

***Help Us Return to Safe Family Boating
On Lake Winnepesaukee
By Supporting HB 162***

House Bill 162

- Aims to place 45 MPH daytime and 25 MPH nighttime speed limits on Lake Winnepesaukee as an effort to improve public safety (see Bill attached).
- Affects all lake enthusiasts, businesses, motor boaters, kayakers, sailors, rowers, swimmers, boys and girls camps, homeowners, visitors and so on.
- Is currently being retained (reviewed) by the New Hampshire House Committee for Resources, Recreation and Development, who will eventually vote whether or not to pass it on to the House of Representatives for full legislative consideration (see diagram of legislative process).
- Will only be successful in this first phase if we have breadth of support from around the Lake and New Hampshire through letters to the Committee and other legislators, along with attendance and testimony at the summer public hearings.

Opportunities Afforded by this Bill

- To restore safe family boating.
- To provide an easy-to-understand method of controlling boat traffic (we all drive cars on roads with speed limits), in order to prevent collisions and accidents and to create a safer, less frightening and more enjoyable lake for everyone.
- To protect and preserve the beautiful natural resource that this New Hampshire's crown jewel is: the Lake's waters, shorelines, loons and other precious wildlife.
- To ensure a healthy economy around the Lake's Region by creating a safe and pleasurable family experience around and on the Lake, thereby continuing to attract the many who visit, play and work in the area and their accompanying purchasing power for the Lake communities' goods and services.

Problems Addressed by this Bill—Lake Winnepesaukee and Safety

- High speed boaters are infringing on our rights to use and enjoy the Lake.
- Due to these high speed boaters, the Lake is often dangerous to navigate, totally unenjoyable, and downright terrifying to leisure boaters, sailors, canoers, kayakers, rowers, fishermen and waterskiers.
- Reaction time is significantly shorter when boating defensively vis-à-vis these high speed boats, yielding low margins for error and very stressful lake outings.
- Lake Winnepesaukee is “an accident waiting to happen—again.” The Littlefield collision in Meredith causing a fatality is an example of what can and *is* happening. ***Do we want to wait for another tragedy to stop this peril on the Lake?***
- It is a well-established fact that “Speed Kills.” The U.S. Coast Guard cites that excessive speed is 4th in the causes of accidents on U.S. lakes and rivers.
- Causes #1: operator inattention, #2: careless/reckless operation, #3 operator inexperience, #5: no proper lookout, and #6: alcohol use--all could be argued that speed may have been a contributing factor.
- Boats have no brakes. The faster one goes the harder it is to stop.

--Because the Lake has no speed limits, many family boaters have experienced “close calls,” in the congested, high speed, free-for-all lake mayhem—close calls that easily could have resulted in tragedy.

--Tragedies on Lake Winnepesaukee have historically been categorized as “reckless operation,” when in fact excessive speed was the actual cause.

--The existing laws on Winnepesaukee, although extensive, are ineffective.

--Boaters ignore or do not understand right-of-way(stand-on, give-way), headway speed within 150 feet of another boat and other boating regulations.

--Speed limits are easily understood and for the most part obeyed on the road.

--The safety of the fragile loons and other wildlife who swim the waters (some to and from the islands) is severely compromised as high speed boaters are unable to see these birds, deer, moose, muskrat, mink and others until it is too late.

--High speed boats with their huge horsepower engines are incredibly loud, especially with above water exhausts—many people are as upset over the noise pollution as they are about the excessive speeds.

-- Excessive speed is a problem that is growing and will not go away unless we do something about it.

Speed Limit Laws Are Effective on Other Lakes

--Lake George and Saratoga Lake in New York have seen great success with their 45 MPH (day)/25 MPH(night) speed limits.

--These lakes’ noise statute, similar to Winnepesaukee’s, had proven unenforceable, but their long felt noise problems virtually disappeared with speed limits.

--Rather than having the effect of banning speedboats from the lakes, as feared by opponents, speed limit laws had the effect of merely creating a more balanced lake use, with better behavior by all.

--Many other large lakes and water bodies around the country have speed limits. The speed limits of nearby Squam Lake are 40 MPH(day)/20 MPH(night). Those on Diamond Lake in Oregon are 45 MPH(day)/10 MPH(night). Rhode Island harbors are 45 MPH/25 MPH. Six lakes in Thurston County in Washington have a 45 MPH(day)/5 MPH(night) speed limit. Many lakes in Minnesota have speed limits that vary according to the lake. Lakes in other states are also being reviewed for the setting of speed limits to improve public safety.

--Once speed limits were instituted on these lakes, a safer and calmer environment along with a saner, more controlled boat traffic were immediately and dramatically experienced by all.

Enforcement is Possible

--Enforcement of identical laws has not been a problem for other marine law enforcement agencies.

--Effective equipment is available for accurately measuring boat speed.

--New technology sending a laser beam that measures speed as the device also takes a picture may be adaptable to boats.

--Conviction rates of offenders have been high, even when speeds were only estimated by experienced officers.

--While no system is perfect, the mere fact of “having the law on the books” will calm the traffic considerably and deter most “speeders” if the penalty (ticket and fine) is substantial enough.

Opposition to This Bill

--Comes mainly from those who own or sell boats with extremely high horsepower and speed capability (boat dealers/marinas), these boats’ manufacturers and the lobbyists they have hired.

--The prices of these boats are very high, as are the profits they bring. There are huge dollars at stake for the relatively few (relative to the total number of boats that are driven, sailed, paddled, rowed on the Lake) who can afford to sell, purchase, and operate them.

--However, there are some marinas that support HB162 and promote safe family boating. They realize that if families are afraid or otherwise decide not to use the Lake because of the high speeds of other boats, the marinas will lose business. People will go to other lakes for their recreation.

--Let’s not let the small minority of high speed boaters rob Lake Winnepesaukee of its safe, family boating. Let’s put a stop to the rising occurrence of dangerous, excessive speed, by supporting the reasonable speed restrictions of HB 162.

--Much money and effort will be spent to oppose HB 162. This is why we need your help!

How You Can Help

--Write and email the members of the Resource, Recreation and Development Committee. These are N.H. State Representatives—see attached list. *They want to hear from anyone this Bill may affect: year round and summer residents and others visiting/using the Lake.*

--Write and email your legislators: <http://www.gencourt.state.nh.us/ie/whosmyleg/>

--Visit <http://www.WinnFABS.com> for more information and updates.

--Plan to attend the Public Hearings this summer. ***We need to pack these hearings with many, many people!*** The dates will be posted and passed along as soon as they are known.

--Talk to those you know, spread the word, give them a copy of this, and urge them to write and attend. Virtually every one is affected by this Bill.

--Refer to the attached for guidelines in writing and phoning legislators and testifying at a Public Hearing. Please give thought as to how excessive speed has affected you and your family. Have you been in accidents? Have you had close calls? Have you and your family grown frightened of the lake because of the fast boats? What incidents have you witnessed? Please describe your experiences in order to support your views on enacting speed limit laws for Lake Winnepesaukee.

--Write a check to support this effort: WinnFABS; PO Box 1341, Meredith, NH 03253.

Thank you for your interest in this extremely important HB162 and your support to restoring and ensuring safe, family boating on Lake Winnepesaukee!

House Bill 162 (HB 162)

House Bill 162 states the following:

STATE OF NEW HAMPSHIRE

AN ACT establishing boating speed limits for Lake Winnepesaukee.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section: Restrictions on Boating; Lake Winnepesaukee. Amend RSA 270 by inserting after section 130 the following new section:

270:131 Lake Winnepesaukee. No person shall use or operate any powerboat, motorboat or boat equipped with any type of power motor at a rate of speed exceeding 45 miles per hour during daylight hours and 25 miles per hour during night hours on the waters of Lake Winnepesaukee. As used in this section, "daylight hours" means the hours between 1/2 hour before sunrise and 1/2 hour after sunset and "night hours" means the hours 1/2 hour after sunset and 1/2 hour before sunrise. Any person who violates the provisions of this section shall be guilty of a violation.

2 Effective Date. This act shall take effect January 1, 2006.

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The Legislative Process at a Glance

House

Senate

Bill is assigned to a Committee

Bill is assigned to a Committee

Public Hearing held in that Committee

Public Hearing held in the Committee

Subcommittee works on Bill

Subcommittee works on Bill

Recommendation made by Committee

Recommendation made by Committee

**Recommendation of the Committee
voted on by the full House**

**Recommendation of the Committee
voted on by full Senate**

Following Senate process

Following House process

Committee of Conference held

Governor's Signature

Introducing this Bill into the RR& D Committee is just the beginning of the process! We'll need your support (letters, calls and testimony) at each step as we follow the Bill's progress into law! Thank you!

Resources, Recreation and Development Committee Mailing List

**If you email, also send a hard copy to the mailing address.*

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WRITING A LETTER /EMAIL

Remember that attention to detail is important. Be sure to address your letters in the proper form and to the appropriate legislators.

Here are ways to make your letter more effective and persuasive:

--Address your legislator properly. The proper form of address is
The Honorable William Jones
State House
Concord, NH 03301

The proper salutation is
Dear Representative (or Senator) Jones

--Clearly identify yourself (as a constituent if appropriate, or as a lake enthusiast, home owner, family boater, rower, kayaker, etc.—*the Committee wants to hear from anyone this Bill affects.*)

--Write legibly or type. A handwritten letter is fine, but it must be easily readable.

--Be brief and clear. Discuss one issue per letter. State your points within the first paragraph of the letter, and use personal/family experiences on the lake as examples to support your arguments, if possible. Then state how the Bill will benefit the Lake (ie: state the problem, then how this Bill addresses the problem). Discuss excessive speed or fast boats but **do not** mention a certain class of boats.

--Include the Bill number (HB 162).

--Be courteous. Extreme arguments only undermine your credibility.

--Be sure to urge the legislator to support the Bill.

--If possible, follow up by phone to make certain that the legislator received your letter, using this opportunity to reinforce your message.

--If you email, send some hard copies, if possible, as emails sometime get lost or overlooked.

--Please write to all committee people, if possible, as they all need to be persuaded to support HB 162.

CALLING YOUR LEGISLATOR

Phone calls are an effective and efficient way to communicate with your legislator. It only takes a few minutes but can go a long way toward influencing him or her.

Before you call, jot down an outline of major points and pertinent information. Refer to talking points/arguments in support of HB 162 and draw from your own lake experience:

--State the position that you would like the legislator to take on HB 162 (state the Bill).

--Identify yourself.

--Be brief. Cover only one issue in a call.

--Be courteous . Extreme arguments only undermine your credibility.

TESTIFYING AT A PUBLIC HEARING

Logistics of a public hearing:

Plan to arrive about 15 minutes early so that you can either (1) support a piece of legislation by signing a blue sheet on the desk at the front of the room, or (2) fill out a pink card, indicating that you wish to testify.

There is no “one way” to provide testimony on legislation. Many Committee Chairmen have a preference for written testimony, which is often read into the record. This is a good idea if you anticipate that you will be nervous. If you are using written testimony, be sure to provide additional copies for the committee. Other Chairmen will ask the individual speaking to just talk to the Committee. **Be prepared for both.** Typically members of the Committee will ask questions after your testimony. Always be forthright with your answers. If you don't know the answer to the question, say so.

Things to keep in mind when testifying:

- Always greet the Chairman and the Committee
- State your name and place of residence for the record
- State whether you support or oppose the bill
- Keep your testimony brief(not more than 2 minutes) and clear(the Committee will hear from many individuals on a particular issue).
- Listen to those who testify before you and attempt not to repeat what others have said.

Sample Written Testimony

This Testimony is only a sample. You should adapt it as you see fit.

Date

Representative Chris Johnson, Chair
Environmental and Agriculture Committee
Legislative Office Building, Room 303
Concord, New Hampshire 03301

Subject: **Bill Number and Title**

Introduction – Good morning Chairman Johnson and Members of the Committee. My name is Samuel Jones and I have been a resident of Lake Winnepesaukee for the last twenty years. Thank you for the opportunity to express my support for HB 162.

Paragraph 1 – Explain why you support House Bill 162. Choose an argument that you identify with most strongly.

Paragraph 2 – Give an example of how this will benefit Lake Winnepesaukee.

Conclusion – I hope you will preserve and protect Lake Winnepesaukee's safe family boating by voting for House Bill 162. I would be happy to answer any questions the committee might have.

After answering questions, thank the Committee.

Remember, we need your support to enable House Bill 162 to succeed:

- Make copies of this and forward it to anyone and everyone you know who may be in support of HB 162, tell them we need their help, and ask them to forward a copy on...***

- Write to all of the committee, if possible, or to the Chairman if you can write only one letter. They want to hear from everyone and any one affected by HB 162.***

- If you email, please try to send hard copies, too, as email often gets lost or doesn't get noticed as much as a letter, in some cases.***

- Describe your own or your family's boating or lake experiences, close calls, accidents, terrifying outings, or other incidents as they relate to high/excessive boat speeds.***

- Get all of your family and friends to write their own letters.***

- Write to other legislators: State Representatives and State Senators as you see appropriate.***

- Go the website <http://www.WinnFABS.com> for more information and updates(including the public hearing dates and locations as soon as we get them).***

- Plan to attend the Public Hearings this summer and get as many others to attend, too.***

- Write a check to help support this effort: WinnFABS; PO Box 1341, Meredith, NH 03253.***

- Volunteer your time by joining our HB 162 Committee.***

Thank you for your support of HB 162!!

