



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 8, 2024

The Honorable Thomas Walsh
Chairman, Transportation Committee
Legislative Office Building, Room 201-203
Concord, NH 03301

RE: HB 1304-FN-LOCAL, Relative to Vessel Registration and Boat Fee Decals

Dear Chairman Walsh and Members of the Committee:

Thank you for the opportunity to comment on House Bill (HB) 1304. This bill would modify the procedure for registration of vessels by requiring the issuance and display of a boat fee decal for payment of boat fees.

The New Hampshire Department of Environmental Services (NHDES) takes no position on the source of funding related to this bill and provides the following information for the Committee's consideration.

HB 1304 seeks to rectify a conflict with a federal law regarding fees attached to vessel registrations. According to federal law, to receive federal Coast Guard funding, the state must comply with eligibility requirements, which, of note, preclude the collection of other fees as part of an actual vessel registration (46 USC 13103(c)). Under current state legislation (RSA 270 E:5), additional registration fees are being collected for lake restoration and preservation programs; search and rescue; authorized agents, public boat access, and harbor dredging and pier maintenance. These fees each support critical state programs that help protect the health, integrity, accessibility, safety, and navigability of these waters; therefore, a new fee system related to boating activities is necessary. HB 1304 creates a decal program, by which the fees can be collected, to ensure the continued operation of the valuable programs supported by the current fee-funds and the work they do. The bill also requires this second decal to be mandatory, ensuring sustained and predictable revenues.

While HB 1304 appears to provide a vehicle to allow these funds to still be collected, we do have some concerns about compliance with decal purchases, enforcement of boaters that have not purchased or displayed the decal, and interruption of funding coming into the programs. Boaters will need to be informed of the requirement to purchase and display this decal annually, and the fines or enforcement actions they will incur if they are not compliant with the law. Our concern about interruption of funding stems from the ramp-up period needed for the roll-out of the boater decal program. Authorized agents like marinas, town clerks, and other applicable entities will need to be educated on the new decal and have the decal available and accessible for when boaters are

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The Honorable Thomas Walsh
Chairman, Transportation Committee
January 8, 2024
Page 2 of 2

registering their vessels to facilitate a smooth process for the boating public to purchase this mandatory decal.

In terms of specific impacts to the NHDES aquatic invasive species program, a \$9.50 fee is collected from each vessel registered in the state (generating approximately \$950,000 in annual program revenues), and the revenue from that fee wholly funds lake restoration and preservation activities in New Hampshire; namely, work related to the prevention, detection, and management of aquatic invasive species. The bulk of the revenues from this particular program are directed through grants to communities across the state to help mitigate impacts of aquatic invasive plant infestations in lakes, ponds and rivers in New Hampshire, leveraging at least \$1.5 million annually in contributions from municipalities and local entities around the state for prevention and management projects. Managing aquatic invasive plants, and protecting state surface waters for recreational, aesthetic, ecological, and commercial uses is invaluable. We know that boating activities are the primary means of spread of aquatic invasive species, so spread prevention efforts are key, as are efforts to reduce the density and distribution of invasive plants within waterbodies. This funding has been critical in reducing the rate of invasive species spread and mitigating the impacts of infestations in waterbodies large and small across the state.

Thank you again for the opportunity to comment on HB 1304. Should you have further questions or need additional information, please feel free to contact either Amy Smagula, Exotic Species Program Coordinator (Amy.P.Smagula@des.nh.gov, 603-271-2248) or Rene Pelletier, Director of the Water Division (Rene.J.Pelletier@des.nh.gov, 603-271-0677).

Sincerely,



Robert R. Scott
Commissioner

ec: Sponsors of HB 1304-FN-Local: Senators Fenton, Ward; Representatives Creighton, Sellers, Baldwin, Ames, St. Clair.