079.01 and the dike at Hermit Lake in the town of Sanbornton appurtenant to the state  
18 owned dam known as number 211.01, for the purpose of improving and controlling the water rights  
19 for the benefit of the state. The easements the department is authorized to acquire for the benefit of  
20 the state shall be exempt from taxation as long as the easements are held by the state. With the  
21 exception of such \$1 consideration for each, nothing in this paragraph shall mandate or authorize  
22 the expenditure of any funds or capital relative to the provisions of this paragraph.

23           17:2 Effective Date. This act shall take effect 60 days after its passage.

24 Approved: May 16, 2013

25 Effective Date: July 15, 2013