



NH Lakes Management and Protection Program
NH Lakes Management Advisory Committee



NH Lakes Management Advisory Committee

Review of Legislation, Actions, and the LMAC Policy and Legislation Subcommittee

Adopted: By vote of the LMAC July 2014 / Amended: February 2018 / Amended: January 2019 /
Amended: November 30, 2021

Introduction

RSA 483-A created the Lakes Management and Protection Program (LMPP) and established the Lakes Management Advisory Committee (LMAC). The LMPP compliments and reinforces existing state and federal water quality laws and supports “the uses and values that lakes provide” including, but not limited to: passive and active recreational activities such as swimming, fishing, and use of appropriate watercraft; aesthetic values such as scenic beauty, wilderness experiences, and educational opportunities; public uses such as drinking water supplies and flood control; ecosystem values such as providing ecological diversity and wildlife habitat; economic values such as revenue generated for the local, regional, and state economies; and social experiences and the opportunity to use our lakes for public enjoyment.

The LMAC, with its members appointed by the Governor and Council, advises the commissioner and lakes coordinator in carrying out the purposes of the LMPP and routinely tracks and provides testimony on legislation relating to the LMPP. The LMAC may: 1) consider pending legislation at its regular meeting and vote on positions and actions related to that legislation, or 2) utilize the P&L subcommittee to review pending legislation and make recommendations at the full LMAC’s regular meeting for a vote on actions related to that legislation, or 3) allow the LMAC Chair and Vice Chair to issue letters on behalf of the LMAC between regular meetings only if the proposed or changed legislation aligns with the Standing Legislative Positions which have been previously voted upon by the LMAC.

P&L Subcommittee Membership and Review of Proposed Legislation

The LMAC Chair, with assistance from the Lakes Program staff, may identify legislation on topics of concern to the LMAC. As an option to the review of legislation by the entire LMAC, the LMAC may vote to convene a Policy and Legislation Subcommittee (P&L) to assist it with researching, tracking, and testifying on legislation. The LMAC Chair shall chair the P&L. Other members are three to five voting members of the LMAC who volunteer for the subcommittee; and may include non-voting members who may have interests or knowledge of the subject matter. The LMAC, and any subcommittee of the LMAC, must comply with RSA 91-A, “Access to Governmental Records and Meetings”, also known as the “Right-to-Know” law.

In a publicly noticed meeting, the P&L will review legislation and determine, by a majority vote of the voting P&L members present, which Legislative Service Requests (LSRs) and/or bills they recommend the LMAC track, support or oppose (with specific positions, and/or conditions, and/or proposed revisions), or remove from the LMAC legislative tracking list. This list of recommended actions on legislation will be presented to the LMAC for its review and voting.

Common LMAC Actions on LSRs and Bills

- Support – LMAC supports the legislation as proposed;
- Support with amendments or comments – LMAC supports the legislation, but with changes and/or amendments
- Oppose – LMAC opposes the legislation as proposed;
- Oppose but could support with amendments or modifications – LMAC opposes the legislation as proposed, but could support with described deletions, modifications and/or amendments;
- Track – Issue relevant to lake protection but not significant enough to take a position on;
- Research – More information is needed before the LMAC can make a decision;
- Delete – Issue is not relevant to lake protection and need not be tracked.

Submission of Letters of Testimony

For bills that the LMAC has voted to take a position upon and at the choice of the LMAC Chair, LMPP staff will draft an appropriate letter of testimony for review and approval by the LMAC Chair and Vice Chair. Once the letter has been approved, it will be signed by the LMAC Chair and submitted by LMPP staff to the General Court with copies to appropriate individuals in the legislature and DES. The letters shall also be posted to the online NHDES “New Hampshire Lakes Management Advisory Committee Forum” under the meeting date at which the positions were voted upon, and other NHDES posting sites as required. A LMAC representative may elect to submit the letter in person and/or provide oral testimony.

The document “Standing Legislative Positions of the LMAC” will be approved by a quorum vote of the LMAC, and will be reviewed, edited as needed, and reapproved annually. Using this list, the LMAC Chair or Vice Chair may issue letters on behalf of the LMAC between regular meetings only if the proposed or changed legislation aligns with the Standing Legislative Positions which have been previously voted upon by the LMAC. This may occur when bill text is unavailable at the time of the LMAC meeting or when bill amendments substantially alter the intent or subject of the previously reviewed legislation.