



# Lakes Legislative Update

Andrea LaMoreaux, President & Policy Advocate, NH LAKES

June 6, 2024





- NH Legislative Process
- Lakes & Legislation 2024
- Ways to Advocate for Lakes
- Questions & Discussion



What the heck *is* a Policy Advocate?!

## Policy Advocate:

A professional who creates a dialogue between stakeholders and government decision-makers to influence and change official policies, laws, and practices.



# Overview of the New Hampshire Legislative Process







## New Hampshire Legislature

- House of Representatives: 400 members
- Senate: 24 Senators
- Second largest legislature in U.S.
- Legislators are elected and serve for two year terms (a biennium)
- First year of biennium is a budget year
- Meets in session from approximately January to June





**Approximately 1,400 bills were introduced into this 168th session of the New Hampshire Legislature in January 2024.**



# **“How does a bill become a law in New Hampshire?”**



***"I'm just a bill.  
Yes, I'm only a bill.  
And I'm sitting here on Capitol Hill."***





# How a Bill Becomes a Law

## Step 1: Introducing a Bill



- A Representative or Senator may sponsor a bill.
- They file a Legislative Service Request (LSR) to the office of Legislative Services (OLS).
- The LSR states the title only.
- This occurs in the fall prior to the session.
- (NOW is the time to start talking about bill ideas for 2025!)





# How a Bill Becomes a Law

## Step 2: Bill Text Released



- The Legislative Service Request becomes a bill once it is written by Office of Legislative Services and approved by the bill sponsor.
- If the sponsor is a representative, the bill starts in the House and becomes a House Bill (HB)
- If the sponsor is a senator, the bill starts in the Senate and becomes a Senate Bill (SB).
- The bill is assigned a number (HB#/SB#)
- This occurs during late-December/early-January.



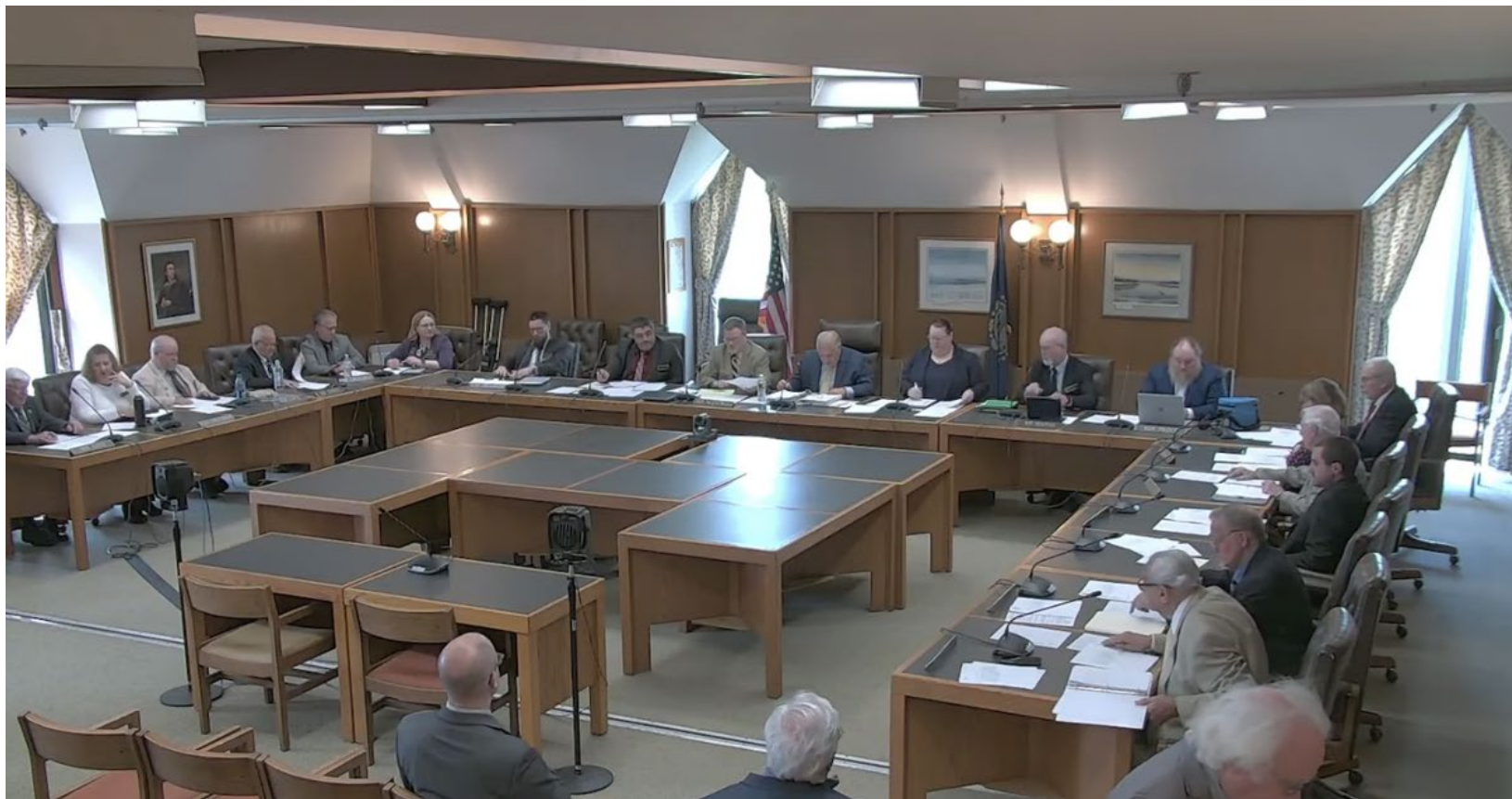


# How a Bill Becomes a Law

## Step 3: Committee Assignment



The bill is assigned a committee based on its topic.



House Committee  
(28 standing committees)



Senate Committee  
(12 standing committees)



# How a Bill Becomes a Law

## Step 4: Public Hearing



- Every bill gets a hearing in New Hampshire!
- Hearings are announced at least 72 hours in advance through the House/Senate Calendar.
- At the public hearing, supporting and opposing testimony is heard from all interested parties.





# How a Bill Becomes a Law

## Step 5: Committee Deliberation



Committee deliberation is done in an executive session that the public may observe.

Committee votes on a recommendation for the bill:

- **Ought to Pass (OTP):** the bill should pass
- **Inexpedient to Legislate (ITL):** the bill should not pass
- **Ought to Pass as Amended (OTP-A):** the bill should not pass without an amendment added by the committee
- **Re-refer to Committee:** bill should be studied further in committee during the next legislative session (only occurs during 1<sup>st</sup> year of biennium)
- **Refer to Interim Study:** the bill should be studied further between legislative sessions (if this occurs during the 2<sup>nd</sup> year of biennium, the bill dies)



**Second Committee:** Sometimes a bill is sent to a second committee. This often happens if there is a fiscal note (FN), meaning a financial component to the bill.



# How a Bill Becomes a Law

## Step 6: Floor Vote



- The bill goes to the full House or Senate for a vote (on the consent agenda or the regular agenda).
- For the regular agenda, a committee member presents the committee's decision.
- Floor debate on actions, amendments may follow.
- After debate, the full body votes on the Committee's decision.





# How a Bill Becomes a Law

## Step 7: Crossover



- If the bill passes, it is sent to the other legislative body and the same process repeats.
- This occurs during late-March/early April.





# How a Bill Becomes a Law

## Steps 8 – 11: Process Repeats



- The bill is assigned to a committee in the other body.
- A public hearing is held.
- The committee votes on a recommendation.
- The bill is voted on by the full legislative body.
- Fewer bills need to be heard at this point as they did not pass and cross-over.





# How a Bill Becomes a Law

## Step 12: Amended Bills



If the bill passes, but includes a new amendment approved by the 2<sup>nd</sup> body, there are two options:

- 1<sup>st</sup> legislative body approves the amendment and the bill goes to the Governor's desk
- 1<sup>st</sup> legislative body does not approve and the bill dies
- 1<sup>st</sup> legislative body requests a committee of conference - if the legislators cannot agree, the bill dies





# How a Bill Becomes a Law

## Step 13: Governor's Desk



If the bill passes both bodies, it goes to the Governor.

The Governor has three choices:

- Sign the bill into law
- Allow the bill to become law without a signature
- Veto the bill

The Governor's veto may be overridden by a 2/3 majority vote in both houses.

If an override occurs, the bill becomes a law.







# Lakes & Legislation 2024





# Our Core Advocacy Issues



Aquatic Invasive Species  
Prevention & Management

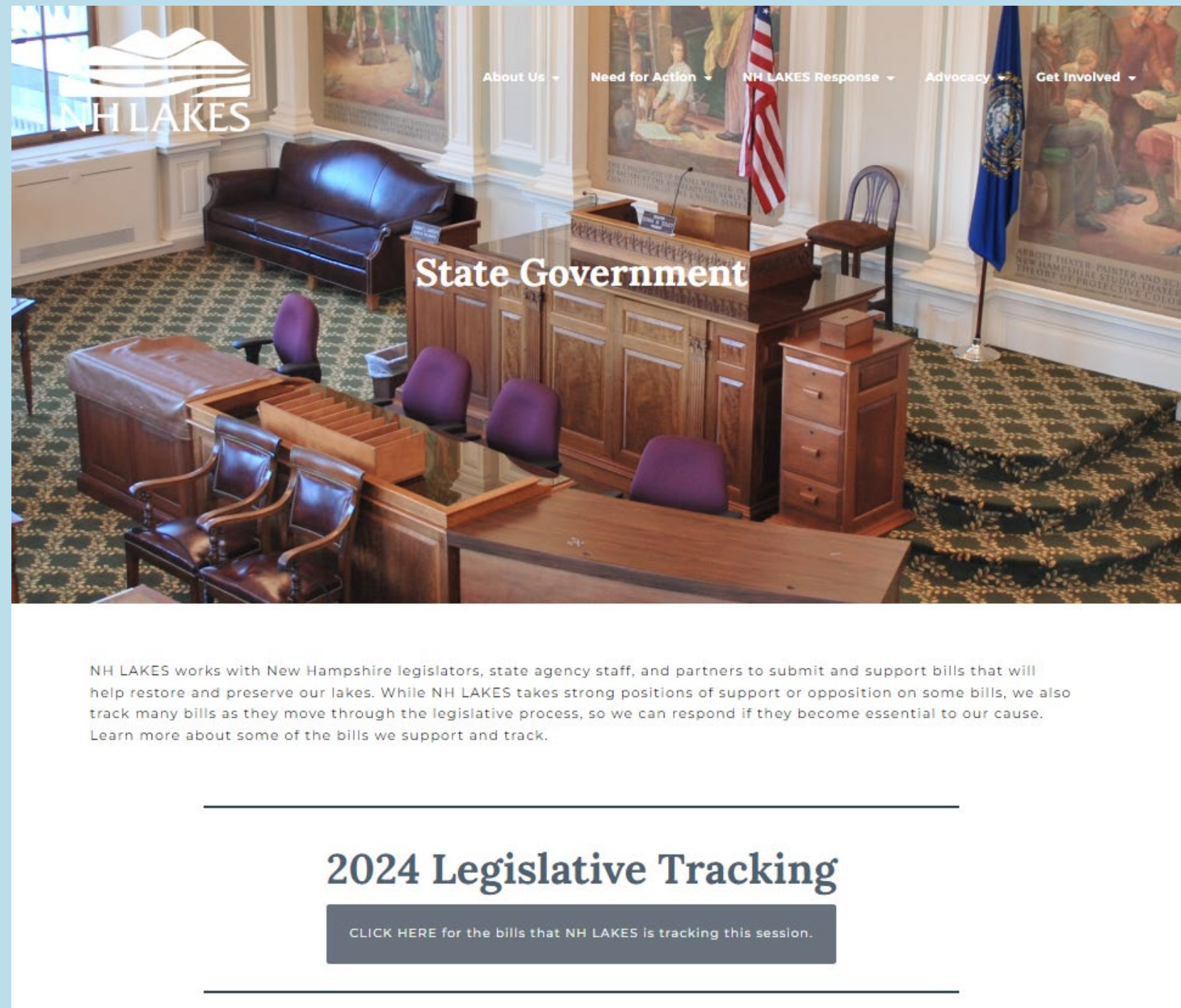


Shoreland & Wetland Protection,  
Watershed Management



Water Quality Restoration &  
Protection





**December 2023:**

**The NH LAKES Public Policy and Advocacy Committee identified 15 priority bills for NH LAKES to actively engage on this session.**

**We identified 35 additional bills to monitor.**

View our tracking sheet: [nhlakes.org/state-government/](https://nhlakes.org/state-government/)

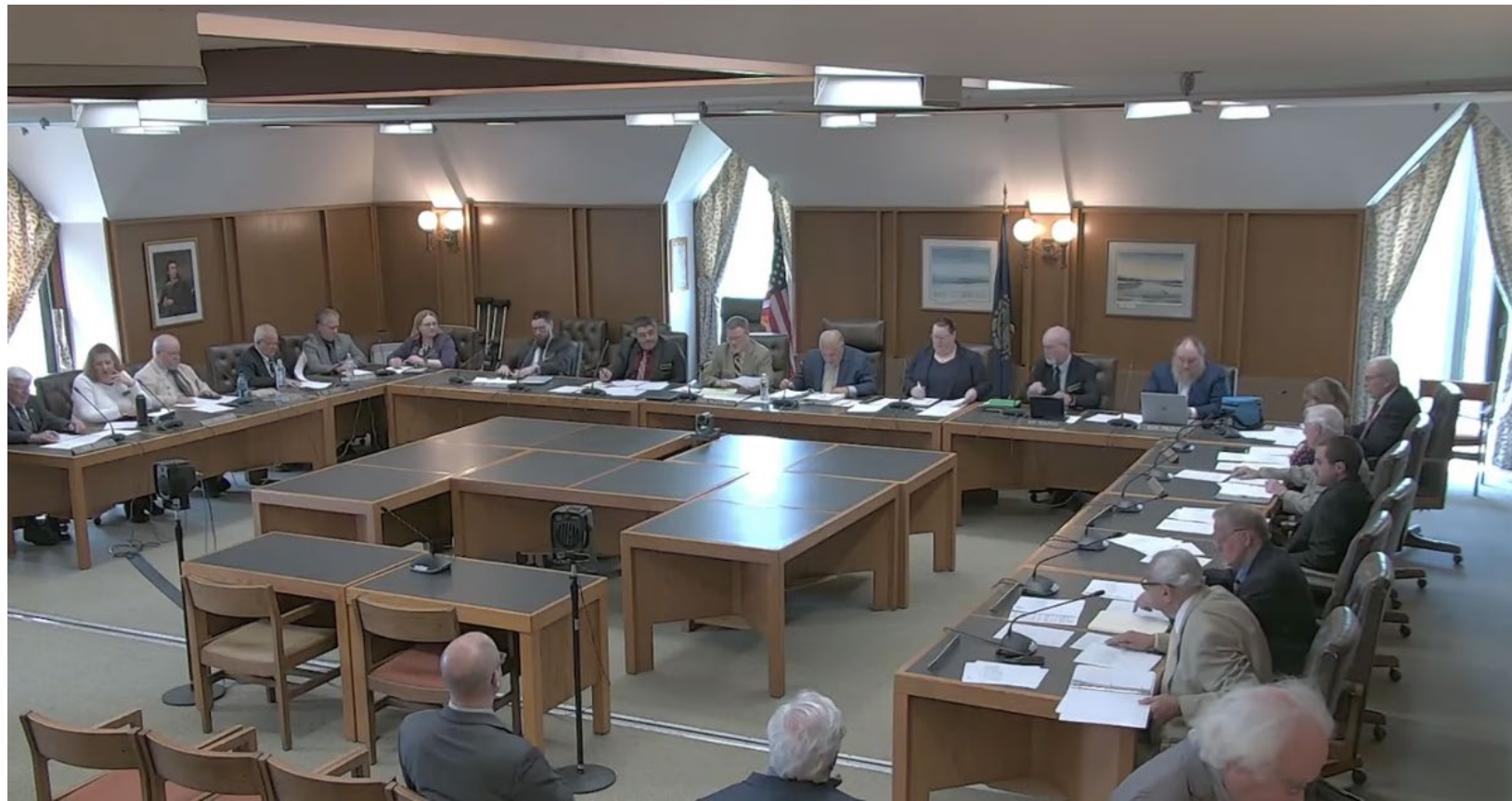




**Together, with partner lake associations throughout the state, we mobilized a statewide network of lake advocates to stand up for our lakes and give them a voice in the New Hampshire Legislature!**



# January - May: We testified at 25 public hearings and attended several Executive Sessions



## House Committees

- Resources, Recreation & Development
- Environment & Agriculture
- Finance
- Municipal County & Government
- Transportation



## Senate Committees

- Finance
- Transportation
- Energy & Natural Resources



# April 11 was CROSSOVER



- If the bill passes, it is sent to the other legislative body and another hearing is held and committees make recommendations for the full body to vote on.
- Some bills have been passed, some killed, and sent to Committees of Conference
- June 6: Last day to sign committee of conference reports.
- Legislators are eager to move on to campaigning, with a number of retirements and incumbents pursuing new offices.





# Lake Priority Bills Not Crossing Over: Shoreland & Wetland Protection



## HB 1229, relative to purchase and sale of property abutting public waters

- Requires buyers, lessees, and transferees of shoreland property to acknowledge a minimum requirements document for compliance with the shoreland water quality protection act
- Buyers, lesses, and transferees must sign to acknowledge they have read and understood the document
- NH LAKES Position: **SUPPORT**
- House RR&D Committee: Interim Study (20-0)
- House of Representatives: Interim Study (Consent Calendar, VV)
- This bill did not advance to the Senate.



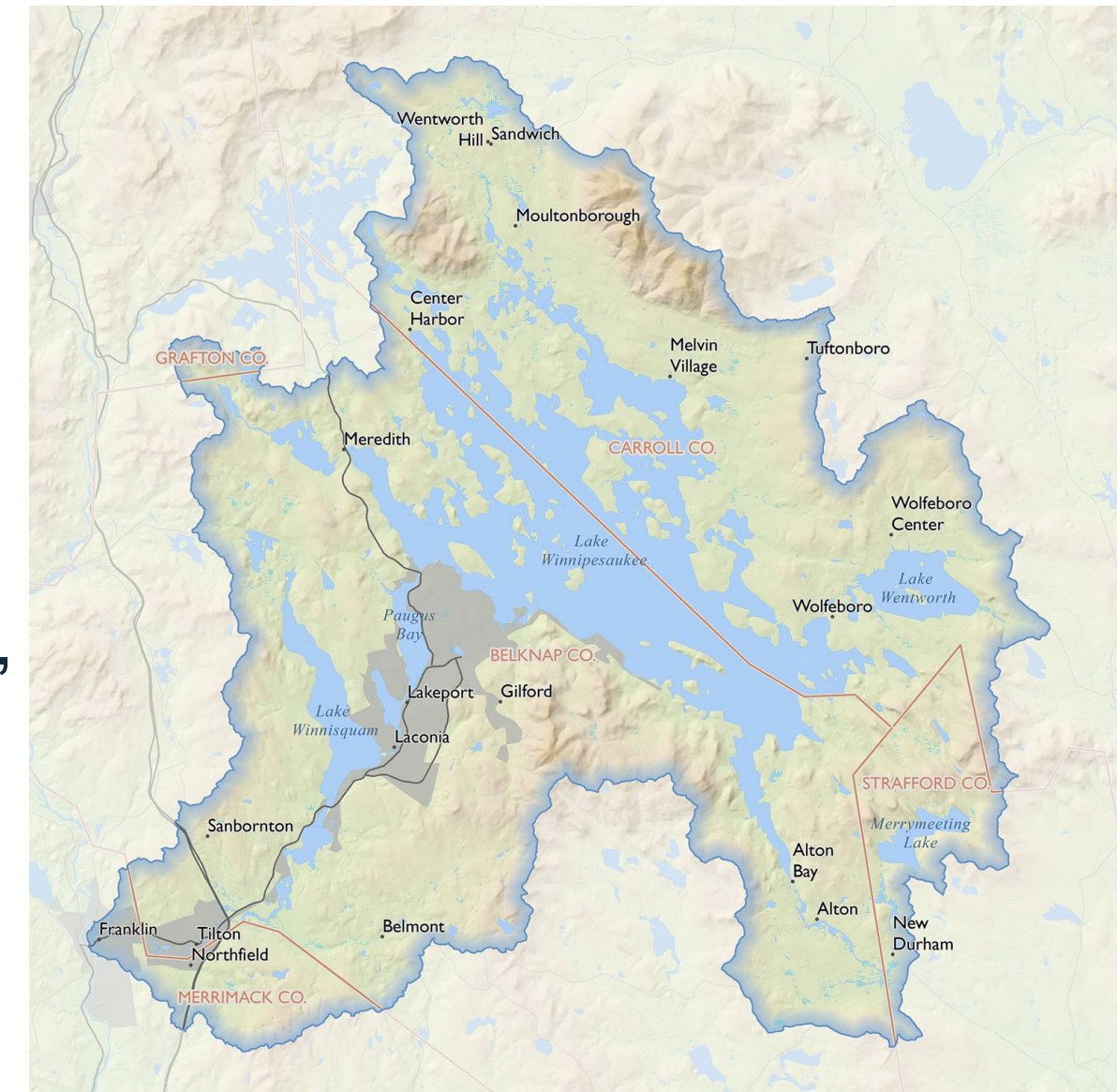


# Lake Priority Bills Not Crossing Over: Shoreland Protection & Watershed Management



## HB 1250, enabling the creation of certain village districts

- Enables the creation of village districts for the purpose of surface water quality preservation and remediation
- Allows for consistent environmental policies for towns that share a body of water
- NH LAKES Position: **SUPPORT**
- House Municipal & County Govt. Committee: Ought to Pass (12-5), not consent calendar
- House of Representatives: Inexpedient to Legislate, roll call vote **(184-180 - just 4 votes short!)**
- This bill did not advance to the Senate.



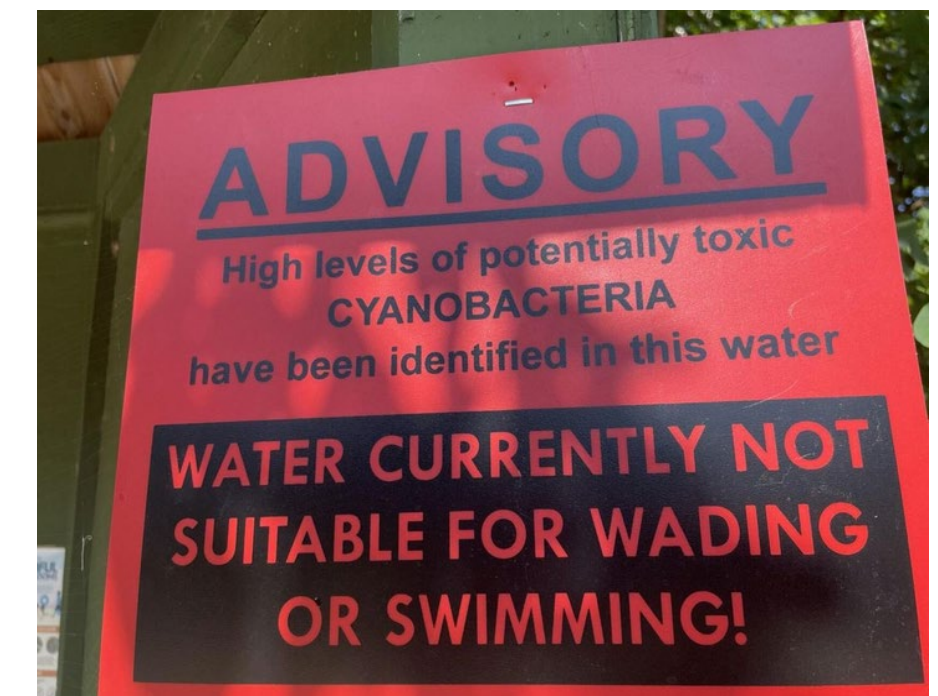


# Lake Priority Bills Not Crossing Over: Water Quality Restoration & Protection



## SB 394, relative to the cyanobacteria mitigation fund

- This bill makes an appropriation to the cyanobacteria mitigation loan and grant fund.
- It appropriates \$1M to the Dept. of Environmental Services for the fiscal year ending June 30, 2025.
- Of this amount, \$350,000 shall be allocated as rebates/reimbursement directly related to an in-lake cyanobacteria treatment for Lake Kanasatka
- NH LAKES Position: **SUPPORT**
- Senate: Laid on the Table
- This bill did not crossover to the House.





# Lake Priority Bills Not Crossing Over: Water Quality Restoration & Protection



**HB 1301**, relative to wakesurfing on public bodies of water.

- Enables a group of 25 or more residents or property owners of a town in which a lake, pond, or river is located to petition the NH Department of Safety to restrict or prohibit wakesurfing on the lake, pond, or river, or portion of the waterbody
- Is consistent with the petition and public hearing process for other uses on our lakes
- NH LAKES Position: **SUPPORT**
- House RR&D Committee: No recommendation after several tie votes in committee on the original bill and an amendment
- House of Representatives: Laid on the Table (196 Yea; 172 Nay)





# Lake Priority Bills Not Crossing Over: Water Quality Restoration & Protection



## HB 1390, relative to wake boating and wake sports

- This bill establishes prohibitions and limitations for the operation of wake boats and their use in wakesports on public waters of the state.
- Defines a wakesports zone (50 acres, 500 ft from shore, 20 feet deep)
- NH LAKES Position: **SUPPORT**
- House RR&D Committee: Ought to Pass with Amendment (300-foot setback, minimum 50 acres, no depth requirement)
- House of Representatives: Laid on the Table (190 Yea; 178 Nay)  
Motion to take off the table failed (165 Yea; 188 Nay)
- This bill did not advance to the Senate.







**And, there were some wins for the future of our lakes!**



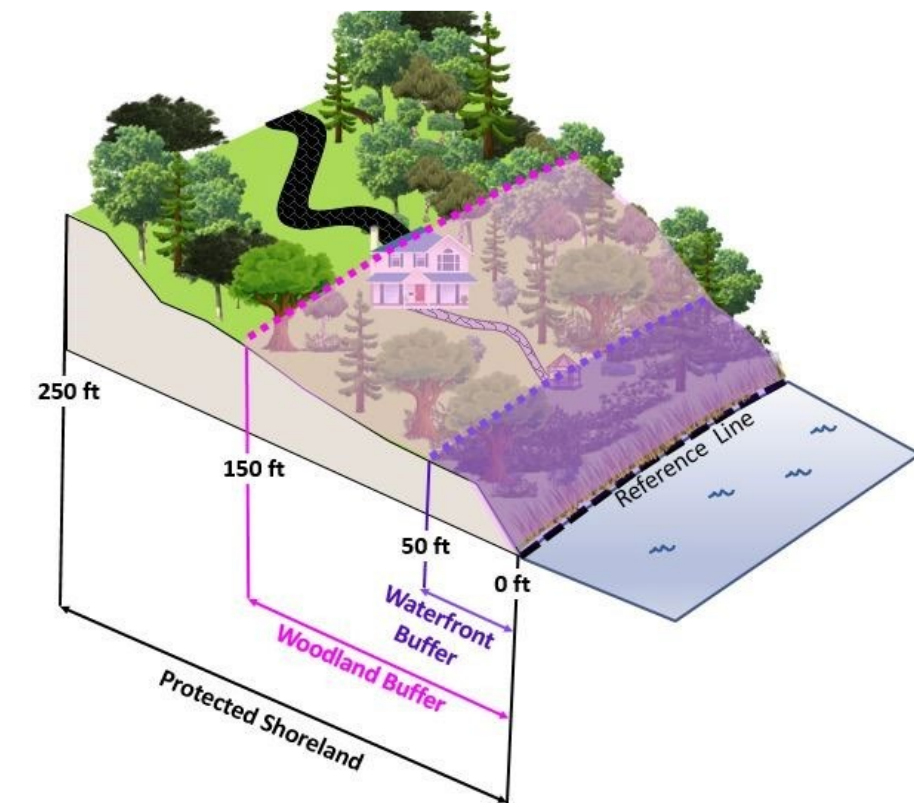


# Lake Priority Bills that Crossed Over: Shoreland & Wetland Protection



## HB 1103, relative to revising the penalties for the shoreland protection act

- Removes impediments to the Department of Environmental Services ability to seek penalties and fines for proven violations of the act
- Does not change the fees for penalties
- NH LAKES Position: **SUPPORT**
- House RR&D Committee: Ought to Pass (20-0)
- House of Representatives: Ought to Pass (consent calendar, voice vote)
- Senate Energy & Natural Resources: Ought to Pass w/Amendment (4-0)
- Senate: Ought to Pass with Amendment (voice vote)
- House of Representatives concurred with Senate Amendment (voice vote)
- Headed to Governor's desk!





# Lake Priority Bills that Crossed Over: Shoreland & Wetland Protection



## HB 1113, relative to shoreland septic systems

- If any portion of septic system is within 250 ft. of the water, the buyer shall, at the buyer's expense, engage a septic system evaluation or accept an evaluation done within the past 180 days
- If the system is not approved or approved before 9/1/89, the buyer shall hire a permitted designer.
- If system is found with signs of failure (evaluation) or in failure (designer):
  - Local health inspector and Dept. of Environmental Services notified
  - Buyer shall replace system within 180 days
- House RR&D: Ought to Pass with Amendment (20-0, roll call)
- House of Representatives: Ought to Pass with Amendment
- Senate Energy & Natural Resources: Ought to Pass (4-0)
- Senate: Ought to Pass (voice vote)
- Headed to Governor's desk!





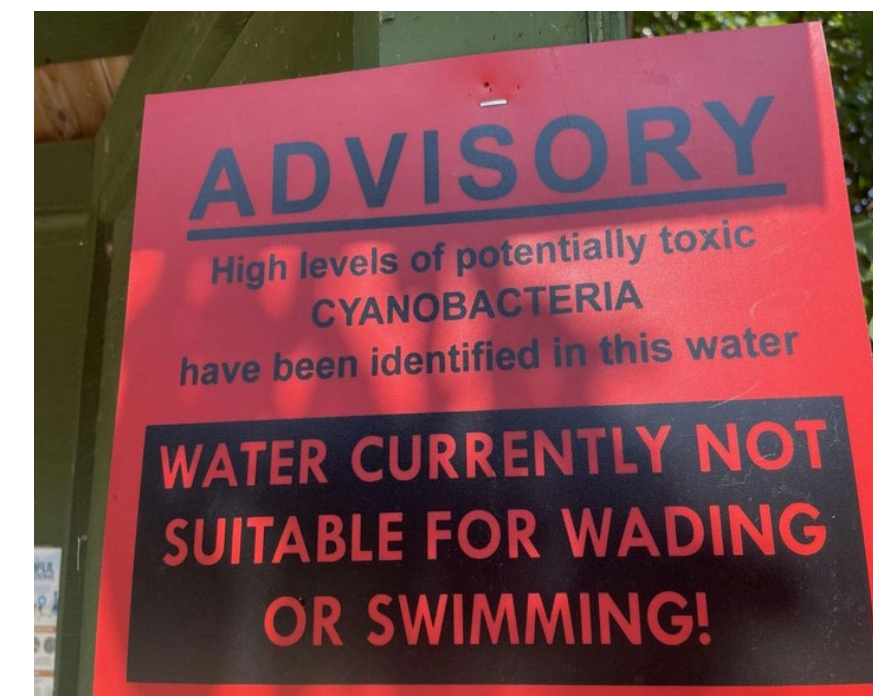
# Lake Priority Bills that Crossed Over:

## Water Quality Restoration & Protection



### HB 1143, including control of cyanobacteria blooms under the New Hampshire clean lakes program

- Allows the Department of Environmental services to monitor, manage and reduce the risk of cyanobacteria blooms
- Directs the department to reduce, control, and prevent the nutrient inputs which cause cyanobacteria blooms
- NH LAKES Position: **SUPPORT**
- House RR&D: Ought to Pass with Amendment (20-0)
- House of Representatives: Ought to Pass with Amendment (consent, VV)
- Senate Energy and Natural Resources Committee: Ought to Pass (4-0)
- Senate: Ought to Pass (voice vote)
- Headed to Governor's desk!





# Lake Priority Bills that Crossed Over:

## Water Quality Restoration & Protection



### HB 1293, relative to the use of certain fertilizers on turf

- No lawn fertilizer sold at a retail store can include phosphorus unless for establishing a new lawn, for lawn repair, or if soil test indicates phosphorus is needed
- Application prohibited during/before heavy rain, and on saturated or frozen ground
- Includes setbacks from storm drains
- A retailer selling phosphorus fertilizer must post certain signage about impacts to water resources and laws relative to fertilizer application
- NH LAKES Position: **SUPPORT**
- House Environment & Agriculture: Ought to Pass with Amendment (20-0, consent)
- House of Representatives: Ought to Pass (voice vote)
- Senate Energy and Natural Resources: Ought to Pass (5-0, consent)
- Senate: Ought to Pass (voice vote)
- Headed to the Governor's desk!





# Lake Priority Bills that Crossed Over:

## Aquatic Invasive Species Prevention & Management



### **HB 1304, relative to vessel registration and boat fee decals**

- Brings New Hampshire into federal compliance with collecting boat registration fees
- Protects federal funding for Marine Patrol
- Provides NH with a way to collect fees to support critical programs, including for aquatic invasive species prevention and management
- NH LAKES Position: **SUPPORT**
- House Transportation: Ought to Pass with Amendment (19-1)
- House Finance: Ought to Pass with Amendment (24-1)
- House of Representatives: Ought to Pass with Amendment (voice vote)
- Senate Transportation: Ought to Pass (5-0)
- Senate: Ought to Pass (voice vote)
- Headed for Governor's desk!





# Lake Priority Bills that Crossed Over:

## Water Quality Protection



### HB 1360, relative to emergency authority on public or coastal waters of the state

- This bill allows the department of safety to establish an emergency ~~maximum speed limit~~ **no wake zone** on public and coastal waters for up to 10 days due to weather or environmental conditions.
- NH LAKES Position: **SUPPORT**
- House RR&D: Ought to Pass with amendment (20-0, consent calendar)
- House of Representatives: Ought to Pass with amendment (voice vote)
- Senate Energy & Natural Resources: Ought to Pass (4-0)
- Senate: Ought to Pass (voice vote)
- Headed to the Governor's desk!





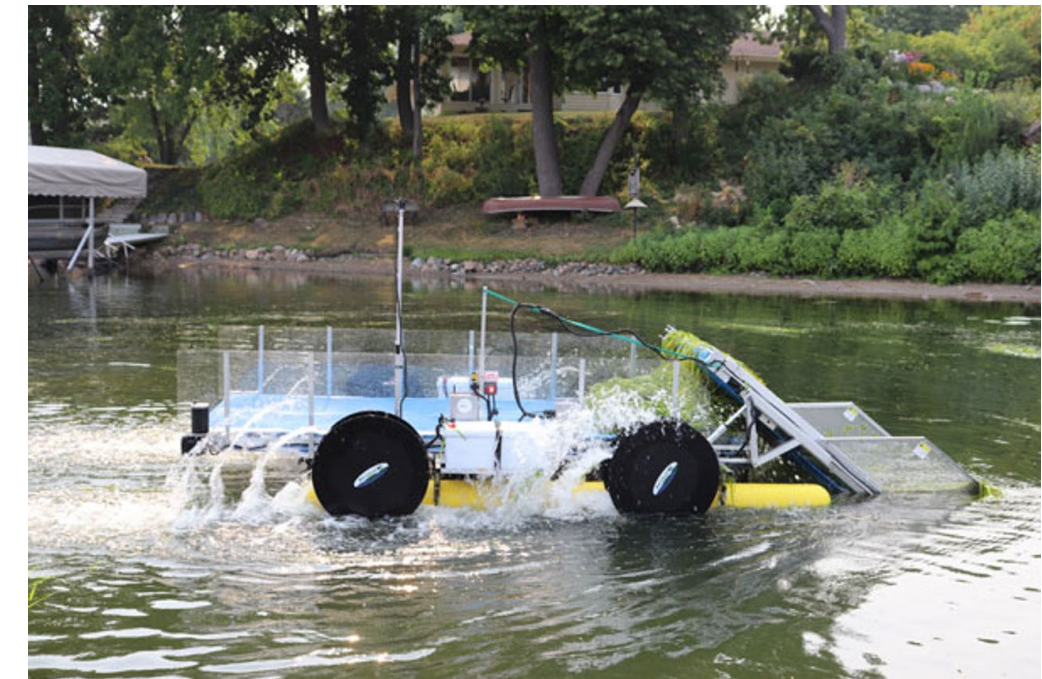
# Lake Priority Bills Crossing Over:

## Water Quality Protection



### HB 1554, relative to certified culvert maintainer program & requiring DES to regulate cutting of native aquatic vegetation

- A non-germane amendment was added to the bill. (2024-0969h)
- The amendment gives DES the authority to regulate the cutting and management of native aquatic vegetation.
- NH LAKES Position: **SUPPORT as Amended**
- House RR&D: Ought to Pass with Amendment (20-0, consent)
- House of Representatives: Ought to Pass with Amendment (voice vote)
- Senate Energy & Natural Resources: Ought to Pass with Amendment (4-0)
- Senate: Ought to Pass with Amendment
- Waiting for House of Representatives concurred with Senate amendment
- Headed to the Governor's desk!





# Lake Priority Bills Crossing Over: Water Quality Protection



## **SB 431, relative to wake surfing**

- Original bill proposed 200-foot setback and minimum lake size of 50 acres for wake surfing
- House RR&D: Amended to 300-foot setback, Ought to Pass as Amended (11-9)
- Senate Transportation: Amended to include promoting best practices about directing wake, Ought to Pass (4-1)
- House RR&D: Amended to 300-foot setback, Ought to Pass as Amended (11-9)
- House of Representatives: Passed 300-foot amendment (214-148) on a roll call vote!
- Senate refused to concur with House amendment, killing the bill
- The setback remains at 150 feet





# Lake Priority Bills Crossing Over: Water Quality Protection



## SB 431, relative to wake surfing

- While the bill as amended to 300 feet did not pass, we made significant progress on this issue! Original bill proposed 200-foot setback and minimum lake size of 50 acres for wake surfing
- Together, we stood up to the National Water Sports Industry Association and told them they needed to do better here in New Hampshire.
- Thanks to you reaching out to your representatives, the 300-foot setback passed **OVERWHELMINGLY** in the New Hampshire House of Representatives (214 to 148 votes!)

***“The House showed its leadership on protecting lakes in a way that I never anticipated on SB 431.” - NH House Representative***







**What can YOU do to advocate for the lakes you love?**







Dear Andrea,

The 2024 New Hampshire Legislative Session has started off very quickly for our lakes, and they already need your help! **Three of our priority lake-related bills will be heard in the House of Representatives early next week.**

These bills deal with fertilizer use around our lakes, wakesurfing on our lakes, and funding for exotic aquatic weeds and species prevention and management, and other critical programs.

Below are simple steps you can take to let our legislators know how critical it is they support these bills. They are waiting to hear from you!

Please sign in online in support of these bills, share your letters of support with me, and let me know if you plan to testify in person so we can coordinate.

And please share this email with your lake community and others. By making our voices heard, we will help ensure New Hampshire becomes a place where all our lakes are clean and healthy, and caring for them is a way of living, doing business, and governing.

Working together to protect the lakes we all love,

Andrea LaMoreaux, President & Policy Advocate  
[alamoreaux@nhlakes.org](mailto:alamoreaux@nhlakes.org)

P.S. **Take action TODAY!** Sign-in numbers and personal stories matter and make a difference.



**THESE THREE BILLS NEED YOUR URGENT SUPPORT!**

**Sign up to receive our  
timely *Advocacy Alert*  
enews.**

Sign up at: [nhlakes.org](https://nhlakes.org)  
(scroll to the bottom of the page)





## MEETING RESOURCES

### House

[House Sign-in Form and Online Testimony Submission](#)  
[View House Online Testimony Submissions](#)  
[House Remote Sign In/Submit/View Testimony Directions \(PDF\)](#)

### Senate

[Senate Remote Sign In](#)  
[Senate Remote Sign In Directions \(PDF\)](#)

**Sign in on-line in support or opposed to bills and include a statement or upload your letter of testimony.**

Numbers and personal stories can make a BIG impact on legislators.

**[www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)**

### Step 1. Personal Information

All fields required

First

Last

Town

State

Email Address

### Step 2. Select Date of the Hearing

< January 2024 >

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	
	5	6	7	8	9	

### Step 3. Select Bill

\* Required fields

Select the Committee \*

Choose the Bill \*

I am \*

I'm Representing \*

Indicate Your Position on this Bill \*

☐ I Support this Bill ☐ I Oppose this Bill ☐ I'm neutral on this Bill  
☐ Testimony is for non-germane amendment

### Step 4. Upload Remote Testimony (Optional)

Attach document below by clicking the Choose File button and selecting your file (PDF Format Only - 2MB Maximum file size):

No file chosen

OR

Type your testimony Below

### Step 5. Final Review

**Attention:** Information and testimony submitted on this form is entered in to the public record for each piece of legislation and will be considered public records subject to disclosure under the Right To Know Law. Do not submit any personal information you do not wish to disclose publicly. The sign-in sheet will close for purposes of registering your opinion at 11:59 p.m. the day of the hearing.





## **Attend hearings and testify!**

If you plan to attend a hearing, please let me know so we can coordinate and I can let you know what to expect.

Tips on testifying:

[nhlakes.org/contact-your-representatives](https://nhlakes.org/contact-your-representatives)





## **Lake Advocates Network Partners:**

- Berry Bay Association
- Cobbetts Pond Improvement Association
- Franklin Pierce Lake Association
- Green Mountain Conservation Group
- Lake Kanasatka Watershed Association
- Lake Opechee Preservation Association
- Lake Winnepocket Conservation Association
- Lake Winnepesaukee Association
- Little Lake Sunapee Protective Association
- Monomonac Property Owners Association
- Newfound Lake Region Association
- Northwood Lake Watershed Association
- Ossipee Lake Alliance
- Otter Pond Protective Association
- Save Lake Sunapee Watershed Association
- Silver Lake Assoc. of Madison
- Spofford Lake Association
- Swanzey Lake Protective Association
- Three Ponds Protective Association
- Tucker Pond Improvement Association
- Wentworth Watershed Association
- Winnisquam Watershed Association

**Choose a representative  
from your group to serve  
on the NH LAKES Lake  
Advocates Network!**





## **Run to serve in the New Hampshire Legislature!**

Filing Period: June 5 - 14 at Town or City  
Clerk's office where candidate is domiciled

Must be at least 18 years of age, a registered  
voter and domiciled in New Hampshire for at  
least 2 years.

Must live in town/ward you are a candidate for.





## **Serve in municipal office!**

- Planning Board
- Zoning Board
- Conservation Commission



# Help Build a Bipartisan Coalition of Lake-Friendly Legislators!



- Our lakes need a group of informed and active citizens giving our lakes a voice at the state and local levels.
- And, we need a coalition of concerned and supportive leaders to initiate, support, and protect lake-friendly policy at the state and local levels.





# Other things YOU & YOUR Group Can Do to Advocate for the Lakes You Love



- Invite your state representatives and municipal leaders to your meetings and events.
- Include your state representatives and municipal leaders to your newsletter mailing lists.
- When your state representatives and municipal leaders stand up for clean and healthy lakes recognize and thank them!







**By advocating for our lakes, you will help ensure New Hampshire becomes a place where all lakes are clean and healthy, and caring for them is a way of living, doing business, and governing.**