



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 9, 2010

The Honorable Judith T. Spang
House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, New Hampshire 03301

Re: HB 1295, an act establishing a committee to study the effects of milfoil and methods of eradication

Dear Chairman Spang:

Thank you for the opportunity to comment on HB 1295, which proposes to establish a committee to study the effects of milfoil and methods of eradication. The Department of Environmental Services (DES) does not support this legislation because the proposed new committee's responsibilities are potentially overlapping with or could easily be incorporated into the responsibilities of an existing legislative committee, the Exotic Aquatic Weeds and Species Committee (Exotic Species Committee) established by RSA 487:30 (copy attached).

The existing Exotic Species Committee is tasked with studying the spread of exotic aquatic weeds and species in the New Hampshire's waters, studying potential means to eliminate the spread of these species, and aiding DES in the control and eradication of milfoil. The new committee proposed by HB 1295 would study the negative economic impacts of exotic species, control and eradication efforts and innovations and continuity strategies. Because the duties assigned to the Exotic Species Committee under RSA 487:30 are somewhat broad, we believe that the concerns raised in HB 1295 could be evaluated by the existing Exotic Species Committee. In the alternative, if the Legislature determines that the Exotic Species Committee's duties should be made more explicit then we believe that this can be best accomplished by further clarifying or expanding the Exotic Species Committee's duties rather than adding another committee.

Thank you for the opportunity to comment on HB 1295. Please feel free to call me at 271-2958, or Jody Connor at 271-3414, if you have any questions or need additional information.

Sincerely,

Thomas S. Burack
Commissioner

Attachment

cc: Representatives Drisko, Beaulieu, C. Christensen, Tupper and D. Russell

**TITLE L
WATER MANAGEMENT AND PROTECTION**

**CHAPTER 487
CONTROL OF MARINE POLLUTION AND AQUATIC GROWTH**

Milfoil and Other Exotic Aquatic Plants Prevention

Section 487:30

487:30 Exotic Aquatic Weeds and Species Committee. –

I. There is established a committee to study exotic aquatic weeds and species in the state of New Hampshire.

II. (a) The members of the committee shall be as follows:

(1) Five members of the house of representatives, appointed by the speaker of the house.

(2) One member of the senate and one public member, appointed by the president of the senate.

(b) Members of the committee shall serve terms which are coterminous to their terms on the general court and shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall:

(a) Study the spread of exotic aquatic weeds and exotic aquatic species in the waters of New Hampshire including education, management, and potential means to eliminate the spread of these weeds and species; and

(b) Aid the department in the control and eradication of milfoil.

III-a. The committee may solicit, hold, and expend gifts, grants, and donations from any source to carry out the purposes of the committee.

IV. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

V. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1 of each year.

Source. 2004, 115:1, eff. May 17, 2004. 2005, 240:2, eff. July 14, 2005. 2009, 167:5, 6, eff. June 30, 2009.