

**Commission to study the current Statutes related to management of non-tidal public waterways and the construction or placement of structures within them.**

January 28, 2019 -- Organization meeting

Present: Rep. Suzanne Smith, Rep. Andy Renzullo, Sen. French, Don Ware, Tom Quarles, Mark McConkey, Tony Giunta, Jennifer Walker, Darlene Forst, Diane Hanley, Julie Marsh, Cindy Balcius, Captain Tim Dunleavy, Rob Wichland and Katherine Lehmann from BIA.

Guests: Joel Anderson, House Researcher and Kaytlynn Jacobs-Brett from Bianco

Rep. Smith, the first named legislative member, called the meeting to order at 11 am. A quorum was present.

Members introduced themselves.

Election of Chair: Rep. Smith asked for nominations for chair. Rep. Renzullo nominated Mark McConkey. Sen. French seconded the nomination. All concurred and Mr. McConkey took his place as chair of the committee.

Mr. McConkey appointed? nominated? Rep. Smith as vice-chair of the commission.

Mr. McConkey appointed Tom Quarles as clerk. Mr. Quarles respectfully declined. Rep. Smith volunteered to take notes for this meeting. The appointment of clerk was deferred until the next meeting.

Darlene Forst of DES discussed wetlands including 2 court cases, the 1985 moratorium on docks and wetlands rules.

Ms. Forst discussed statutes and rules related to seasonal docks including size limitations and setbacks from property lines. She also explained boat slips (a parking space not a dock. Legally boat slips for 3 boats would require 150' frontage.

A wharf is a dock.

She explained that as the law is written, something a person/landowner puts into public water can be addressed by the commission.

Discussion of pending legislation:

HB759 sponsored by Rep. Renzullo - This bill will be discussed at the next meeting.

HB219 (Renzullo) and HB 228 (Smith) - these bills affect the number of members needed to form a quorum of the committee, remove the member appointed by the Commander of the Flotilla stationmaster Portsmouth, US Coast Guard Auxillary, and

extend the commission to November 2020. These two bills are under consideration in the Resources Recreation and Development Committee.

Mr. Quarles was concerned that there is no information about the commission on the website. Mr. McConkey explained that the commission was never formally organized in 2018 because of an absence of quorums. Mr. Anderson offered to post minutes, reports and other information on the website.

Chair McConkey requested that Ms. Forst/DES provide background information on structures in or on water at a future meeting.

Schedule of meetings: Meetings will be held monthly on the 4th Monday of the month at 12 noon. The next meeting was scheduled for Monday February 11, 2019.

Rep. Renzullo made a motion to adjourn and Mr. Quarles seconded. The meeting was adjourned at 11:45 am.

Suzanne Smith-Temporary Clerk