

HB 565-FN - AS INTRODUCED

2015 SESSION

15-0750
06/03

HOUSE BILL

565-FN

AN ACT

relative to banning the use of boats on certain waters with a confirmed exotic aquatic species infestation.

SPONSORS:

Rep. Spang, Straf 6; Rep. Grenier, Sull 7; Rep. Kidder, Merr 5

COMMITTEE:

Resources, Recreation and Development

ANALYSIS

This bill permits the commissioner of the department of environmental services to issue an order banning the use of boats on certain waters with a confirmed exotic aquatic species infestation.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to banning the use of boats on certain waters with a confirmed exotic aquatic species infestation.

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

1 1 New Section; Closure of Waters; Emergency Order. Amend RSA 487 by inserting after section
2 30 the following new section:

3 487:30-a Closure of Waters; Emergency Order.

4 I. The commissioner, in consultation with the fish and game department and the division of
5 state police, may issue an emergency order to restrict or ban the use of boats in exotic aquatic weed
6 control areas. Such order may be issued only when the infestation could be worsened or spread by
7 the use of boats on such water body and may require that:

8 (a) Boat usage on all or a portion of a water body be restricted to prevent, control,
9 contain, monitor, or eradicate the presence of aquatic invasive species.

10 (b) Any boat on the water body be removed at a specified location and boats, trailers, and
11 related aquatic gear be inspected and cleaned upon being taken out of the water.

12 II. The department shall adopt rules, under RSA 541-A, establishing procedures for
13 notifying persons affected by the closure of a water body. Such notification shall include:

14 (a) The reasons for the closure or restriction.

15 (b) The type, extent, and location of the restrictions.

16 (c) The time period the restrictions will be in place.

17 III. The department shall prepare and implement a management plan to prevent, control,
18 contain, monitor, or eradicate aquatic invasive plants. The department shall adopt rules, under
19 RSA 541-A, for the development of such plans.

20 2 Effective Date. This act shall take effect 60 days after its passage.

HB 565-FN - FISCAL NOTE

AN ACT relative to banning the use of boats on certain waters with a confirmed exotic aquatic species infestation.

FISCAL IMPACT:

The Department of Environmental Services states this bill, **as introduced**, will have an indeterminable fiscal impact on state, county and local revenue and expenditures in FY 2015 and each year thereafter.

METHODOLOGY:

The Department of Environmental Services states this bill establishes a quarantine provision to allow key state agencies to determine if it is necessary to quarantine all or part of a body of water due to an aquatic invasive species infestation. The Department states to designate, implement and enforce a quarantine there would need to be collaboration between various state agencies, such as the Department of Environmental Services, Fish and Game Department, and Department of Safety. Additionally, a quarantine would have a wide array of potential local impacts as a result of closing a body of water. The Department is not able to determine the fiscal impact of this bill on state, county, and local revenue and expenditures for the following reasons:

- Unknown number of quarantines so not able to determine staff time and consumable resources needed to implement and enforce quarantines.
- Type, size, location and degree of residential and/or commercial development associated with quarantined body of water.
- Ownership of access sites to the body of water and what steps and actions would be needed to close, barricade or regulate access to the body of water.
- Cost to design and install a disinfection station or direct boaters off site to other such stations.
- Financial impacts to marine contractors, commercial business, and others with commercial interests on or along the body of water.
- Impacts to property values.
- Any fines, fees or other such penalties associated with a quarantine.